"STUDY OF THE POLITICS OF THE PARTITION, 1937-1947"

ABSTRACT

THESIS SUBMITTED FOR THE AWARD
OF THE DEGREE OF

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IN

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BY

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ABSTRACT

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Much as I heard and read about the causes of partition, the pre-partition politics, a much discussed issue of our day, became a subject of my sole interest. I felt that the more it is debated the more it gets blurred. A conceptual assessment transformed my instincts to make an in-depth study in this issue. This study would perhaps, benefit, besides the scholars and academicians, also to knowledgeable masses by mustering the factual details and events during the period and giving them an objective meaning and interpretation. However, since the politics of partition emerged in the nineteenth century, a glimpse of social, political, cultural and religious tendencies of the Hindus and the Muslims has also been given. This contextual perspective has brought into focus eminent Hindu and Muslim leaders and the British attitude towards the demand for independence. The simplistic explanation that the Muslim League caused partition and that the Congress could not reconcile with the League's demand; or that the British played an intrinsic role in the politics of partition have been found to be only limited facts of the complex problem of partition. What was the real cause and what was the role of the Congress and the Muslim League in the partition politics has been analysed as also the complex nature of the issue with its political, social, psychic and leadership ambitious dimensions.

The method of study is inductive. Facts and figures have been collected and under the guidance of logic and analytical approach, conclusions have been derived. Though the language adopted is that of scientific presentation of political material, the form is narrative and historical. In view of the conflicts of opinion, special care has been taken to avoid temptations of bias and preferences.

Varied available sources and material have been utilized. A particular mention needs to be made of Sir Syed Archives and the Research Section of the M.A. Library, AMU, Aligarh, the Sapru House Library, the National Archives of India, the Nehru Memorial Museum and Library, the Gandhi Museum Library, and the Jamia Millia Islamia Library at New Delhi. References to Mountbatten Papers have been consulted in Manmath Nath Das, Partition and Independence of India.

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India Office Records, transferred to the NAI, have also been checked. The published materials, including Memoirs and Autobiographies, Documents and Speeches, Contemporary and Secondary books and materials, Articles, Periodicals and Newspapers (English and Urdu) have been made appropriate use of in our thesis. However, the subject-matter covers a long period from 1857 to 1947, with particular details for the period from 1937 to 1947.

During the course of writing a large number of questions crept in mind, but a few very important ones have been answered, though at every step due consideration has been given that no a single aspect of the freedom struggle remain untouched.

The politics of partition of India was a longdrawn and longwided history of communal differences between the Hindus and the Muslims. How the differences erupted, maligned the political atmosphere and disintegrated the two major communities and created a gulf between them is what is sought to be researched in this thesis. An attempt has been made to bring out the varied complexities in forming the problem of partition which appeared to be deriving from a variety of reasons and factors.

Chapter I, entitled,"Roots of the Partition Psychosis', deals with political and constitutional developments up to 1913. The main events of this period are the Hindu and Muslim revivalism during the first half of the nineteenth century, which accentuated their difference The 1857 Revolt destroyed the Mughal dynasty and the Hindus came in power and in office, while the Muslims suffered the British suppression. Sir Syed emerged as their deliverer. He opposed the joint electorate and the Congress, as he thought that the Muslims being in minority would be unable to win elections and wield influence in the legislative assemblies. This concention and approach gave rise to the demand for separate electorate, which accelerated the process of alienation between the two communities.

An observation of the Hindu and Muslim leadership reveals their patriotic view instead of their enemity to the Mother India. But their thoughts and action drifted by the religious and political winds.

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The Muslim League came into being in 1906 and stood for the protection of the rights of the Muslims, while the Congress claimed to represent all the Hindus and the Muslims and other minorities in India. The period between 1892 and 1913 was very stormy due to the partition of Bengal. The Indian Council Act, 1909, granted separate electorate for Muslims in the Provincial Legislative Councils and reserved seats in the Imperial Legislative Council. The Congress opposed it. In 1910, the Congress and the League leaders met at Allahabad and discussed a number of problems of Hindu-Muslim controversy, but no solution could be found. The Hindu-Muslim differences became more pronounced. The Muslims began to abuse the Hindus loudly in meetings and press. The All-India Hindu Sabha was established soon after the Conference. The Sabha began to convert the followers of Islam to Hinduism. On the other hand, the Muslims founded Societies offering pan-Islamic solutions and fostering communal consciousness. The Hindu and Muslim organizational conflict and irreconciliatory attitudes backed by their communities isolatory stances strengthened the feeling that the Hindus and Muslims cannot live in a unitary state of India and an idea of partition got germinated.

Chapter II relates to'The Growth of the Idea of Partition' during 1914-1936. Various political developments and statements of leaders regarding the vivisection of India shows that the Hindu-Muslim differences deep-rooted the idea of partition. The Lucknow Pact, 1916, brought the Congress and the League almost to a final settlement, but the Government's declaration in 1917 of the gradual development of self-government institutions and the Government of India Act, 1919, left the Pact pending. The Act provided for separate Muslim electorates. The Congress demanded responsible government. Gandhiji at the Bombay Home Rule League meeting on October 3, 1920, proposed to secure complete Swaraj for India. The Moplah's rebellion in 1921, sharpened the Hindu-Muslim differences. Swami Shradhanand, released from the jail in December, 1922, started Shuddhi Movement and Moonje launched Sangathan Movement and the Hindu Sabha was refounded as the Hindu Mahasabha towards the end of 1922, to counter the Tabligh and Tanzim Movements. The Arya Samaj reconverted four and a half lakhs of Malakhana Rajputs and between 1923 and 1927 about 112 major communal riots broke out. Gandhiji in May, 1924, said: "The Mussalman as rule

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is a bully and the Hindu is a coward", which added fuel to the fire of communal entanglement. Jinnah joined and revived the Muslim League in 1925. Jinnah held a conference at Delhi on March 20, 1927, and agreed to forego the demand for separate electorate if his four demands were accepted. Jinnah opposed the Nehru Committee Report of August, 1928, which rejected the Muslim League's demand for reservation of seats in the Punjab and Bengal. As the All-Parties Conferences failed to settle the Congress-League dispute, Jinnah put forward his famous 14-point demand in March, 1929. The League opposed the Civil Disobedience Movement launched by Gandhiji in 1930, as it considered that it would be 'suicidal' to the Muslims. The Round Table Conferences (1929-1932) failed as the Hindus wanted their majority in some provinces with a strong centre, while in certain other the Muslims wanted to dominate. During the RTCs, Rahmat Ali and Iqbal proclaimed their ideas of Pakistan. The Government of India Act, 1935, recommended separate electorates for Muslims. According to the Act, elections held in 1937, which shocked the Muslim League as they had no effective majorities. Therefore, they proposed an all-India federation, that is, the Muslim-majority states and the Hindu-majority states joined in a federation. However, the Congress formed ministries in six provinces. The League made a propaganda of Congress atrocities to win favour of the Muslims. The Second World War ensued in 1939. The Congress-League differences became very ardent. Consequent to the Congress minitries resignation in October, Jinnah observed the 'Day of Deliverance' in December, 1939.

Chapter III deals with the 'Pakistan Resolution'. The Congress Wardha Session, 1939, demanded an independent country, democracy and the principle of self-determination and refused to cooperate with the British war aims. Therefore, the British took to an appeasement of the Muslim League. Taking advantage of this British posture, the League resolved that the British Government should not approve of any constitutional development without the consent of the League. Jinnah raised the slogan, "Islam in danger" and at the AIML Session, 1940, read the famous resolution, which demanded autonomous, sovereign and independent states in the Muslim majority regons in the north-western and eastern zones in India. Jinnah advocated his 'Two-Nation theory'. The leaders expressed their views on the demand. Most notably, Master

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Tara Singh at Lucknow on April 15, 1940, warned: "If the Muslim League wants to establish Pakistan, they will have to pass through an ocean of Sikh blood". The newspapers called it a Pakistan Resolution, though the demand nowhere used the word 'Pakistan'.

With passage of time concept of Partition was gaining its supporters and opponents. Position of the British rulers lent further credibility to this debate. Muslim League leadership had succeeded in moulding the attitude of the Colonial Power to its advantage and in this sense showed a greater competence to manoeuvre and tune its moves. Congress appears to suffer by comparison in this context all through the Pre-Partition politics.

Chapter IV describes 'The War and the Demand for Pakistan', during the period from 1937 to 1942. The League membership from 43,920 in 1938 increased to 3,30,000 in 1944. Linlithgow reiterated that Dominion Status was the goal of the British policy and agreed to give full weight to the opinions of the minorities. The Congress and the Hindu papers continued to denounce Jinnah for his intransigence. In November, 1939, the Manzilgah riots embittered communal relations in Punjab. The Arya Samajist instructed its volunteers to get a lathi and a knife for self-defence and were distributed short iron dandas. On the other hand, the Khaksars were organised in order to re-establish Muslim rule in India. Further, the Congress and the League did not change their policy. The constitutional impasse remained. The Congress was against the coalition ministries as an interim settlement during the War. In November, 1939, Jinnah put forward five points before the Congress for an interim settlement, which widened the gulf between them. To break the political deadlock, Linlithgow, on August 8, 1940, issued a statement on 'India and the War', which declared that no constitutional development would be acceptable unless and until agreed to by the Muslim League. The Congress being disappointed, launched the Civil Disobedience Movement in November, 1940, while Jinnah pushed the idea of Pakistan deep into the Muslim minds.Jinnah charged that the Congress objective was to establish a Hindu Raj. Moonje and Savarkar said that Muslims were like Jews in Germany and should be treated as such. Jinnah apprehended that the Congress aimed at the domination and destruction of the Muslims in all ways. Based

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on these fears, Jinnah became more and more determined to fight for Pakistan. Jinnah toured India for gaining support of Muslim masses for the creation of Pakistan. He said the Hindu Mahasabha, the All India Hindu League and the Liberation Federation were minor offshoots of the Congress. Meanwhile, Cripps issued the 'Draft Declaration' in March, 1942, saying that the Constituent Assembly could start with the declaration of Independence, giving the right to the non-acceding provinces to form their own Union with complete self-government, while the Defence was to continue under the British control. But the Cripps Mission failed. An interesting, though logical development of this period was Rajagopalachari's acceptance of the demand of Pakistan. Quit India Movement failed due to opposition of the Muslim League.

Chapter V deals with the 'Demand for Creation of Pakistan' from 1942 to 1944. Most of the Congress leaders were imprisoned. Rajaji renewed his plea for acceptance of Pakistan, but neither the League nor the Congress, for their own reasons, encouraged him. Gandhiji was also arrested. Sikandar Hyat resigned from the League on May 29,1942, as he believed that the League's demand would make the partition of Punjab inevitable. During the period of War, the breach between the Congress and the Government was effectively exploited by the Muslim League. In April, 1943, the Muslim majority provinces - Assam, Sind, Bengal, NWFP and Punjab - were under control of the League. Jinnah said that he would be happy if Gandhiji would like to have a settlement on the basis of the creation of Pakistan. However, the Congress in August, 1943, agreed to make some concessions to the League, which could not satisfied the latter. Gandhiji was released from jail on February 22, 1944. While in jail, Gandhiji had expressed his full approval of Rajaji's formula, which contained six clauses forming the basis for terms of settlement. Rajaji sent the formula to Jinnah on April 8, 1944. Jinnah rejected the formula saying "it offered a shadow and a husk, a maimed, mutilated and moth eaten Pakistan". Gandhiji on May 4, 1943, desired to have a face-to-face talk with Jinnah. Gandhiji refused to accept the Lahore Resolution and Jinnah demanded the division of India into two sovereign states - Pakistan and Hindustan. The proposal of B. Shiva Rao, Sapru formula and Desai-Liaquat Pact could not solve the communal problem.

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Chapter VI deals with the 'Wavell Plan and Simla Conference'. Wavell called a political conference at the Viceregal Lodge in Simla on June 25, 1945, attended by twenty-one invited leaders of different shades of opinion. L.S. Amery, the Secretary of State, on June 14, 1945, declared that the Viceroy was empowered to make proposals on composition of interim government in India. On June 27, 1945, the Viceroy asked the Congress to submit names for selection to the Executive Council. On the same day, Jinnah demanded that the Council should constitute fourteen members (5+5+ 1 Sikh, 1 SC and 2 others), while the Congress claimed to nominate members of all communities including the Muslims. The Viceroy felt that the Congress-League confrontation in the Council would not help to solve the problems. Due to Jinnah's terms, the Conference failed. Azad and Rajaji held the League responsible for it. Jinnah stated that the League's demand for Pakistan and the Congress demand for a united India were quite contradictory and Musalmans of India were determined to have Pakistan. Azad blamed the British for giving the League the power of veto.

By the end of December, 1945, elections held to the Central Legislative Assembly. The Congress won an overwhelming success in the General constituencies, while the Muslim League won every Muslim seat. Elections to the eleven Provincial Legislatures lasted for three months. The Congress won 930 seats with absolute majority in eight provinces, while the League captured 428 seats, which indicates its increasing influence in Indian politics. Meanwhile, the Delegation interviewed eminent leaders. Nehru agreed to the creation of Pakistan subject to plebiscite in border districts to confirm it. Attlee's declaration on March 15, 1946, assured the Indians that the Independence of India was certain. Attlee also made it clear that they cannot allow a minority to veto the advancement of the majority. All the parties welcomed Attlee's declaration to send the Cabinet Mission.

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Chapter VII explains the recommendations of the Cabinet Mission and the Interim Government of 1946. The Mission landed in Karachi on March 23, 1946, to find out means for transfer of power. In April, the Mission interviewed 742 leaders in 182 sittings. Azad suggested a federation "with a limited number of compulsory federal subjects

such as defence, communications and foreign affairs, and autonomous provinces in which would vest the residuary powers". Gandhiji denounced the two-nation theory and demanded for creation of Pakistan. He said that Jinnah should be asked to form the first government with the ministers chosen from amongst the elected members of the legislature. Jinnah propounded the two-nation theory and rejected Gandhiji's offer. Ambedkar opposed the formation of a constituent assembly, which would be dominated by Caste Hindus and claimed constitutional guarantee for the Scheduled Castes. Jagjivan Ram supported Dr. Ambedkar. Giani Kartar Singh demanded Khalistan. Master Tara Singh and Harnam Singh demanded separate states for the Sikhs with the right to federate either with Hindustan or Pakistan. Baldev Singh demanded a united India with 45% seats to Muslims and the rest divided between the Hindus and the Sikhs. Jinnah opposed the Union Centre with subjects - defence, foreign affairs and communication. The Government opposed Jinnah's demand for Pakistan including six provinces and Calcutta. Four representatives each of Congress and the League were invited by the Secretary of State at Simla in May, 1946, but the talks failed. Hence, the Secretary of State published his own scheme on May 16, 1946, which is known as the Cabinet Mission Plan.

The Plan rejected the claim of Pakistan and recommended Short-term and long-term plans. The Mission announced that if any party did not accept the Plan of May 16, it would be excluded from the Interim Government. The Plan accepted the Congress demand of a United India and the League's demand of compulsory grouping of the provinces on communal lines. Gandhiji wrote to wreck the Groups of Provinces and said that the Constituent Assembly could not be a sovereign body. Jinnah complained that the Mission had not made the provision for establishment of a complete sovereign state of Pakistan and had simply appeased and placated the Congress. The Congress members joined the Interim Government. Nehru, who became President in June, 1925, declared that he had every intention of modifying the Plan. He said that the problem of minorities was domestic. Jinnah criticised Nehru's statement and withdrew from joining the Interim Government at all. However, the League joined the Interim Government, but the Mission Plan failed. Menon proposed that the country should be divided and suggested Dominion Status to both India and Pakistan.

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Chapter VIII outlines the Mountbatten Plan and traces the principles of partition of India which had by now become an in thing. Churchill called the Nehru Government a "complete disaster". In March, 1947, the CWC, in view of orgy of murder and arson, reluctantly agreed to the division of Bengal and Punjab to separate the predominantly Muslim part from the non-Muslim part. On January 20,1947, Attlee declared to effect the transfer of power not later than June, 1948. In March, Lord Wavell was replaced by Lord Mountbatten as Viceroy. Attlee made it clear that the British Government "cannot allow a minority to place a veto on the advance of the majority". On March 22, Mountbatten reached New Delhi. The Congress was demanding "Quit India" and the League proclaimed the watchword, "Divide and Quit".

Mountbatten discussed the issue with the Congress and the League leaders. Nehru pleaded for partition of Bengal and Punjab, while Gandhiji opposed it. Liaquat Ali said that in view of the extreme communal strife there was no chance to implement the Cabinet Mission Plan. Dejectedly, he said that the League would accept even the Sind Desert for a separate Muslim state instead of living in bondage to the Congress. Sardar Patel and Nehru agreed to the partition of India, but Azad opposed it till last. Gandhiji said to the Viceroy that Jinnah should be given the option of forming a Cabinet and, if he rejects, the same offer should be made to the Congress. In this case, Jinnah was to become Prime Minister. Hence, Nehru and Patel impressed upon Gandhiji to withdraw this offer to the great disappointment of Azad. On April 8, Jinnah proposed to the Viceroy for accepting the demand for Pakistan and the splitting of the Defence Forces. The Viceroy, on this principle, said that Punjab and Bengal should also be partitioned. Jinnah appealed to Mountbatten "not to destroy the unity of Bengal and the Punjab" and on April 9, appealed to him "not to give him a moth-eaten" and "truncated" Pakistan. Jinnah also lost all hopes of becoming Prime Minister, according to the proposal of Gandhiji. Thus, Jinnah's high hopes of a grand Pakistan were raised to the ground.

In view of the dramatic change in the League's attitude and the Congress acceptance of Pakistan on April 11, Mountbatten devised a plan, which divided the Legislative Assemblies of Punjab and Bengal

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into two parts: pre-dominantly Hindu areas and pre-dominantly Muslim areas. On April 20, Nehru declared that the League should not take away other parts of India which do not wish to join Pakistan. Menon, apprehensive of Karachi becoming a big US naval and air base, proposed "Dominion Status for India" instead of a "completely independent sovereign State". Meanwhile, Suhrawardy began to demand a"United Bengal", the Sikhs aspired for a "Khalistan" and Pakhtoons for a "Pathan State" in NWF. Serious communal outbreaks and incidents of stabbing and arson continued during this period. The Muslim League continued civil disobedience. The Viceroy, therefore, decided to transfer power as soon as possible. Mountbatten revised his plan. The British Cabinet approved the plan with some modifications, that is, to break up India into several units. Nehru resented as it could convert the major princely states into independent kingdoms. He considered it an outright favour to the League. However, the Congress and the League agreed to Menon's draft "Agreement", which advocated Dominion Status to India and Pakistan. Jinnah's demand for a Corridor to link West and East Pakistan was strongly opposed by the Congress.

Mountbatten, on June 2, 1947, held a conference of seven top leaders of all the parties and gave them the draft of the Partition Plan, to which, they ultimately agreed. On June 3, Mountbatten broadcast the partition of India, followed by the Indian leaders. Two Interim Governments with the Congress and the League were created. Mountbatten was appointed Governor-General of India and Jinnah of Pakistan. Mountbatten inaugurated the Dominion of Pakistan on August 14, 1947, and the Dominion of India on August 15, 1947. As suggested by Jinnah, Radcliffe demarcated the boundary of India and Pakistan.

Pakistan thus came into being as an embodiment of a social and political ethos which obtained in Colonial part of British India evolving in the wake of historical and political developments in this country primarily in the context of its aspiration for freedom and the response thereto by the Colonial Power. The course of this national movement happened to be determined by the leadership styles and organisational techniques of the leaders of the freedom movement and response of the Muslim minority thereto came to be informed by their perception of historical past, of the prospects of their being accommodated by most of the leaders of National Movement and by the manoeuvres and stance taken by the British rulers vis-a-vis their aspirations.

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This is to certify that Miss Syeda Sabiha Nazli Naqvi has worked under my supervision and that her thesis for Ph.D. entitled, "Study of the Politics of the Partition, 1937-1947", is, in my opinion, suitable for submission for the award of the degree of Doctor of Philosophy in Political Science.

(Prof. A.P. Sharma)
SUPERVISOR

February, 1989

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DEDICATED TO MY BELOVED

PARENTS

MRS. AND MR. SYED NAZAR AHMAD NAQVI

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PREFACE

As an episode of history of far-reaching implications, partition of Indian sub-continent occurred as a result of a series of complex and chaotic societal and political events and factors. Indian leadership could not gauge the depth of the problem of Hindu-Muslim differences and failed to foresee its far-reaching consequences and, therefore, develop effective response to cope with this problem. Constitutionalism, based on secularism and democracy, made the Hindus believe in ultimate and inevitable Hindu-majority government, while the Muslims after the fall of the Mughal Empire, had still pangs and desire deriving from their 'ruler complex'. The power politics became the object of the parties - Congress and Muslim League, with a pronounced backdrop of religion, aiding communalism. The communal ideas of Hindus and Muslim leaders paved the way for the politics of antagonism and alienation. The Hindus had a strong and the Muslims had a weak leadership. Gandhiji rebuked Jinnah and Nehru refused to cooperate with the League. Jinnah on his part did not agree in effect to any thing short of Pakistan. Jinnah may not be held solely responsible for it. The Muslim politics had germinated the seeds way back in history. Sir Syed Ahmad Khan, the first Muslim Leader, led the Aligarh Movement, but failed to bring the Mussalmans to the same cultural level as the Hindus. In the twentieth century, Mohammad Ali, the other Muslim leader of stature, propounded an ideology of an extreme type of Mullaism. Dr. M.A. Ansari and Maulana Azad, the hundred per cent Congressmen, believed in secularism and democracy, but could not anticipate the force of partition psychosis as a reality. Dr. Mohammad Iqbal was not a "system builder". Although he had identified that 'the medieval spirit of Islam had rendered it useless to the modern man', he lacked the courage 'to break with traditional Islam completely and accept the spirit of modern science and socialism'. The spectre of fear of Hindu domination made the Muslims mad the Hindus did not make any serious effort to remove their apprehensions as a result riots in almost all parts or India broke out and became a recurring feature of our polity.

In this tumultous political situation, Jinnah emerged as the only leader or the Muslims, who devoted his life for their cause. In

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his private/personal life he was most secular of all Muslim leaders and was least interested in Islamic theology. He believed in the principles of 'nationalism, democracy, secularism and the unity of the country'. There was no fanaticism in his social or political life. He also advocated that Muslims should separate religion from politics. He was supported by minor politicians - Khaliquzzaman, Firoz Noon and Fazlul Haq etc. and was opposed by reactionary fanatic organizations - the Ahrars, the Khaksars and Maudoodi. The antagonism and hostility between the Congress and the League leadership caused Jinnah to demand a separate Muslim State i.e. Pakistan.

This thesis is an attempt to discern the facts and their contexts with a view to go into the genesis of Partition objectively. It has been observed that the events had a certain inevitability and spontenity about themselves rooted into history, tradition and thriving upon ambitions and ego of leadership, manoeuvres of British rulers and compulsions of colonialism and Westernization. Had the Congress taken a stern position vis-a-vis Hindu Mahasabha as they took against Maulana Abdul Bari, the leader of the Khilafat Movement, the course of history might have been different.

During the days of partition politics, it was difficult for any author to write the history of those days. Whatever has been written is not free from biased expression. Mountbatten avoided to write anything as he did not like to be cursed by India or Pakistan. The evidence of the partition period are available in the form of parliamentary and official/private records, party reports, biographies, documents and speeches and contemporary publications. The most important are Mountbatten papers, which we have consulted from Manmath Nath Das, Partition and Independence of India. For other source material, the researcher consulted libraries in New Delhi and Aligarh. Fortnightly Reports, Home Political Files, Viceroy's Private Papers and their Microfilms were consulted at the National Archives of India; the Congress conferences proceedings and meetings records, Indian leaders papers were perused at the Nehru Memorial

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Museum and Library; Gandhian papers and collections were gone through at the Gandhi Memorial Museum and Library and at Gandhi Smarak foundation; and a large number of books which were not available in the Maulana Azad Library, Aligarh, were studied at the Sapru House Library, New Delhi.

The books which we have extensively referred to include the 'Memoirs and Autobiographies', such as, Khaliquzzaman's Pathway to Pakistan (which was provided by Prof. M.H. Kidwai), Azad's India Wins Freedom, and writings of Hali, Gandhi, Campbell-Johnson, P.N. Chopra and Ispahani. Among the documents and speeches consulted are the works of Jamil-ud-Din Ahmad, Durga Das, Z. Faruqui, G.K.Gokhale, Ram Gopal, Gwyer and Appadorai, Jain, Jinnah, Mansergh and Lumby, Menon, Iqbal, Nehru, Pandey, Philips, Pyarelal, Sitaramayya, Tendulkar and Zaidi. The contemporary books and materials have also been consulted both at Delhi and Aligarh. These are mainly the records of Rahmat Ali, Banerjee, Coupland, Mushirul Haq, Sir Syed Ahmad Khan, Syed Mahmud, Mehta, Noman, Munshi, Rajendra Prasad, Darbara Singh etc. The secondary sources are numerous. The ones which have been found of pronounced utility are works of Agarwalla, Aziz Ahmad, G. Allana, K.K. Aziz, Bamford, Hector Bolitho, Broomfield, Brown, Sandhya Chaudhri, D.C. Gupta, Mushirul Hasan, Siddiq Ali Khan, Wali Khan, Francis Low, Majumdar, Malhotra, Mehrotra, Pendarel Moon, Moore, Sharif Al Mujahid, J.J. Pal, Ishwari Prasad, Prasad and Subedar, Qadri, Matiur Rahman, Francis Robinson, Moin Shakir, L.A. Sherwani, V.P. Singh, Spear, Tarachand, Hugh Tinker, Stanley Wolpert and Rafiq Zakaria. Besides these a number of periodicals and newspapers have also been consulted for collection of the evidence.

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The approach of study is historical and analytical and a sincere effort has been made to unravel the complexity of the factors leading to partition.

I am deeply indebted to Professor A.P. Sharma, my Supervisor and Teacher, for his fatherly treatment and sparing of his valuable time out of his very busy schedule for guiding this research.

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February , 1989 (Miss) Syeda Sabiha Nazli Naqvi

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ABBREVIATIONS

AICC	=	All India Congress Committee
AIML	=	All India Muslim League
AIKC	=	All India Khilafat Committee
AMUA	=	Aligarh Muslim University Archives
BENNR	=	Report on Native Newspapers in Bengal
BNNR	=	Report on Native Newspapers in Bombay
C-in-C	=	Commander-in-Chief
CKC	=	Central Khilafat Committee
CP	=	Central Provinces
CWC	=	Congress Working Committee
EUR	=	European
FR	=	Fortnightly Report
HE	=	His/Her Excellency
INA	=	Indian National Army
INC	=	Indian National Congress
INCD	=	Indian National Congress Document
LC	=	Legislative Council
LCA	=	Archives of the Commissioner of Lucknow
MAO	=	Mohammadan Anglo-Oriental
MAR	=	Municipal Administration Report
ML	=	Muslim League
NWP	=	North-Western Provinces
NWFP	=	North-West Frontier Provinces
PAR	=	Police Administration Report
PP	=	Parliamentary Papers
UPLC	=	Uttar Pradesh Legislative Council
Poll.	=	Political
RTC	=	Round Table Conference
UPS	=	Uttar Pradesh Secretariat Archives
UPSA	=	Uttar Pradesh State Archives, Lucknow

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CHAPTER I

ROOTS OF PARTITION PSYCHOSIS (UP TO 1913)

It is not unusual that till date many politicians and scholars hold that the cause of partition of India was the direct consequence of the Congress-League confrontation. This logic can be explained in the background of the religious and socio-political relations between the Hindus and the Muslims during the pre-partition days. The causes of partition are spread over a span of centuries when the seeds of Hindu-Muslim feelings were sown by the rulers and the saints in distant history. The orthodox Hindus and the Muslims, spiritually attached with them, enshrined them in their mind and soul and expressed their preference with distinctive qualities of their religious leaders, rulers and saints, which sometimes engulfed the Hindus and the Muslims in communal riots resulting in disregard and hatred against each other.

According to Dr. Tara Chand, the Aryans came to India between 2,500 BC and 2000 BC.[1] The Aryans' religious book, Ved, divided the Hindu community into four groups - Chatri, Brahman, Vaish and Shudra, who prayed the idols of various gods and goddesses, while the Prophet Muhammad (570-632) gave Muslims the Holy Qur'an, which teaches that all Muslims are equal before God and only One God - the Almighty, should be worshipped. This basic difference between the Hindus and the Muslims had always been a cause of strife between them. Despite religious difference, there was great coherence between the two communities and others.

Coherence between Communities

In the 19th century, the Europeans and Hindus might regard Aurangzeb as the orthodox and short-sighted ruler. Bipan Chandra's[2] claim that he destroyed "many of the Hindu temples in the north", without instance, is baseless. He never ordered to dismiss Hindus from the Imperial service. His Chief Secretary (Peshkar) was Wali Khan, who was very much liked by the Emperor. He never ordered to demolish any temple, as is charged. Original

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1. Dr. Tara Chand, Ahle-Hind Ki Mukhtasar Tareekh (Urdu), (Delhi: Union Printing Press, 1968), p. 56.
2. Bipin Chandra, Modern India (New Delhi: NCERT, 1971), p. 10.

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farmans[3] of Aurangzeb are available with the mahants of the temples of Someshwar Nath Mahadev, Mahakaleshwara (Ujjain), Balaji (Chitrakut), Umanand (Gauhati), Jangum Badi Shiv (Varanasi) and Shatranjia temples and temples of Abu in Girnar (Ahmadnagar)[4]. He conferred jagirs on temples for puja and bhog. In fact, a Rani was dishonoured in a basement just below the statute of Ganesh. Hence, Aurangzeb ordered to move Lord Vishwanath (Varanasi) as the sacred precints were despoiled[5].

Shivaji, who was refused 'regional autonomy', is said to be a great enemy of Aurangzeb. All the historians have praised Shivaji for his generous religious policies towards the Muslims and the Holy Qur'an. He fought against Aurangzeb for certain rights - the right to collect Chauth and the right to mint his currency. Till his death, the Hindus, Muslims and Sikhs lived in perfect harmony in his territory. A Muslim saint Baba Yakut of Kalsi was his preceptor; Mulla Haider was his confidential Secretary; Ibrahim Khan Daulat Khan and Siddi Misri were his naval commanders. He built a mosque in front of his palace at Raigarh[6].

It is alleged "Three thousand Brahmins committed suicide as Tipu wanted to convert them forcibly into the fold of Islam"[7], which is quite untrue. Professor Srikantia reported to B.N. Pandey that the episode is nowhere in the Mysore Gazetteer, from which the author had stated to have taken. The Prime Minister and Commander-in-Chief of Tippu Sultan were Brahmins, named Purnea and Krishna Rao respectively. The Sultan used to

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3. These farmans were issued from 1065 AH (1659) to 1091 (1685). Result of personal investigation by B.N. Pandey (M.P.) in collaboration with T.B. Sapru, as stated at a Seminar at Aligarh in March, 1981. See for details B.N. Pandey, Islam and Indian Culture, Part I: The Confluence of Islam and Hinduism (Khuda Baksh Memorial Annual Lecture (Patna: December 19, 1985), (Cuttack: Orissa Government Press, 1985), p. 41.

4. Qaumi Awaz (Delhi), March 27, 1988.

5. B.N. Pandey, M.P., Seminar Lecture, n. 3, at the Department of Political Science, AMU, Aligarh, in March, 1981, organized by Prof.S.A.H.Haqqi, the then Head of the Department.

6. O.P. Sharma, 'Shivaji: A Great Warrior', The Hindustan Times (New Delhi), April 8, 1986.

7. Mahamahopadhyaya Dr. Har Prashad Shastri, Head of the Department of Sanskrit, Calcutta University, Calcutta (A Textbook of History), referred to by B.N. Pandey at the Seminar Lecture in March, 1981, n.3.

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pay annual grant to 156 temples. Tippu Sultan, as was customary with the rulers of Mysore, daily visited the temple of Lord Ranganatha located inside the fort of Srirangapatnam before taking his breakfast. In fact, Prof. Srikantia had based his information on the so-called "History of Mysore" by Col. Miles, who claimed to have translated his "History of Tippu Sultan" from a Persian manuscript which was said to be in the personal library of Queen Victoria, but there is no such manuscript in the Library.[8] However, Dr. H.P. Shastri's book was put out of course by the Government.

It is said that Muhammad bin Qasim (713-715) massacred all men (Hindus) above seventeen after capturing Debal to terrorise the populace, which showed his cruelties. This is quite incorrect in view of the fact that he was supported by Buddhists, Jats, Merhs, Brahmins and Roval officials of Dahir. Actually, he gave religious freedom to all and protected the temples, and accorded full social equality and religious toleration to all.[9]

Mahmud of Ghazni, who invaded Somnath with the help of Hindu mercenaries and officers,[10] in 1025-1026, has defamed himself as Butshikan (destroyer of idol). He did so to correct money for building up a large central Asian empire. His real object was not proselytisation,[11] but to achieve military glory and acquisition of wealth. He ransacked the treasures of temples and idol-breaking as a part of contemporary warfare. However, Mahmud's fanaticism did much damage to Islam and left for Muslims an abiding hatred in the minds of the Hindus.

Akbar's war at Haldighati against Rana Pratap was a battle between a Central Power and a Regional Power. It was not a battle between Islam and Hinduism. Akbar's army included also 40,000 Rajputs, and Rana Pratap's army was joined by contingents of Hakim Khan Sur and Taj Khan, the Pathan Raja of Jalaur. Further, while admiring Ashoka, the role of Akbar in creating "harmony between many different groups within his large empire"[12]

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8. B.N. Pandey, n.3, Seminar Lecture.
99. Tara Chand, n. 1, pp. 153-54.
10. The Times of India (Sundary), November 30, 1986.
11. Ibid.
12. Tulsi Vatsal, A New Illustrated History of India (Delhi: Oxford University Press, 1983), p. 53.

cannot be overlooked.

The Sikhs say that Aurangzeb converted Sikhs to Islam, which is unfounded. In fact, Sikhism was founded by Guru Nanak (1465-1538). Guru Angad and Guru Amardas had friendly relations with Akbar.[13] Guru Arjun, the Fifth Guru (1582-1607) wrote the Adi Granth. He helped Khusro against the Mughals, who killed him. Guru Hargobind (1606-1645) transformed the Sikhs into a militant community, made his own fort, opposed Jahangir and, hence, was arrested. When released, he went to live in mountains and died in 1644. His successor, Girdhar Roy was a friend of Dara Shikoh. After his death, his sons, Harkishan and Ram Roy fought for successorship. Later, Guru Tegh Bahadur in 1668 fought on the side of Mughal army in Bengal and Assam and when he revolted, he was executed in 1675. Guru Govind Singh, the Tenth and the last Guru (1664-1708), who was subdued by Aurangzeb, was appointed by Bahadur Shah in 1708 to war against Maratha, but he was killed by a Pathan at Nander.[14] Guru Govind Singh's two sons were killed by decision of a Regional Council without influence of Aurangzeb and despite opposition of the Nawab of Malerkotla. The other two members were the Nawab of Sirhind and his Hindu Vazir Suchanand Khursidar.[15] The whole affair was politically motivated and there was no religious prejudice.

The above historical instances were adversely exploited by the politicians in the 20th century. They did not expose the absolute equality between the Hindus and the Muslims[16] during the reign of Muslim kings between the 11th and the first half of the 20th centuries. The instances are so numerous that these cannot be encompassed within this limited study.

Hindu Religious Movements

However, the differences between the Hindus and the Muslims were sharpened by the Hindu and Muslim religious movements during the 19th century. The leaders of the Hindu religious movements were, among others: Ram Mohan

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13. Tara Chand, n. 1, p. 318.
14. Ibid., p. 321.
15. B.N. Pandey, n.3, Seminar Lecture.
16. T.W. Arnold, Preaching of Islam : A History of Propagation of the Muslim Faith (Delhi: Renaissance Publishing House, 2nd edn., 1913). See also for contribution of Muslims to Arts and Sciences, Sir Thomas Arnold and A. Guillaum, The Legacy of Islam (Oxford : Clarendon Press, 1931).

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Roy, Debendranath Tagore, who initiated Brahmo Samaj in 1843, Keshab Chandra Sen, who founded Sangat Sabha in 1860, Surendra Nath Banerjea, the uncrowned king of Bengal, Raj Narayan Bose (1826-99), who founded the Society for the Promotion of Nationalist Feeling with the objective of "physical improvement of youth through Indian gymnastics, the development of Hindu music, medicine, Sanskrit language ..."[17] and started Hindu Mela in 1867, and founded 'National Society' to popularise Indianisation; Ishwar Chandra Vidyasagar (1820-91).

Bankim Chandra Chatterji (1838-94) combined in his person nationalistic fervour and religious devotion. Religion for him was the instrument for the moral and political regeneration of society and it could not be separated from Utilitarianism. His motto was: "Patriotism is religion and religion is love for India". Ramakrishna Paramahansa (1836-86), who was brought into the fold of Islam by a sufi, saw in all forms of worship the adoration of One Supreme being. His disciple, Vivekananda, who vowed to devote his life to the propagation of Ramakrishna's Message" was in favour of political agitation, and the building up of a strong, brave and dynamic nation. He wrote: "The only hope of India is from the masses. The upper classes are physically and morally dead"[18]. He said that liberty in thought and action is the only condition of life, growth and well-being, and encouraged to achieve the independence. Vishnu Sastri Chiplunkar (d.1882) declared: "... the greatest evil of foreign rule is our moral degradation resulting from the loss of freedom. ... Our character is completely demoralised"[19]. But the attack of Dayanand (1824-83) on Christian and Muslim religions sharpened communal differences, and the Cow Protection Association (1882), which carried on activities in an aggressive manner, offended Muslim theologians and their followers; consequently, Hindu-Muslim riots began to occur and created ill-will between the two communities, which lasted until the partition of India.

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Muslim Religious Movement

There was no reformer or Muslim leadership during the first half of

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17. Tara Chand, History of Freedom Movement in India, Vol. I (Publication Division, Ministry of Information and Broadcasting, Government of India, 1957), p. 399.

18. Ibid., p. 417.

19. Ibid., p. 420.

the 20th century. Bahadur Shah Zafar was a petty ruler of the Red Fort of Delhi and its neighbouring areas. All the Nawabs and Rajas had yielded to the British in one way or the other. All the Indian wealth was being drained to England through them. While the Nawabs had extravagent courts, the "Families, which had never before been outside the Zenana, used to go out at night and beg their bread" and "some warded off starvation by selling their shawls and trinkets"[20]. During this period of anarchy, the Muslim saints, who did some beneficial work for the Muslims were, among others: Shariatullah, who founded Faraidi Sect in 1804, and declared the British territories as Dar-ul-Harb; Syed Ahmad of Rae Bareilly, who in 1820-21, led the Wahabi movement and preached the Muslims "to perform Hijrat or flight from the country governed by Mushriks"[21], and also urged a crusade against the British.

In short, both the Hindu and the Muslim reformists, in general, "realised that in a country of many races, languages, cultures and religions, a free Indian polity could only be built on the foundations of secularism"[22], but the rulers and the Hindu conservative revivalists, like Dayanand, nourished the communalism as a result the Hindus began to think and speak of Hindu nationalism and the Muslims of Islamic nationalism, encouraging the two-nation theory, but, in spite of the rise of communal forces, nationalism continued to develop through the latter half of the nineteenth century.

Constitutional Development (1773-1833)

As the roots of the partition lay also in the struggle of the Hindus and the Muslims for achieving power through constitutional means, it would be worthwhile to mention, in brief, the foundations of reconstitutional reforms, which led to the election of members to Central and Provincial Legislative Council and Assemblies.

After Lord Clive got the Diwani of Bengal, Bihar and Orissa from Shah Alam in 1765, the British Parliament questioned the right of trading Company to acquire on its own account powers of territorial sovereignty.

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20. R.C. Majumdar, The Sepoy Mutiny and Revolt of 1857 (Calcutta: Firma K.L. Mukhopadhyay, 1957), p. 13.

21. Ibid., p. 37.

22. Tara Chand, n. 1, p. 428.

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According to Ilbert Report (1773) on the Indian Constitutional Reforms, "The Company's peril of bankruptcy was the immediate cause of Parliament's first intervention[23]". Accordingly, the Government passed the Regulation Act of 1773, which was the first landmark in the constitutional development of India. The Act gave the right of vote for the election of Directors of the Company to shareholders, and attempted at securing good government in the Company's territory in India. It opened the door to change and regulate the Government of India. The Judicature Act (1781) recognised the right of Hindus and Mahomedans to be governed by their own laws and usages. Supporting the Fox India Bill (1783), which proposed to abolish the Court of Directors and the Court of Proprietors and to set up seven Commissioners or Directors, Burke described the Government of the Company as "one of the most corrupt and destructive tyrannies that probably ever existed in the world[24]". While the Fox India Bill ensured permanency of men, the Pitt's India Act (1784) meant a permanency of the system. The Charter Act (1793) of the Company, renewed in 1813, empowered the local Governments to impose taxes on persons and punish those who did not pay them. The Charter Act of 1833 brought about the legislative centralisation of India and made uniform laws for all persons in British India. A Commission had, however, to enquire and suggest laws keeping in view "the distinction of castes, differences of religion and the manners and opinion prevailing among different races and in different parts of the said territories[25]". The Charter Act of 1853 allowed the Provinces to send one representative each to the Central Legislative Council headed by the Governor-General and discussion of measures, which had already begun, was thrown open to public. Vacancies were to be filled up by competitive examination. The Act marked the beginning of a Parliamentary system in India. "Discussion became oral instead of in writing; bills were referred to Select Committees instead of to a single member; and legislative business was conducted in public instead of in secret[26]".

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23. V.D. Mahajan, Modern Indian History: From 1707 to the Present Day (New Delhi: S. Chand & Company Ltd., 16th edn., 1986), p. 248.
24. Ibid., p. 256.
25. Ibid., p. 263.
26. Ibid., p. 265.

British Favour of the Muslims

In 1835, Sir Charles Metcalfe took steps to free the Press, as a result between 1835 and 1857, more than a hundred papers saw the light of day, which covered almost every field of thought and action. The papers published the idea of Ram Mohan Roy, who "argued that the authority of the Government was derived from the people and that, therefore, the people had a right to participate in the functioning of the Government, through a representative legislature"[27]. Ram Mohan followers organised meetings and submitted petitions and memorials for participating in Government policies. But they were not being encouraged, as the British were patronising the Muslims to win their favour and they were mostly employed even though there was no dearth of Hindu educated people. In 1845, 13,699 Hindus, 1,636 Muslims, 236 Christians, 1,789 students of other faiths totalling 17,350 were receiving instructions in institutions maintained at public expense in British India[28]. As a result, the Muslims enjoyed position and power. In the subordinate judicial and executive services in U.P., in 1857, the Muslims were 202, Hindus 76 and others 38[29].

The Great Revolt

The revolt was due to political grievances, agrarian discontent, economic gravity and religious frenzy. By the Inam Commission (1852), the British confiscated more than 20,000 estates[30], converted Indians en masse to Christianity, and made the traders and artisans suffer from unfair competition with the British interests causing the universal discontent and resentment. The English "regarded the Indians as barbarians, and the Christian Missionaries held in open contempt the idolatorous practices of the Hindus"[31]. The other grievances, according to Sir Syed Ahmad Khan, were the ill-treatment "more offensive to Muslims who for centuries past have received special honour and enjoyed special immunities in Hindusthan"[32]. The Indians had realised the British determination of establishing their

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27. Ibid., p. 264.
28. Ibid., p. 210.
29. Agra Civil List, Report, Appendix VIII, 1916, VII, p. 604.
30. See for details R.C. Majumdar, n. 20, pp. 16-20.
31. Ibid., pp. 11-12.
32. Ibid., p. 22.

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rule in India permanently. They did not like the foreign rule. The Rajas and Nawabs in the past, like Sirajuddaula of Bengal, Shah Alam of Delhi, Shujauddaula of Lucknow, Hyder Ali and Tipu Sultan of Mysore, Sindhia of Gwalior, Bhonsle of Nagpur, Holkar of Indore, Chait Singh of Benaras, Wazir Ali of Avadh, and many others in the Southern India had realized the danger of British rule in India and had tried to overthrow the British but were defeated.

The Muslims were particularly held responsible for the uprising because the sepoys from Meerut reached Delhi on May 11, 1857, and Bahadur Shah Zafar took the lead and was proclaimed Emperor, while Bakht Khan led the forces of mutineers. In Lucknow, the Begum of Avadh and Maulvi Ahmadullah raised the standard of the Prophet, inspired the sepoys and beseiged Lawrence on the bank of the Gumti river in June, 1857. Further, the Nawab of Banda, Khan Bahadur Khan of Bareilly, Nawab Mahmud Khan of Nazibabad, Nawab of Faruckabad, Nawab Tafuzzal Husain Khan of Sitapur, Hikmatullah of Fatehpur, Muhammad Hasan of Gorakhpur were the many others who plundered the Government treasure. The Hindu Rajas also like Nana Sahib of Kanpur, Rani of Jhansi, Kunwar Singh and Amer Singh of Jagdishpur (near Arrah), Rajas of Banpur and Shahgarh, Beni Madho of Azamgarh, Narpat Singh of Ruya, Tantia Topi, Rao Sahib and many Rajas fought against the British, but all were killed.

British Hostility Towards Muslims

The whole brunt of the Revolt was laid by the British on the Muslims. A military officer who took part in the siege of Delhi writes: "The Mohammedans were generally hostile to us, the Hindoos much less so".[33] Sir Alfred Lyall said: "Put the whole rebellion down to the Muhammadans".[34] Sir Syed Ahmad Khan indirectly also admitted it.[35] This notion has come up in view of Sir Syed's five[36] proposal of the causes of the 1857 mutiny. Harry

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33. C. Raikes, Notes on the Revolt in the N.W. Provinces of India (London: Longman, Brown, Green, Longmans and Brothers, 1858), p.156. Also see Ashoka Mehta and Achyut Patwardhan, The Communal Triangle in India (Allahabad: Kitabistan, 1942, 2nd rev.edn.), p. 86; for "the prime movers in the rebellion ... were Mussalmans".

34. C. Raikes, Ibid., p. 156.

35. Sir Syed Ahmad Khan, Causes of the Indian Mutiny (Benares: Medical Hall Press, 1873), p. 9, MAL

36. Sir Syed Ahmad Khan, Asbab-e-Baghawat-e-Hind (Urdu), Foreword by Dr. Abul Lais Siddiqi (Karachi: Urdu Academy, Mission Road, 1957), pp. 117-203.

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Johnstone observed that the Great Revolt was a "definite attempt by the Muslims to establish a Muslim empire at the expense of Englishmen and the Hindus[37]". Therefore, the British began to treat the Muslims as fundamentally hostile to them and adopted a policy meant to reconciliate the Hindus. The Muslims lost all their pride and position and the Hindus, who previously "stood in awe of them[38]", consequently, "dropped their courtesy also[39]". They joined the Arya Samaj and decried against cow-slaughter and promulgated 'Suddhi Movement', which became almost a chronic feud between the Hindus and the Muslims and riots began to occur in different parts of India from time to time. Sir Syed said: "If the giving up of cow-slaughter will establish amity and friendliness among Hindus and Musalmans, then please do not sacrifice cows[40]".

However, the Hindus demanded recognition of Hindi as the second official language of the then N.W.P.(now U.P.) and to replace Urdu by Hindi and the Arabic script by Nagri[41]. For the Hindus, the Nagri script had a religious significance, in which Sanskrit was written and for Muslims Urdu was better being in Arabic script. Sir Syed's proposal to establish a 'Vernacular University' made the Hindus think that Hindi rather than Urdu was their real vernacular. Raja Jai Kishen Das, the acting Secretary of the Aligarh Scientific Society, who campaigned for the establishment of a Sanskrit University[42], resigned from the Aligarh Scientific Society and became Secretary of the Indian Sanskrit Association at Hathras[43]. By 1863, there were 23 Urdu newspapers and 4 Hindi papers[44], but after the Hindus sent Memorial to the Government to introduce Nagri as the court script and they agitated vigorously for it, a string of Hindi newspapers came up. Thus, the Hindi-Urdu question contributed much to the growth of communal politics.

On the other hand, as the Muslims were heavily crushed by the British, with the deterioration of their economic position, there was a downfall in

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37. Mohammad Noman, Muslim India: Rise and Growth of the All-India Muslim League (Allahabad: Kitabistan, 1942), p. 23.

38. R.M. Sayani, Presidential Address, 1896.

39. Ibid.

40. Sir Syed Ahmad Khan, Akhiri Mazamin (ed. Moulvis Imam-ud-Din and Ahmad Babu Makhdumi), (Lahore: Mansur Press, 2nd edn., 1924), p. 70.

41. R.C. Majumdar, n. 20, p. 434. See also Ashok Mehta and Achyut Patwardhan, n. 33, p. 87.

42. Aligarh Institute Gazette (Aligarh), April 23, 1869; April 30, 1869.

43. Francis Robinson, Separatism Among Indian Muslims: The Politics of the United Provinces Muslims, 1860-1923(Delhi: Vikas Publishing House, 1975).

44. NWP Administration Report, 1862-63, p. 91.

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Muslim education also. The Muslims were gradually ousted from their lands and the Hindus came into lands and offices. The exultation of Hindus knew no bounds and they trod upon their heels of their former masters (Muslims), because they Muslim power had diminished.

Further, the Muslims were orthodox in religion. Shah Wali Ullah persuaded the Muslims to lead a life in accordance with the Qur'an and Hadith, to acquire their lost position, as a result the Muslims hated to learn English and they fell behind the Hindus in education, economic condition and political knowledge.

Constitutional Development (1853-59)

The Charter Act of 1853 did not associate any Indian element with the Legislative Council. The Government had lack of knowledge of local conditions outside Bengal for making laws for other provinces. "The terrible events of the Mutiny brought home to men's minds the dangers arising from the entire exclusion of Indians from association with the legislation of the country"[45]. The Legislative Council developed into an Anglo-Indian House of Commons, questioning the Executive and its acts, forcing it to lay even confidential papers before it and refusing to pass any legislation required by the Court of Directors before 1858.Meanwhile, there was a lot of agitation in England against the continuation of the Company's rule in India, which objective was profit and not to administer a sub-continent like India. Therefore, the British Government decided to abolish the East India Company and in spite of its opposition, the Act was passed by the Parliament in 1958.

The Government of India Act (1858)

The Act declared that henceforth "India shall be governed by and in the name of the Queen"[46]. The Government of India was to be carried on by the Viceroy on behalf of the Queen. The powers of the Board of Control and the Court of Directors (abolished) were given to the Secretary of State for India and his Indian Council. Rules and regulations made in India or by the Secretary of State were to be placed before the House of Commons. The Governor-General and the Governors of the Presidencies were to be

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45. V.D. Mahajan, n. 23, pp. 265-66.
46. Ibid., p. 266.

appointed by the Crown. The Secretary of State for India took the place of President of the Board of Control and the India Council took the place of the Court of Directors. Thus, the Secretary of State exercised his large powers without any control.

Queen's Proclamation (1858)

On November 1, 1858, Lord Canning held a Darbar at Allahabad and read out the Queen's Proclamation assuming the Government of India by the Crown, which, more importantly, placed the Indians on an equality with the subjects of the British Crown, assured the Princes that their territories will not be annexed by the British, ordered not to interfere in the religious affairs of the Indians, and envisaged that in framing and administering law, due regard would be shown to the customs, ancient rites and usages of the Indians. This policy remained the basis of Indian administration up to 1917, when a new declaration was made. The Proclamation sealed the unity of Indian Government and opened a new era.

The Proclamation encouraged the Indians to send their sons to England for higher education. The Rajas, Nawabs, Diwans and big businessmen anticipated bright future and prospects in the field of country's political development. They mainly embarked upon their study of the law in preparation for a political career. The earliest leaders emerged were Justice Badruddin Tyabji (1844-1906), Sir Syed Ahmad Khan (1817-98), Sarojini Naidu (1879-1949), Dadabhai Naoroji (1825-1917), Sir Pherozeshah Mehta (1845-1915), Gopal Krishna Gokhale (1866-1915), Bal Gangadhar Tilak (1856-1920), Bipin Chandra Pal (1858-1932), Lala Lajpat Rai (1865-1928), Surendranath Banerjea (1848-1926), Satyndra P. Sinha (1864-1928), Mrs. Annie Besant (1847-1933), Bankimchandra Chatterji (1838-1894), Rash Behari Ghose (1845-1921), S. Subramania Iyer (1842-1924), Ram Mohun Roy (1772-1833), Mohandas K. Gandhi (1869-1948), M.A. Jinnah (1876-1948), Bhupendra Nath Basu (1859-1924), Mazahar-ul-Haque (1866-1921), C.R. Das (1870-1925), W.C. Bonnerjee (1844-1906), Maulana Hasrat Mohani (1875-1951), B.C. Pal (1858-1932) and Sir Tej Bahadur Sapru (1875-1949) and others, most of whom were either educated in England or visited the country and very much influenced by the political upsurge in different corners of the world, were determined to fight for India's independence. The persons, who took the lead, were M.K. Gandhi and M.A. Jinnah, who represented their own co-religionists and worked for the safeguard of the interest of their own communities.

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Indian Councils Act, 1861

The Act helped the Governor-General to associate non-official Indians for purposes of legislation and, thus, it began the representative institutions and legislative devolution in India.

As Sir Charles Wood proposed, the Governor-General had to summon, in addition to the ordinary members of the legislative Council "not less than six nor more than twelve additional members"[47]; one-half did not hold office under the Government and were either Europeans, persons of European extraction or Natives. Sir Bartle Frere observed in 1860, that the purpose of addition of the native element was to learn what the natives think of the British measures and how the native community would be affected by them. But these non-official members of the Council were nominated by the Viceroy and "not elected" by the people. They were either the Indian princes or their Diwans, big Zamindars or retired officials. As the powers of the Legislative Councils were very much restricted, they had least interest in the meetings. Further, as the non-official members had no say in the matter, the system failed, but it made the beginning of representative institutions. Moreover, as the Act vested legislative powers to the Governments of Bombay and Madras and made provisions for the institution of similar legislative Councils in other provinces, it laid the foundation of the policy of legislative devolution which, in 1937, resulted in the grant of almost complete internal autonomy to the provinces leading to the partition of India.

Political Backwardness of Muslims

Due to advancement in education, Hindus were much advanced and

"... In this vast country no progress is possible unless both Hindus and Mahomedans join hands together"[48]. Political independence was one of the first objectives of Dayananda: Indeed he was the first man to use the term Swaraj, he was the first to insist on people using only Swadeshi things manufactured in India and to discard foreign things. He was the first to recognise Hindi as the national language of India"[49]. Keshab

47. V.P. Menon, The Transfer of Power in India (Delhi etc.: Orient Longmans, 1957), p. 4.
48. Tara Chand, n. 17, p. 224.
49. R.C. Majumdar, The History of the Freedom Movement in India, Vol.I (Calcutta: Firma K.L. Mukhopadhyay, 1972), p. 298.

Chandra Sen and his followers "openly proclaimed loyalty to the British Government as an article of the creed of his Church[50]", as a result Keshab was lionised both in India and England. On the other hand, Muslims were quite ignorant of politics due to illiteracy. "Blunt had a talk with Maulvi, A.M., "The Maulvis of Calcutta were terribly ignorant of politics, and of all that was going on in the world. At the time of the Egyptian War (1881-82), they had not known whether Egypt lay North or South or East or West[51]".

Emergence of Sir Syed Ahmad Khan

In the seventies of the nineteenth century, the Hindus developed political ideas and ambition and the Government scented danger and began to favour the Muslims. Sir Syed Ahmad Khan exploited this situation and emerged as the saviour of the Muslims. As a Munsif in Bijnor, he had saved the life of British people during the Mutiny. He had held the Government responsible for the uprising in his pamphlet, The Causes of the Indian Revolt, and had demanded that the Indians should be admitted to the Legislative Council to remove the misconceptions of the British Government. He knew that the British could not be driven by sword, but by political emancipation. Therefore, his motto was "Educate, educate, educate". He believed that "All socio-political diseases of India may ... be cured by this treatment[52]". Therefore, he adopted the policy of Keshab Chandra Sen and extracted as much benefit as possible from the Government for the Muslims. He founded the Scientific Society at Ghazipur City[53] in 1864. He was transferred to Aligarh in April, 1864, where he founded The Aligarh Institute Gazette. In 1869 and 1870, Sir Syed visited England. In 1875, he set up an independent small school at Aligarh, which a couple of years later was named as Muhammadan Anglo-Oriental College. In Tahzibul Akhlaq, founded in 1870, he advocated that Western learning was compatible with Islam and progress. On account of this he was opposed by ulema and was called dehriya (materialist) if not a heretic. Sir Syed, however, won sympathy of the British and the Muslims began to progress educationally and economically.

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50. Ibid., p. 293.
51. Ibid., p. 418.
52. G.F.I. Graham, The Life and Works of Syed Ahmad Khan (London: Blackwood, 1885), p. 48.
53. Sir Syed Ahmad's speech on the occasion of laying the foundation of the New Ghazipur College, RDPI (NWP, 1863-64, Appendix B),NAL/AMUA. This College now exists as 'Chashma-i-Rahmat Oriental College", where some documents of Sir Syed were available unutilised.

Sir Syed, knighted himself in 1870, devoted his mature life to the British Empire and was appointed by the Viceroy to his Imperial Legislative Council. From this powerful platform, Sir Syed, in 1883, argued against "the introduction of the principles of election, pure and simple" into the body politic of "India, where caste distinctions still flourish, where there is no fusion of the various races, where religious distinctions are still violent"[54].

Sir Syed's Opposition to the INC

In 1885, the Indian National Congress, founded at the Gokuldas Tejpal Sanskrit College, Bombay, claimed to represent all the Indians. The cow protection movement and Hindi-Urdu controversy strengthened doubts and apprehensions of Sir Syed Ahmad Khan, who opposed the Congress, which, he opined, if successful, would lead in the Councils, while the Muslims would have a small chance of securing seats in them. Therefore, Sir Syed, who was once a great advocate of Hindu-Muslim unity and treated them as two eyes of a beautiful bride, was much dejected to observe that "the two communities would not be able to participate in any work with a sincere heart"[55]. Therefore, he preferred to side with the Government so that maximum benefit could be derived for the College and for the uplift of the Muslims.

To counter the effect of the Congress, Sir Syed, in 1886, founded the Muhammadan Educational Congress with the aim "to discourage popular political agitation among Mahomedans"[56]. In 1890, its name was changed to "Muhammadan Educational Conference" and in 1895, to "Muhammaden Anglo-Oriental Educational Conference"[57]. Sir Syed aimed to educate the Muslims

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54. G. Allana (ed.), Pakistan Movement: Historical Documents (Karachi: Department of International Relations, University of Karachi, 1967), p.1.

55. Altaf Husain Hali, Hayat-i-Jawaid (Urdu), (Lahore: Lahore Academy, 1957), p. 142.

56. Rules of the Defence Association, Rule No. 2(ii), enclosed in T. Beck to H.S. Fowler, Secretary of State for India, January 2, 1885, L/P&J/6/110, 1895, IOR.

57. M.S. Jain, The Aligarh Movement: Its Origin and Development, 1858-1906 (Agra: Sri Ram Mehra & Co., 1965), p. 79. The Conference still exists and its office is located at the Sultan Jehan Manzil, AMU, Aligarh. At the same time the Duty Society came into existence to assist Sir Syed in his great endeavour of spreading modern liberal education amongst Indians in general and Muslims in particular.

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as many and as early as possible so that they may join the Congress in the struggle for independence or may, in future, fight for the safeguard of the interest of the Muslims in India.

Sir Syed realized that the traditional social order needed to be broken down in order to permit men to build their own destiny. He, as a votary of secularism and unity, observed[58]:

> "So long as religion and caste are the chief props of the Indian social system electoral machinery based upon the western pattern would lead neither to equality nor to fraternity. It would enable the more advanced sections of the population to hold their less fortunate countrymen in tradition. Cultural differences, caste dimensions and religious wrangliness would be more pronounced than ever. Inequalities would sink deeper into the structure of Society".

Sir Syed opened his political campaign against the Congress on December 28, 1887, with a speech in the Kaiserbagh Baradari in Lucknow. He said[59]:

> "The Congress is in reality a civil war without arms. The object of civil war is to determine in whose hands the rule of the country shall rest. The object of the promoters of the National Congress is that the Government of India should be English in name only, and that the internal rule of the country should be entirely in their own hands".

Joint and Separate Electorate

Beck, the Principal of the MAO College, Aligarh, took Sir Syed under his influence and founded the United Indian Patriotic Association at Aligarh in 1888, including big Hindu and Muslim landholders, and opened its branches in England. Its main objective was to persuade the British that the Congress demands were unrepresentative[60]. In 1889, Charles Braudleugh moved a Bill in the British Parliament for the establishment of a responsible government in India and, on behalf of the Congress, recommended joint electorate[61]. Beck got signed a representation from 20,735

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58. V.S. Rekhi, 'A.M.U.: Retrospect and Prospect: Vision of Sir Syed', Duty Society, A.M.U.,Aligarh, Souvenir, 1986.

59. Syed Ahmad Khan, On the Present State of Indian Politics (Allahabad: Frontier Press, 1888), p. 27.

60. Zafar-ul-Islam,'Documents on Indo-Muslim Politics (1857-1947): The Aligarh Political Activities(1888-1893)', Journal of the Pakistan Historical Society, XII, Part I, January, 1964, pp. 17-18.

61. I. Prasad and S.K. Subedar, Hindu-Muslim Problems(Allahabad: Chuge Publications, 1974), p. 15.

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Muslims with the help of the College students and sent the same to the British Parliament in 1890, urging for separate electorate[62]. In 1892, Council Reforms were granted and, consequently, the United Indian Patriotic Association was abandoned.

Since the Muslims "did not have any political body to voice their needs and aspirations[63]", Sir Syed came forward to, at least, bring about some degree of solidarity among the disintegrated masses of Mohammedan society. He denounced the "aims and objects" of the Congress, charging that it was "based upon ignorance of history and present-day realities; they do not take into consideration that India is inhabited by different nationalities; they presuppose that the Muslims like the Marhattas, the Brahmins, the Kahatrivas ... can all be treated alike and all of them belong to the same nation[64]". This was the earliest articulation of the two-nation theory, which became the ideological basis for Pakistan.

Indian Councils Act, 1892

This Act gave opportunities to the members of the Council to indulge in a full, free and fair criticism of the financial policy of the Government, to address questions to the Government on matters of public interest, to elect non-official members through elections, as pressurised by the Indian National Congress, although the members so elected could take their seats only after being nominated by the Government. Of the 24 members at the Centre, 14 were officials, 4 were elected non-officials and 5 were nominated non-officials. The non-official members could not ask supplementary questions. The rules of election were unfair. In Bombay, of the 6 seats, 2 were given to the European merchants, but nothing was given to the Indian merchants. Similarly, 2 seats were given to Sind, but nothing was given to Poona and Satara. According to Gokhale, of the 8 seats given to the Bombay Presidency, 2 seats were given to the University of Bombay and Bombay Municipal Corporation, 2 seats to the European Merchantile community, one to the Sirdars of Deccan, one to the Zamindars

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62. Ibid.

63. Moin Shakir, Khilafat to Partition: A Survey of major political trends among Indian Muslims during 1919-1947 (New Delhi: Ajanta Publications, 1983), p. 26.

64. G. Allana, n. 54, p. 3.

of Sind and"2 seats to the general public". Thus, the public representation was almost negative. S.N. Banerjee, in his Poona Presidential Address in 1895, demanded increase in the number of elected members, and removal of restrictions in putting questions, which defeated the very purpose of a beneficial legislation. Under the circumstances, the debates in the legislatures were a mere formal ceremony. Sir Barnes Peacock criticised that "instead of being a high and honourable office, it was one which no man, who had a regard for his own honour and independence, consent to hold" and "would rather resign ...". In 1893, Dadabhai Naoroji at the Lahore Session, said that under the Act of 1892, "we are to all intents and purposes under an arbitrary rule". W.C. Banerjee taking a strong view declared: "We must go on with our agitation and not stop until we get what we all think and we all believe that what we have a right to get". The Act though gave right to discuss budget, but gave no right to vote. M.M. Malaviya observed that the Indians were left without any real voice in the administration. However, as the Act conceded to the Congress demand i.e. the principle of election and some control of the Legislative Councils over the Executive, it cautioned the Muslims, who, disappointedly, decided to "devise measure to secure their full share in the constitutional reforms".

Reaction of the Muslims

Now Sir Syed Ahmad Khan was of eighty and Beck was the chief organiser of the College. In 1896, the Muhammadan Anglo-Oriental Defence Association of Upper India demanded separate communal electorate i.e. Muslims voting for Muslims. Syed Ahmad died in 1898 and Beck in the following year. After them, Syed Ahmad's followers - Syed Mahmud, Samiullah Khan, Nazir Ahmad, Zakaullah, Chiragh Ali, Shibli, Hali, Mohsin-ul-Mulk and Viqar-ul-Mulk formed a nucleus of Muslim leadership. Government's special concession to the College encouraged them to operate in politics for Muslims as a result the Congress stood against them.

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65. V.D. Mahajan, n. 23, p. 276.
66. Ibid., p. 277.
67. Ibid.
68. Rafiq Zakaria, Rise of Muslims in Indian Politics (Bombay: Somaiya Publications, 1970), p. 138.
69. M.A.O. Magazine, December, 1896; quoted in M.S. Jain, n. 57, pp. 128-29.

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The Muslims demanded equal number of seats for Hindus and Muslims in the legislative councils and in the towns where Muslims comprised one-fourth or more of the population, because, in 1890 elections based on joint electorate, the Muslim candidates were defeated in Kanpur and Meerut. The Najmul Akhbar wrote: Hence,"it will be perceived that if the elective system was extended to the Legislative Council, an entire exclusion of Muslims from the Councils would follow"[70]. The Muslims realized that there would be five Hindus to every single Muslim in the Imperial or Provincial assemblies as a result nobody would ever pay heed to them. Stuck to this belief and logic, the Muslims boycotted the Poona City Municipality elections in 1895, as even not a single Muslim candidate was sure to win[71]. The Congress leaders, like Tilak, Pal, Malaviya and Lajpat Rai, were not agreeable to leave any quarter for the Muslims and, being confident of their domination on the Indian politics, they openly identified their nationalism with Hinduism and associated themselves with the cow protection societies[72], which affected the Congress position so much that Tyabji felt dejected and frustrated[73].

Emergence of Jinnah

When Sir Syed was speaking,in 1893, of Hindus and Muslims as "different nationalities", Jinnah was a fellow barrister of Bombay's High Court. A contemporary Bombay advocate noted that Jinnah was "a great pleader. He had a sixth sense: he could see around corners. That is where his talents lay ... he was a very clear thinker ... But he drove his points home - points chosen with exquisite selection - slow delivery, word by word"[74]. Jinnah's heroes were Dadabhai Naoroji (1825-1917), the Grand Old Man of national politics, and Sir Pherozeshah Mehta (1845-1915), the Parsi "Uncrowned King of Bombay". In 1890, Mehta labelled the "supposed rivalry" between Hindus and Muslims nothing more than "a convenient decoy

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70. Najmul Akhbar (Etawah), March 24, 1890. See also Jubilee Paper (Lucknow), April 1, 1890; Azad (Lucknow), April 1, 1890; Mihir-i-Nimroz (Bijnor), May 7, 1890, UPNNR, 1890.

71. Rafiq Zakaria, n. 68, p. 142.

72. P.C. Ghosh, The Development of the Indian National Congress,1892-1901 (Calcutta: K.L. Mukhopadhyay, 1960),pp. 69-70. See also C.A.Bayly, The Local Riots of Indian Politics - Allahabad:1880-1920(London: Oxford University Press, 1975), pp. 128-29.

73. Rast Goftar (Bombay), August 12, 1888; Kaside Mumbai (Akola), August 12, 1888, BNNR, 1888.

74. Hector Bolitho, Jinnah: Creator of Pakistan (London: John Murray,1954), p. 18.

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to distract attention and to defer the day of reform[75]". Jinnah attended for the first time the 20th session of the Congress in December, 1904, in Bombay, presided over by Mehta, who proposed to send Jinnah and Gopal Krishna Gokhale (1866-1915) to London. Jinnah admired and was impressed by Gokhale's wisdom, fairness and moderation, and became "the Muslim Gokhale[76]".

Jinnah involved in politics, fired with the liberty-loving ideals of British literature, depressing condition of Indians, unemployment, political dependence and abysmal poverty. The partition of Bengal, in 1905, led violent anti-partition agitation, spread fires of national protest, boycotted British goods, heralded anti-government speeches and activated actions of Bengal's revolutionaries. The Congress new anthem, Bande Mataram (Hail to Thee, Mother) politicized millions of Indians, who were untouched by political demands. Jinnah was through personally impressed, but he "voiced no traceable reaction[77]".

Partition of Bengal (1905)

Fuller, exploiting the conflict between the Hindus and Muslims, adopted the policy of 'Divide and Rule'. Fuller's policy was followed by Lord Curzon, who induced the Nawab Salimullah of Dacca, in 1904, "to declare himself in favour of the Partition" of Bengal, while a few members of the Nawab family opposed the partition and the Muslims joined the Bande Mataram song and carried Bande Mataram flags. The shouts of Bande Mataram and Allah-o-Akbar intermingled at meetings addressed by Hindu leaders[78]. However, the group of Muslims led by Nawab Salimullah intensified the anti-Partition and Boycott movement in East Bengal, which culminated in a series of communal riots - the most serious were at Comila and Jamalpur. Under these circumstances, the Congress backed the Hindus of East Bengal for annulment of the Partition and supported the Swadeshi Movement. The Muslims to counter their effect, founded the Muslim League.

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75. President Pherozeshah Mehta's Address to the Calcutta Congress, 1890, INC (1,19), p. 72.

76. Sarojini Naidu's words; quoted in Sharif Al-Mujahid, Quaid-i-Azam Jinnah : Studies in Interpretation (Karachi: Quaid-i-Azam Academy, 1981; 2nd rev. edn.), p. 8.

77. Stanley Wolpert, Jinnah of Pakistan (New York, Oxford: Oxford University Press, 1984), p. 21.

78. Hiren Mukherjee, India's Struggle for Freedom (Bombay: Kutab, 1946), pp. 223-24.

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Hindi-Urdu Controversy

As the Hindus were demanding replacement of the Persian script by Nagri, a Nagri resolution on April 18, 1900, was passed, which cautioned the Muslims and Mohsin-ul-Mulk organised the Urdu Defence Association and at a meeting, presided over by Nawab of Chhatari[79], it was resolved to send a memorial to the Lieutenant-Governor. Karamat Husain (Allahabad), Hamid Ali Khan (Lucknow), Nawab Fateh Ali Khan Qizalbash (Lahore) held meetings. Kavasths and Kashmiri Brahmins joined the Muslims and a conference was held attended by 400 delegates including Muslim Congressmen[80]. Pandit Amar Nath and Pandit Kedar Nath launched protest movement against Hindi in Allahabad and Benaras, as they had to lose much from the upgrading of Nagri as the Muslims[81].

During 1903 and 1906, the"Hindus began to try to eliminate all words of Persian or Arabic origin", Butler remarked. He criticised that "our text-book committee has got under the influence of the ultra-Hindi section and are writing primary textbooks in Sanskritized Hindi which the people cannot understand"[82]. The Hindus intensified the Nagri agitation and the Government seemed to accept their demand. The Muslims reacted and threatened the government to join the Congress; as a result, from Aligarh, Tufail Ahmad and Hasrat Mohani attended the Congress session held at Benaras in 1905 and the Aligarh College Students' Union passed resolutions in favour of joint action by the Hindus and the Muslims in politics. The Muslims realized the need of their own political platform "to ensure a democratic way of life"[83] and observed that if they will not protect their interests they would be completely wiped out.

In 1905, Lord Curzon resigned and Lord Minto succeeded him. In December, 1905, Lord Morley became the Secretary of State for India.Minto

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79. A Lalkhani Rajput, related to Pahasu and educated at Aligarh College (Born in 1888 and died on June 6, 1982 in Aligarh at his residence at Marris Road, and burried in the University graveyard).

80. Harcourt Butler to Mrs. George Butler (his mother), May 13, 1903, Harcourt Butler Papers (6), IOL.

81. Indian People (Allahabad), May 24, 1906.

82. Oudh Akhbar (Lucknow), September 18, 1800, UPNNR, 1900.

83. Moin Shakir, Khilafat to Partition (New Delhi: Ajanta Publications, 1983), p. 31.

deemed it expedient to appease the Indians by introducing reforms. John Morley, to check the rising 'National' demands, suggested to Minto "the extension of the Native element" in the Legislative Council as also in the provincial councils with greater powers[84]. Sir Dennis Fitzpatrick doubted "whether in a province (Punjab) where the antagonism of different races and sects is so intense, it would be expedient to form any scheme expressly based on the idea of choosing class representatives[85]". Gokhale, then the Secretary of the Sarvajanik Sabha, pleading for territorial electorates, said: "The principle of recognizing races and creeds stand in no need of encouragement from Government, as the division of interests caused by it has already been the bane of this country[86]". Noting these attitudes, Mohsin-ul-Mulk, assisted by Imad-ul-Mulk and advised by Viqar-ul-Mulk, prepared a Memorandum and presented it to the Viceroy, Lord Minto in Simla on October 1, 1906.

Simla Memorial, 1906

Thirty-five Muslims of noble birth, wealth and power, from every province of British India and several princely states, were introduced by The Aga Khan to the Viceroy and presented to him their address, which Lord Minto read aloud. The address contained a warning[87]:

> "...recent events have stirred up feelings, especially among the younger generation of Mohamedans, which might, in certain circumstances and under certain contingencies, easily pass beyond the control of temperate counsel and sober guidance".
>
> The address continued:
>
> "We hope your Excellency will pardon our stating at the outset that representative institutions of the European type are new to the Indian people; many of the most thoughtful members of our community in fact consider that the greatest care, forethought and caution will be necessary if they are to be successfully adapted to the social, religious and

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84. John Morley to Lord Minto, June 15, 1906; Minto Papers, Vol. I, No. 67 (National Library of Scotland); Private letters; in B.N. Pandey, The Indian Nationalist Movement, 1885-1947: Select Documents (Delhi etc.:Macmillan Company of India Ltd., 1979), p.31.

85. V.P. Menon, n. 47, p. 9.

86. Ibid.

87. G. Allana, n. 64, pp. 7-10.

Minto that he viewed it as "nothing less than the pulling back of sixty-two millions of people from joining the ranks of the seditious opposition[91]". Amrita Bazar Patrika (Calcutta) on October 4, 1906, wrote about the deputation and its reception as "a got-up affair ... fully engineered by interested officials ... to whitewash their doings ... the authorities wanted a few simple-minded men of position to give them a certificate of good conduct. They knew the Hindus would not do it, so they began operation among the older classes of Mussalmans[92]".

However, the deputation won "separate electorates" for Muslims, which proved a major historic landmark on the road to partition of India.

Foundation of the Muslim League, 1906

Lord Curzon, who came to India in 1899, as Governor-General, opposed the conviction that it was the will of the 240 millions of Indians to decide whether the British rule will or will not continue in India. Imbued with an Imperial mission, he initiated new measures, which roused great resentment and opposition, such as, partition of Bengal in 1905, which was meant to strengthen a sense of distinction among the Muslims and the Hindus. The division was made to separate the Hindus and the Muslims in the East and the West to create a sense of conflict and, thus, weaken their political aspirations. The Government had sensed the danger of Congress demand for more and more political power in view of the cooperation of Muslims also. In Punjab, there were Congress Muslims, such as, Muharram Ali Chishti, Syed Nadir Ali Shah, Hakim Ahmad Ali, Munshi Nabi Baksh, Shaikh Umar Baksh, Shaikh Nabi Baksh and Khan Mohammad Khan. The most prominent were also Abdul Rasul, Abdul Kaseem and Abdul Halim Ghuznavi. Muslim journalists also joined the Congress, such as, Maulvi Aqlab Mohani, Fazlul Husain, Maulvi Abdul Kazim and Maulana Shaukat. The Congress sessions, held from 1885 to 1901, were attended by 14,320 delegates of which 1,547 were Muslims[93], who were mostly from U.P., Bengal, Punjab

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91. Mary, Countess of Minto, India, Minto and Morley, 1905-1910 (London: Macmillan, 1934), pp. 47-48.

92. M.N. Das, India Under Morley and Minto (London: George Allen & Unwin, 1964), p. 173.

93. Mushirul Hasan, Nationalism and Communal Politics in India, 1916-1928 (New Delhi: Manohar Publications, 1979), p. 40; See also K.K.Aziz, Britain and Muslim India, Chapter II - The Origin of the Nationalism (London: Meinemann, 1963).

and Maharashtra. From Madras and Oudh came the former roval families; from Bombay came wealthy Khoja and Bohra merchants; and from Bengal and Punjab came the lawyers, pleaders, journalists and a few landowners. The other Muslims reviewed their situation.

Despite opposition of The Aga Khan and Mohsin-ul-Mulk, Nawab Salimullah, the aristocrate, naturally signed to and conventionally supported[94] by the Government, decided to found a 'Muslim All-India Confederacy' and invited all Muslim associations to assemble at Dacca[95] to detract them from the Congress. As there was all possibility that the Muslims, who were being emancipated from the Congress propaganda of unitv, would join the Congress if they were not provided with a political platform[96], the All-India Muslim League was founded on December 30, 1906, under the Chairmanship of Viqar-ul-Mulk at Dacca, on the resolution proposed by Nawab Salimullah and seconded and supported by Hakim Ajmal Khan, Zafar Ali Khan and Mahomed Ali. Viqar-ul-Mulk in his inaugural address said that a separate political organisation was far-sighted by Sir Syed Ahmad more than a decade ago[97]. Mohsin-ul-Mulk and Viqar-ul-Mulk, appointed Joint Secretaries of a provisional committee to frame a constitution of the League, formed the organisation of "Men of Property and Influence"[98]. At the Aligarh Session (March 16-17, 1908), Major Syed Hasan Bilgrami was elected Secretary and Haji Musa Khan as Joint Secretary, and The Aga Khan as President. Between 1907 and 1909, Provincial Muslim Leagues, supported by feudal interests[99], were founded in all major provinces and its branches established in London as well.

The first President of the Muslim League, Nawab Viqar-ul-Mulk Mushtaq Hussain (1841-1917) of Hyderabad said[100]:-

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94. Aga Khan to Dunlop Smith, October 29, 1906; in S.S. Pirzada (ed.), Foundations of Pakistan : All-India Muslim League Documents, Vol.I (1906-24), (Karachi: National Publishing House Itd., 1969), p. 4.
95. Ibid., pp. xiv-xlix.
96. Ibid., pp. 11-12.
97. Ibid., pp. 7-9.
98. Matiur Rahman, Consultation to Confrontation : A Study of Muslim League in British Indian Politics, 1906-12 (London: Luzac, 1970), pp. 52-60.
99. S.S. Pirzada, n. 94, Vol. I, p. 5.
100. Aga Khan to Dunlop Smith, October 29, 1906; in S.S. Pirzada, Vol. I, n. 94, p. 4.

> "... it is manifest that if at any remote period the British Government ceases to exist in India, then the rule of India would pass into the hands of that community, which is nearly four times as large as ourselves ... if such a situation is created in India. Then, our life, our property, our honour, and our faith will all be in great danger ... And to prevent the realization of such aspirations on the part of our neighbours, the Musalmans cannot find better and surer means than to congregate under the banner of Great Britain, and to devote their lives and property in its protection".

The President admitted:

> "It is through regard of our own lives and property, our own honour and religion, that we are impelled to be faithful to the Government ... our own prosperity is bound up with, and depends upon our loyalty to British rule in India".

The Aga Khan, who did not attend the Dacca inaugural session wrote about Jinnah that he "came out in bitter hostility toward all that I and my friends had done and were trying to do. He was the only well-known Muslim to take this attitude ... He said that our principle of separate electorates was dividing the nation against itself".[101] Jinnah initially rejected the 'separate electorates' on grounds of national principle, but it raised "his personal consciousness of Muslim identity".[102] The Muslim League remained firmly committed to its founding principle, proposing names of Muslim candidates for every important official vacancy, and the Congress viewed this League policy as "anti-national and undemocratic".[103]

League's Real Objectives

The League was founded as Lord Minto did not mention in his statement the Muslim University and Civil Service and High Court appointments for Muslims. The purpose of the foundation of the League was to prevent the Muslim masses from joining the Congress. The League drew the attention of the Muslims and they were impressed that it was for protection of their rights. But, in fact, it was just a deceit to Muslim masses, who were too illiterate and poor to understand the impact

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101. H.H. The Aga Khan, The Memoirs of Aga Khan (New York: Simon and Schuster, 1954), pp. 122-23.

102. Stanley Wolpert, n. 77, p. 29.

103. Ibid., p. 30.

of the League's policies. The founders actually meant to protect their own interests. They were men of land and property and the Congress aimed democracy and secularism with the object of creation of Legislative Council, social reform and national unity, which could harm the Muslim landlords.[104] The Congress aim was not to please the British Government but to fight for national interest. On the other hand, the League in 1906 laid down its object "to promote among the Musalmans of India the feeling of loyalty to the British Government" ... "to protect and advance the political rights and interests of the Musalmans of India ..." and "to prevent the rise among the Musalmans of India of any feeling of hostility towards other communities[105] ...".

As the Government patronised the Landlords, who were the British agents, to exploit the Indian wealth for the British treasury, and Salimullah of Dacca for launching anti-partition of Bengal movement, it may be said that the British supported the foundation of the League to strengthen their position and continue their influence over the Muslim masses, who were in the princely states. The Ieague did not represent the intelligentzia of the Muslim masses as it prevented the membership of poor Muslims by imposing conditions i.e. 400 elected every five years (70 for U.P.) - 25 literate in an Indian language, with annual income of more than Rs.500 and yearly subscription of Rs.25 and entry fee of the same amount[106], which was not possible for the poor Muslims to pay.Hence, at that time, it could not be said a true representative of the Muslims all over India.

The Lal Ishtihar (Red Pamphlet)

The partition of Bengal ignited the Muslim political consciousness and the establishment of the Muslim League sharpened the Hindu-Muslim differences. The Lal Ishtihar added fuel to the fire propagating anti-Hindu feelings. A few extracts of which are given below:[107]

> "The Hindus, by various stratagems, are relieving the Mahomedans of nearly the whole of the money earned by them".

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104. R.C. Majumdar, Vol. I, n. 49, p. 352.

105. Ishwari Prasad and S.K. Subedar, n. 61, p.41; see also S.S.Pirzada, Vol. I, n. 94, p. 6.

106. Matiur Rahman, n. 98, pp. 52-60.

107. R.C. Majumdar, Vol. I, n. 49, pp. 54-55.

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"Among the causes of the degradation of Mahomedans is their association with the Hindus".

"Among the means to be adopted for the amelioration of Mahomedans, is boycotting Hindus".

"Ye Musalmans arise, awake! Do not read in the same schools with Hindus. Do not buy anything from a Hindu shop. Do not touch any article manufactured by Hindu hands. Do not give any employment to a Hindu. Do not accept any degrading office under a Hindu. You are ignorant, but if you acquire knowledge you can at once send all Hindus to Jehannum (Hell). You form the majority of the population of this province. Among the cultivators also you form the majority. It is agriculture that is the source of wealth. The Hindu has not wealth of his own and has made himself rich only by despoiling you of your wealth. If you become sufficiently enlightened, then the Hindus will starve and soon become Mahomedans".

These inflammatory teachings were, most probably, the result of a clandestine plot of Curzon, who induced the Nawab Salimullah of Dacca to create a rift between the Hindus and Muslims. This thought finds strength in view of the fact that the Hindus formed the majority in India and if the Hindus had adopted the same teachings, the Muslims had to suffer in all walks of life.

Surat Conference, 1907

There happened a rift between the Congressmen. The Surat Conference held on December 24-27, 1907, and ended amidst an uproar[108], as the Moderates, led by Gokhale, Malaviya, Ganga Prasad Verma, Dada Bhai Naoroji and Sir Firoz Shah Mehta wanted to achieve the unity of Bengal through constitutional means[109], and the Extremists, led by Lala Lajpat Rai, Tilak and Rash Behari Ghosh[110], wanted to use force[111]. Later, the Extremists, including Hasrat Mohani were arrested and prosecuted. Tilak, referring his closest associates as a small party, said: "Certainly there is a very small party which talks about abolishing the British Rule at once and completely"[112].

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108. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 91.

109. Ibid., p.67.

110. Ibid., pp. 67-68.

111. Ibid.

112. Satyapal and Prabodh Chandra, Sixty Years of Congress (Lahore: 1946), p.167.

The Indian Council Act, 1909

The reforms, came to be known in August, 1907, proposed an Imperial Legislative Council of 53 officials and non-officials reserving 4 seats for Muslims (2 chosen by separate electorate and 2 nominated), but the Muslim League demanded ten reserved seats (one for each province and one for the Aligarh Trustees) and, for Provincial Government, a fixed number of reserved seats in each Council and, at least, one Muslim representative for each division, with addition of separate electorate of Muslims.[113] The Government Reforms Scheme (October 1, 1908) accepted the demand recommending separate electorate for the Muslims on the basis of their being a separate community, distinct by marriage, food, custom and race; and considering the fear of Muslims that they would not secure the representation being in minority and that the richer and better-organised Hindus would put up Muslim candidates of their own choice and liking. The Muslims had demanded that the "scale of their representation should be not their wealth of their numbers, but their 'political importance'".[114] Thus, the Muslims demanded for separate representation in Councils at all stages by themselves and a number of seats in excess of their numerical strength.

Morley, the Secretary of State for India, suggested (Despatch, November 27, 1908) mixed electoral college,[115] reserving seats for Muslims on the basis of their numerical proportion and ignoring the 'separate electorate' and 'political importance', which forced the Muslims to agitate and meet at Amritsar (December 30, 1908). They treated it the betrayal of Lord Minto, who had promised to meet the Muslim demands to the Simla deputation. However, when the London League presented an Address, Morley declared that the mixed electoral system was practically dead, and on February 23, 1909, accepted the two demands of the Muslims. This was the League's first great victory.

Lord Minto in the House of Commons declared: "These two demands (of Muslims) we are quite ready and intend to meet in full",[116] but it was disapproved on April 1, 1909.[117]

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113. Francis Robinson, n. 43, p. 153.
114. V.P. Menon, n. 47, p. 12.
115. Francis Robinson, n. 43, p. 153.
116. Hansard, Fifth Series (Lords), Vol.I,February 23,1901, Col.125.
117. Hansard (Commons), Vol.III,April 1, 1909, Cols. 500-02.

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Sapru suggested to get Muslims "wherever they are in minority of 14 per cent or less (in local boards) up to 20 or 21 per cent of the seats provided the same consideration is shown to the Hindus...".[118] Sapru was severely rebuked.

The Muslim League on April 28, 1909, declared:[119]

> "No system of Muhammadan representative in the provincial and imperial councils will be either effective in itself or acceptable to them that does not provide for an adequate number of seats in excess of their numerical strength, and for all such seats to be filled by election by exclusive Muhammadan electorates".

Ali Imam, in an extra-ordinary meeting on May 23, 1909, demanded: "a separate electorate composed entirely of Muhammadan electors" and hinted that the Muslims' good behaviour could not be guaranteed if the government went back on its promises.[120] Lord Morley agreed that if there is a Hindu on the Viceroy's Executive Council, there should also be a Mahomedan.[121] With this background the Minto-Morley Reforms were launched and the Indian Council Act of 1909 was passed on May 25, 1909. Further, the members of the Reforms Committee impressed by demand of more seats and the Government on June 26, 1909, offered to compromise and despite Minto's opposition, Morley made The Aga Khan to accept a compromise in which the number of seats, reserved for Muslims on the Imperial Legislative Council, was raised from six to eight,[122] and the Muslim League submitted reluctantly.[123]

The period, between 1892 and 1909, was very stormy; firstly, due to antagonism between the Congress and the Sir Syed group, the partition of Bengal, the establishment of the Muslim League and demand of separate electorate by the Muslim League. The agitation against the partition of Bengal was so widespread that the Government resorted very harsh measures

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118. Indian People (Allahabad), April 15, 1909 and May 30, 1909.
119. Indian Daily Telegraph, April 29, 1909.
120. Matiur Rahman, n. 98, p. 136.
121. B.N. Pandey, n. 84, p. 33.
122. Francis Robinson, n. 43, p. 161; see also K.H. Qadiri, Hasrat Mohani (Delhi: Idrah-i-Adabiyat-i-Delli, 1985), p. 164.
123. Ibid. See also Matiur Rahman, n. 98, p. 148; K.H. Qadiri, Ibid., p. 166.

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to put down the nationalist movement. The Government, with the aim of weakening the agitation, the Congress and the Extremists' demand for immediate self-government, supported the Moderates. The Moderates wanted to enter the Government. Therefore, the Government to win over them and also to calm down the Muslims, passed the Indian Councils Act in 1909.

The additional members of the Governor-General's Council were increased up to a maximum of 60, those of Madras, Bengal, U.P., Bombay and Bihar and Orissa up to 50, and those of the Punjab, Burma and Assam to 30. To retain substantial official majority, the Imperial Legislative Council consisted of 37 officials and 32 non-officials (5 to be nominated by the Governor and 27 were to be elected). Thus, there were 42 nominated and 18 elected members. In the Provincial Legislative Councils, though the majority of the members were to be non-officials, but due to nominated members, the Government retained majority of its faithful members. For instance, the Madras Legislative Council consisted of 21 officials and 26 non-officials (5 nominated and 21 elected). Thus, the majority of Government loyal members were 26 and elected non-officials were 21.

Further, the Act provided for separate or special electorates for the due representation of the different communities, classes and interests distributing the non-official seats among them, called "general electorates". For instance, of the 27 elected members of the Imperial Legislative Council, 6 were allotted to the landlords, 5 to the Mohammadans, one to the Mohammedan landlords, and one each to the Bengal and Bombay Chambers of Commerce totalling 14. The remaining 13 seats were filled by the non-official members of the Provincial Legislative Councils. Thus, Muslims were given separate representation, in Madras, Bombay, Bengal, the United Provinces and in East Bengal and Assam and raised the Muslims' reserved seats in the Imperial Legislative Council from six to eight. Jinnah was one of the elected members from Bombay.

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The financial statement was first referred to a Committee of the Council with the Finance Minister as its Chairman. Half of its members were nominated by the Government and the other half were elected by the non-official members of the Council. However, the members had right to move any resolution, to ask questions and supplementary questions, but the Member-in-Charge had right to refuse answer to the supplementary questions, and the President could disallow any resolution without giving any reason. No questions could be raised affecting the relations of the Government with a foreign power or a native state.

The Act raised the number of the members of the Executive Council in Bombay, Bengal and Madras to 4, and empowered the Lt. Governor's state to constitute an Executive Council.

The Reforms failed to satisfy both the Congress[124] and the League[125], as its motive was to prevent development of political principles. The people demanded 'responsible government', but the sacred heart of the reform was "benevolent despotism". Lord Morley had, while introducing the Bill in the Parliament, declared that he had no intention to give to the people of India responsible government. The reforms introduced a change not of kind but of degree. The minor additions were unsubstantial; The reforms led to a lot of confusion as no parliamentary responsibility was given. The number of voters were very small and in some constituencies 9 or 10, which could be bought. Women were excluded from voting. The system of election was indirect, that is, the people elected members of local bodies, which elected electoral college, which, in turn, elected members of the provincial legislature, who elected members of the Imperial Legislature, who, thus, had no responsibility towards the people. There was official majority in the Imperial Council. The decision of the non-official majority in the Provincial Councils could be revoked by the Imperial Council; hence, the practical result was nothing.

Lionel Curtis, who started the Round Table Group in South Africa after 1906, to add a chapter in the second volume of the Commonwealth of Nations, came to India in 1916, for study of Indian situation. He concluded that no further advance on the road to "responsible government" could be made on the basis of the Minto-Morley Reforms. If an attempt was made, that was bound to result in disaster[126]". The Round Table Movement suggested to give responsible government to India.

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Opposition of Muslim Leaders to the Act

Though the Muslim gain from the Reform was considerable as they

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124. See for details Tribune (Lahore), January 4, 1910; For Surendranath Banerjee's statement see Mushirul Hasan, n. 93, pp. 66-67.

125. See for details Azim Husain, Fazl-i-Husain: A Political Biography (Bombay: 1946), p. 78; also see Mushirul Hasan, n. 93, p. 68.

126. V.D. Mahajan, n. 23, p. 293.

secured representation in six out of seven councils in excess to their proportion of the population, but the professional men were dissatisfied. They received inadequate representation in the Imperial Legislative Council and the Provincial Legislative Councils since only two out of eight Muslim seats were filled by them in the U.P. Legislative Council.[127] They criticised that the electoral qualifications favoured the rich, the title-holders and pensioned government servants. After the Municipal elections (1910), the Muslims demanded separate electorates on the ground that they were unlikely to be returned from the mixed electorates.[128] Thus, the Reforms were "hopelessly inadequate" and "curious mixture of concessions and restrictions".[129] The motive behind such a deliberate division (General and Class Electorates) was to prevent the development of political principles and organised opposition against the Government. However, "Power remained with the government and the Councils were left with no functions but criticism. The non-responsible form of government continued till under the Act of 1919 Dyarchy and along with it partial responsible government were introduced into the provinces".[130]

Muslim League Third Annual Session, 1910

The Muslim League held its Third Annual Session in January, 1910, at Delhi. H.H. The Aga Khan, in his presidential address, observed: "Now that we have secured it (separate electorate), I hope it will result in a permanent political sympathy and a genuine working entente cordial (relations) between the members of the two great communities".[131]

Allahabad Hindu-Muslim Conference, 1910

There were some Muslim leaders, who were convinced that separate electorate or weightage would be against the interests of the Muslims. On the other hand, G.K. Gokhale had spoken: "It was a commonplace of Indian politics that there can be no future for India as a Nation unless

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127. Francis Robinson, n. 43, pp. 222-23.

128. See Ibni Ahmad to Mohamed Ali, June 10, 1911, and Hasan Ali to Mohamed Ali, May 14, 1912, Mohamed Ali Papers, JMI

129. I. Prasad and S.K. Subedar, n. 61, p. 45.

130. A.V. Krishnamoorthy, Freedom Movement in India, 1858-1947 (Hyderabad: A. Aruna, Basheerbagh, 1977), p.83.

131. Syed Sharifuddin Pirzada, Vol. I, n. 94, Introduction.

a durable spirit of cooperation was developed and established between the two great communities[132]". Thus, the Hindu and the Muslim leaders were in a state of great dilemma and both wanted to come closer together. The Muslims disheartened by the impracticability of the Reforms and the Hindus by the partition of Bengal, banishing their mutual dislike and distrust, assembled at Allahabad in 1910. The most important, among others, were: S.N. Bannerjee, Gokhale, Sunder Lal, Pandit M.M. Malaviya, T.B.Sapru, Pandit M.L. Nehru, Lord Sinha, the Maharaja of Darbhanga, H.H. The Aga Khan, Nawab Viqar-ul-Mulk, Ibrahim Rahimtolla, M.A. Jinnah and Hakim Ajmal Khan. The points discussed were Hindi-Urdu controversy, national education, the Arya Samaj movement, music before mosque, cow slaughter etc.[133] Though no substantial result came out, the very fact of appointment of a Committee for holding Unity Conferences proved that the differences were not unsurmountable.

The Birth of Hindu Sabha, 1910

Morley caused split between the Hindus and the Muslims by promising separate electorate to the Muslims. As the Hindus agitated, the Muslims began to abuse the Hindus loudly in their meetings and in the press. Motilal Nehru wrote to Jawaharlal Nehru on April 1, 1909: "The position is getting worse every day. Out of evil, however, comes the good. The Arya Samaj has given the best answer to Mohammedan pretensions by quietly converting the followers of Islam to Hinduism. Reports arrive every day of their conversion. Sometimes whole villages are converted in a single day[134]". The Hindus had become antagonistic towards the Muslims. They saw the Muslim League as a separate institution fighting for the interest of the Muslims. Hence, they formed the All-India Hindu Sabha in December, 1910. Motilal Nehru tried to water down the establishment taking round to his view men like B.N. Bose and S.N. Banerjee, as it could hamper the working of the Hindu-Mohamedan Committee, recently formed to solve the Hindu-Muslim problems, but the "great majority of the so-called leaders in Upper India, specially those of the Punjab, all worked themselves to a high pitch and could not be made to listen to reason[135]". Motilal Nehru

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132. Gokhale's Speeches (Madras: Natesan and Co., 3rd edn., 1920), pp. 1137, 209.

133. I. Prasad and S.K. Subedar, n. 61, p. 49.

134. Nehru Papers, NMML; in B.N. Pandey, n. 84, p. 18.

135. Ibid.

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refused to join it. The Sabha[136] continued to work in close collaboration with the Congress.

Reaction of Muslims Against the Hindu Sabha

The Hindus founded the Provincial Hindu Sabha to do for the Hindus as the Muslim League was doing for the Mohammedans.[137] In February, 1910, Syed Karamat Husein published 'A Scheme for the Progress of Muhammadans',[138] to foster the communal consciousness. In April, 1010, Mushir Husain Kidwai formed a 'Central Islamic Society' offering a pan-Islamic solution.[139] Jinnah introduced legislation validating Muslim waqfs into the Imperial Legislative Council and successfully completed it in 1913. The Muslim League demanded that separate representation should be extended to all elected bodies.[140] In April, 1010, the League Secretary at Budaun demanded that Urdu should be introduced into the Allahabad University Examination; and in the 1911 Census, Urdu-speaking people should be returned as a speaking Urdu alone.[141]

Change of British Policy Towards India

In view of the restlessness among the masses, Lord Hardinge wrote to the Secretary of State in his despatch on August 25, 1911, as under:-[142]

> "The maintenance of British rule in India depends on the ultimate supremacy of the Governor-General in Council, and the Indian Councils Act of 1909 itself bears testimony to the impossibility of allowing matters of vital concern to be decided by a majority of non-official votes in the Imperial Legislative Council. Nevertheless it is certain that, in the course of time, the just demands of Indians for a larger share in the government of the country will have to be satisfied, and the question will be how this devolution of power can be conceded without impairing the supreme authority of the Governor-General in Council. The only possible solution of the difficulty would appear to be gradually to give the provinces a larger measure of self-government ...".

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136. Hindu Sabha was founded in 1910 and "later to become 'Hindu Mahasabha", see B.N.Pandey,n.84,p.4; "The League held its first session in December, 1906" and "the Hindu Mahasabha was established in the same year", V.P. Menon, n. 47, p. 10.

137. Leader (Allahabad), February 22, 1911.

138. Ibid., October 18, 1913.

139. WRDCI, May 24,1910, Home Poll. B, August 1910, 1-9, NAI.

140. Francis Robinson, n. 43, p. 198.

141. Advocate (Lucknow), April 7, 1910, UPNNR, 1910.

142. V.P. Menon, n. 47, pp. 12-13.

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The Indian politicians anticipated that the British Government would declare self-government for the Indians soon. But the failure of the pan-Islamic movement in 1912 and the rejection of the Muslim University scheme and the Kanpur Mosque incident in 1913, proved that the British were not inclined to give any concession to the people. The people aimed at forging a united front against the British Government. Further, the attitude of the Government manifest in the Reform Bill and the notorious incidents changed the mind of the Muslim Leaguers. A new group of professional men and ulema emerged and cooperated with the *Congress*. They were: Maulana Abul Kalam Azad, Maulana Shibli Nomani, Maulana Mohamed Ali, M.H. Kidwai, Sir Ibrahim Rahimtullah and Mohammad Ali Jinnah. They at the Lucknow session in March, 1913, brought the League in line with the Indian National Congress.[143] The position of the Muslim League became so bleak that it was suggested to wind it up. The Aga Khan resigned from the League's Presidentship and the Nawab of Rampur resigned from the Visitorship of the Aligarh College coming under increased influence of Mohamed Ali and Zafar Ali Khan.

Jinnah's Joining the Muslim League, 1913

Jinnah, 35 years old, was the youngest to join the Viceroy's Central Legislative Council in 1910. The legislative centre, first in Calcutta, and Simla,and later in Delhi, soon became Jinnah's most powerful stages. On March 7, 1911, he introduced the first legislative measure i.e. the Wakf (tax-exempt Muslim endowments) Validating Bill. Jinnah attended the annual meeting of Congress as well as the Muslim League, both held in Bankipur in December, 1912. Jinnah had not yet joined the League, but was permitted to speak at its Council. Jinnah supported a resolution regarding expansion of the League's goal to include "the attainment of a system of self-government suitable to India" to be brought about "through constitutional means, a steady reform of the existing system of administration; by promoting national unity and fostering public spirit among the people of India, and by co-operating with other communities for the said purposes".[144]

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143. See for details the proceedings of the Council of the All-India Muslim League held on December 31, 1912. For leaders' statements see Al-Hilal, October 9, 1914; Maqalat-i-Shibli (Azamgarh:1938), Vol.8, pp. 148-84; Tribune(Lahore), January 21, 1911; Comrade (Delhi), December 30, 1911.
144. S.S. Pirzada, Vol. I, n. 94, p. 258.

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At the League's Lucknow session (March, 1913), the League's President, Sir Muhammad Shafi, presenting a new more liberal constitution, said: "I am in entire accord with my friend the Hon'ble Mr.Jinnah in thinking that the adoption of any course other than the one proposed by the Council would be absolutely unwise"[145], and in a resolution congratulated "the Hon. Mr. M.A. Jinnah for his skillful piloting" of the Wakf Validating Act through the Imperial Legislative Council, and renewed appeal to Jinnah to join the Muslim League. Earlier, the League's permanent Secretary, Syed Wazir Hasan (1874-1947) and Maulana Mohammad Ali (1878-1931) had pressed upon Jinnah to join the Muslim League.Jinnah agreed to join the League in 1913, laying a prior condition that his "loyalty to the Muslim League and the Muslim interest would in no way and at no time imply even the shadow of disloyalty to the larger national cause to which his life was dedicated"[146].

Jinnah and Gokhale sailed together from Bombay for Liverpool in April, 1913, to meet with Lord Islington. Jinnah returned to India in September, 1913, and attended the Congress Karachi session. He seconded the Karachi Congress resolution, congratulating the League for adopting "the ideal of Self-Government for India within the British Empire"[147]. From Karachi, Jinnah went to Agra to attend the League's session on December 30-31, 1913. He was seeking a formula to bring the Congress and the League on a single national platform. His position was unique. At Agra, Jinnah proposed to postpone reaffirmation of faith in the principle of "communal representation" for another year, suggesting that special representation "would only divide India into two water-tight compartments"[148], while the Congress had just deferred action on that question. The Muslim League rejected Jinnah's first formal appeal because for them the principle of 'separate electorate' was "absolutely necessary" to the League's immediate future.

Jinnah sailed again for London in April, 1914, and returned home in January, 1915.

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145. Ibid., p. 272.

146. Sarojini Naidu (ed.), Mohammad Ali Jinnah : His Speeches and and Writings, 1912-1917 (Madras: Ganesh, 1919), p. 11.

147. Resolution IV, Karachi Congress, 1913 (I,19),Pt.II, p. 159.

148. S.S. Pirzada, Vol. I, n. 94, p. 316.

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Congress-League Rapprochement

The new group of Muslims dominated the Muslim League, but lost all favour of the Government, which appeased the earlier landed aristocrates leading the Muslim League. Therefore, some nationalist Muslims resigned from the League. Naziruddin Hasan, Khwaja Abdul Majid and Tassaduq Ahmad Khan Sherwani, associates of Sarojini Naidu, were of national idealism. Hyder Mehdi, Kamaluddin Ahmed Jafri (Allahabad Bar) and Wazir Hasan and Azhar Ali (Lucknow Bar) worked with Motilal Nehru, A.P. Sen, Tej Bahadur Sapru and Jagat Narain Mulla. The 1912 Congress session (Patna) "recognized the expediency of adopting communal representation for Muslims"[149], but it was ignored in the 1913 session (Karachi). The Congress and the League leaders assembled to attend the Allahabad Elementary Education Conference in 1913, holding identical views and aspirations. Radha Kishen Das (Moradabad), Lala Lajpat Rai (Allahabad), Pandit Bishen Narayan Dar (Banaras) and Bhagwan Das hailed the Muslims and the League for their success.

Conclusion

The Hindu-Muslim equation of co-existence based upon historical and traditional factors continued up to the Great Revolt of 1857. It, however, began to deteriorate with the emergence of revivalist and insurgence movements amongst the Hindus and the Muslims and surfaced in the form of establishment of the Congress and the League. Though the leaders did endeavour to reconcile their political differences, but their religious and traditional orientations rendered these attempts futile. These postures of isolation and exclusiveness gave birth to the Hindu Mahasabha and Tabligh and Tanzeem organisations. Their differences could not be solved through the Lucknow Pact and the Nehru Report only appeared to create more differences. They could not settle the political problems even at the Round Table Conferences and the Communal Award and the Government of India Act of 1935 only lent a stamp of credibility on the communal politics.

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149. Report of the Proceedings of the 20th Indian National Congress held at Bankipur, December 26-28, 1912 (Bankipur, n.d.), p.19.

CHAPTER II

THE GROWTH OF THE IDEA OF PARTITION

(1914-1939)

The Renaissance of Hindu-Muslim Differences

The demand and emergence of a separate homeland of a particular community, distinguished by its religion, culture, language and geographical conditions, is not very uncommon in the political history of the world. India as a subcontinent of different races, languages and cultures, has always been regarded a country of different sub-nationalities, such as, the Bengalees in Bengal, Punjabis in the Punjab, the Marathas in Maharashtra, the Tamils in the South and the Muslims scattered all over India. They are recognised by their distinctive culture, language, dress, manners and behaviour and patterns. In East Bengal, Sind, N.W.F.Province and Kashmir, there were mostly Muslims. In U.P., Bihar, Orissa and South India, there was a mixed population of the Muslims and the Hindus; the Sikhs, particularly living in Punjab, Christians in South India and the Parsis in West Maharashtra and Gujarat being in the least minority. The Hindus were in majority in almost all the states except the four stated above. In spite of all these diversities, all the Indians had a bond of love and goodwill for each other and, thus, they remained united. This was a unity in diversity. The "European writers as a rule have been more conscious of the diversity than of the unity of India"[1]. The British imperial interests prompted them to adopt a policy of 'Divide et Impera' and highlight the factors of diversity. For the Hindus, the most important uniting bond was provided by their religion - the Hinduism, which cemented their relations in North and South, East and West, despite cultural and linguistic differences. All Hindus regarded India as the Holy Land. Their sacred places are spread from Setubandhu-Rameswaram in the extreme south to Badrinath in the bosom of the snow-capped Himalayas in the north. Contrary to this, the Muslims in India had scarcely any native cultural, linguistic or religious moorings.

The Islamic culture is that of Arabs, which the Muslims in India had imbibed as faithful Muslims, but, side by side, they had also adopted

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1. Vincent A. Smith, The Oxford History of India (Oxford: Clarendon Press, 1961), Introduction, p. 10.

and continued to knit many customs and rituals of India also. The Islamic language was Arabic but their language had become Urdu or Hindustani written in Persian script in India. Urdu is in reality an emergence of intermingling of Persian and Sanskritized Hindi spoken in the 17th and 18th centuries in India. Thus, Urdu is not the language of Muslims but of the Indians. The British politicians, to gain their political ends, through the Fort William College, Calcutta, created two distinct languages - Hindi and Urdu, which had been a matter of controversy even during the days of Sir Syed Ahmad Khan on the question of Nagri-Persian script. The Hindus adopted the Sanskritized Hindi having aliance with their religious books - Ramayan, Ved and Gita, while the Muslims preferred the Urdu language with Persian and Arabic words, as their holy book - Qur'an - is written in the same script. Thus, Hindi became the language of Hindus and Urdu the language of Muslims. Thus, from 1867, Urdu, the lingua franca of the larger part of India began to collapse and two separate languages - Hindi and Urdu, began to sow seeds of differentiation between the Hindus and the Muslims. The differences intensified when Hindi became a highly Sanskritized language, which could not be understood by the Muslims. On the other hand, Urdu, which included words of almost all the languages, was being ignored. This resulted in carving a great hatred of Muslims towards Hindi and the Hindus and it also stamped on the Muslim minds that Hindus were orthodox in their behaviour. Further, there were "33 major tongues along with a host of minor languages and dialects"[2]. This led to the growth of separatism.

Sir Syed took the Hindi-Urdu controversy, culminating to the Mosque-Temple differences, very seriously. He realised that any attempt to impose Hindi on Muslims or Urdu on Hindus would undermine the composite culture of India. It was, undoubtedly, to him was "a symbol of the beginning of communal consciousness and revivalism among the Hindus"[3].

The third factor is the religion. The Muslims pray to one God and the Hindus many god and goddesses. Their method of worship is different. Likewise, they differ in dress, food and manners and civilization as well. The ethnic differences, thus, being poles apart could not reconcile the Hindus and Muslims to settle their differences and instead led to parting-ways.

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2. Mario Pei, The Story of Language (London: George Allen & Unwin, 1952), p. 288.

3. Moin Shakir, Khilafat to Partition (New Delhi:Ajanta,1983),p.20.

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It is argued that most of the Muslims in India are local converts and are of the same race as the Hindus; hence, there was no question of their differences. But this contention finds no ground in view of the fact that the new immigrants, who came to India with invaders' forces or as followers of Muslim Saints left a permanent community of Islamic thoughts. Thus, on the one hand, the Muslims in India are of two stocks while the Hindus are of only one. Thus, India was inhabited by two races. If we account the pre-historic times we find, there were four races as has been disclosed by the archaeologists during excavations at Mohenjodaro. They were the proto-Australoid, the Mediterranean, the Mongolian branch of the Alpine stock and the Alpine. Of the many ethnic groups, the Aryans, the Scythians, the Kushans, the Huns and the Semite came to India. Professor Dixon says that this racial diversity is the very root of caste system in India[4]. Evidently, the caste groups differ from each other racially. Thus, caste system came into existence in Hinduism and, Hindus were divided into many groups, especially into high caste Hindus and the low caste Hindus i.e. Scheduled Castes. Likewise, the immigrant Muslims considered themselves as the 'high born Muslims' and the converts as 'low born Muslims'. The separatism in society played a major role in partition of India.

Politically also India was not united in the true sense of the word. From 500 BC to 273 BC, we find disintegration and wars among the different races in all parts of India. India was united only in the days of Ashoka and Alauddin Khalji, whose general, Malik Kafoor, subdued the whole region of south India. The Mughal rule, though had a strong centre but had also the enemies - the Rajputs, Sikhs and Marathas.

After the death of Aurangzeb in 1707, the provincial governors became independent. When the British took over reign of the Red Ford, India was divided into a large number of states, ruled by Rajas and Nawabs. The division of India after the Great Revolt until Independence gave an idea of partition of the sub-continent.

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Idea of Partition in the 19th Century

The idea of a separate Muslim homeland may be traced back to the

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4. Roland B. Dixon, The Racial History of Man (London, New York: Charles Scribners Sons, 1923), p. 269.

political and psychological effect since the British occupation of Delhi in 1803 and Subsidiary Alliances with Hyderabad in 1798, Nawab of Awadh in 1901 and Peshwa Baji Rao II in 1802, when they merely served as a political front for the British. By 1818, except Sind and Punjab, the whole of India had come under the British Rule. John Bright, a British statesman in 1817, was the first, who "recommended the formation of five semi-independent Indian presidencies with capitals at Agra, Bombay, Calcutta, Lahore and Madras. They were to be ... controlled by Britain".[5] The British adopted a policy of suppression for complete control and the people were psychologically attached to their past rulers. The Marathas in Maharashtra, Sikhs in Punjab, Kols in Bihar, Muslim Nawabs in Awadh, Nizam in Hyderabad and Amirs in Sindh came under direct British control by 1857. They each represented a particular community and gave sense of the Hindu State and the Muslim State. This sowed the seed of separatism in India.

The masses were influenced by the political change. Their attitude, specially between Hindus and Muslims, became uncooperative and they began to look at each other with suspicion. Sir Syed Ahmad Khan, the prophet of Hindu-Muslim unity, disgruntled by the Hindu-Muslim differences due to many reasons, changed his views from one-nation theory to two-nation theory, that is, Muslims and Hindus are two separate communities. Sir Syed imagined that the two, being different, would conflict like the minority and majority groups on the issues of race, religion and language as in Europe and would not live in hearty communion with each other. These doubts of Sir Syed proved true with the rise of idea of a separate homeland for Muslims in future. A famous pan-Islamist Afghani proposed establishment of an Indian Muslim state comprising of North-West India, Afghanistan and the states of Turkistan.[6] Wilfred Scawen Blunt suggested to divide India into a Northern Indian Muslim state and a Southern Indian Muslim state both largely self-governing within the British Indian Empire.[7]

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5. George Treveleyan, The Life of John Bright (Boston: Houghton Miffin, 1913), p. 266.

6. I.H. Qureshi, 'The Development of Pakistan', The Journal of World History, Vol. 4,(1958),pp. 1009-1030.

7. W.S. Blunt, India Under Rippon : A Private Diary (London: T.Fisher Unwin, 1909), pp. 107-108.

S.R. Mehrotra says that the historians traced the "idea of Pakistan back to Sir Syed Ahmad Khan in the nineteenth century", to "Shah Waliullah and Shah Abdul Aziz in the eighteenth century, and even to Muhammad bin Qasim, the first Muslim invader of India early in the eighth century[8]". Truly, Sir Syed's 'two-nation theory' is the landmark of Pakistan, but it is quite untrue that the latter three expressed ideas of a separate Muslim homeland as there is no clear statement but whatever Mehrotra refers is based on assumptions. Neither it may be admitted that the Muslims inherited the idea of a Muslim state from the insurgents during eighth to the eighteenth century. The reign of Muhammad bin Qasim (713-715) "was an insignificant event in the history of Islam[9]", which did not help much in the establishment of the future Muslim Empire in India and, hence, Lane Poole characterised it as an episode in the History of India and of Islam, a triumph without result[10]". Shah Waliullah and Shah Abdul Aziz were mainly religious leaders. In fact, the earliest Muslim rulers and their followers intermarried with the local people and produced a mixed race. They became part of India as the Hindus and advocated their movements against the British to inflame the Indian conscience. Thus, they laid the foundation of freedom struggle. For instance, in 1799, Aga Muhammad Raza assumed the character of a prophet and styled himself Immaun Mahadri[11]. Shariatullah, in 1804, founded the Faridi sect and turned it into political entity. He appointed deputy or Khalifa to establish a Islamic rule. In 1810, Abdul Rahman proclaimed himself the Imam Mehdi in Surat[12]. In 1820-21, Syed Ahmad of Rae Bareilly (U.P.), who led the Wahabi Movement, preached "to perform Hijrat or flight from the country governed by Mushriks[13]" and aimed to fix his headquarters at Sittana in NWFP, which was a Muslim dominated state. In Bengal, Titu Mir of the Wahabi sect "claimed the sovereign power as the

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8. S.R. Mehrotra, Towards India's Freedom and Partition (New Delhi: Vikas Publishing House Pvt.Ltd., 1979), p. 197.
9. Ishwari Prasad, History of Medieval India (Allahabad: The Indian Press (Publications) Private Ltd., 1966), p. 67.
10. Lane Poole, History of India and of Islam (Oxford: Clarendon Press, 1958), p. 6.
11. R.C. Majumdar, The Sepoy Mutiny and Revolt of 1857 (Calcutta: Firma K.L. Mukhopadhyay, 1957), p. 38.
12. Ibid.
13. Ibid., p. 37.

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hereditary right of the Muslims which had been unjustly usurped by the Europeans[14]". He wanted to overthrow the British and to establish an Islamic kingdom in India. There may be called the people with religious frenzy, but their aim to establish an Islamic regime in India was but a dream.

The province of Bengal, since the promulgation of 1874 constitution, comprised of besides Bengal proper, Bihar, Orissa and Chota Nagpur, which was difficult to be administered as a single unit. Risley considered various schemes of territorial adjustment in order to achieve the following objectives[15]:

> "(1) To bring all the Oriya-speaking people outside the territorial limits of Orissa, under the administration of Bengal.
>
> (2) To separate the whole of Chittagong Division and the Districts of Dacca and Mymensingh from Bengal and to incorporate them with Assam, and to transfer portions of Chutia Nagpur to the Central Provinces".

By the end of the nineteenth century, a large number of daily newspapers came in circulation. They embodied opinions of different political groups, particularly the Muslims and the Congress. The papers are full of apprehensive feelings of Muslims and their fear of being treated as grass-roots by the Hindus in future. They anticipated the solution of this problem. For instance, Abdul Halim Sharar, a novelist and editor of Muhazzib, in 1890, observed[16]:

> "If both Hindus and Muslims cannot live together in peace and mutual respect, then it is better for them to divide India into Hindu and Muslim provinces and exchange their population".

Idea of Partition in the 20th Century

The East Bengal had great Muslim population and their domination through election was sure. The Maharaja Manindra Chunder Nundi lamented that in East Bengal, the Bengali Hindu will be in a minority and shall

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14. Ibid., p. 38.
15. Ibid., p. 18.
16. A.S. Khurshid, 'Alehada Islami Watan Ka Takhaiyyul', Nawa-e-Waqt (Lahore), March 23, 1963. See also S.S. Pirzada (ed.), Quaid-e-Azam Jinnah's Correspondence (Karachi: East & West Publishing Co., 3rd edn., 1977), p. 58.

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become strangers in their own land. Bankim Chandra's song, 'Vandematram', led the Vandemataram Movement. Tilak organised Ganapati festival and brought many people into the political field and Aravindo Pal and Lajpat Rai brought a large number of people into the national movement. On September 5, the Durga Puja Day, thousands of people took religious vow at the Kali temple that they should boycott British goods, adopt Swadeshi and make every effort to overthrow the British yoke. Minto enacted several repressive laws. Tilak was imprisoned for six years. Arvindo was arrested. Lajpat Rai went into voluntary exile. On the other hand, the partition was supported by a small group of Muslims led by Nawab Salimullah of Dacca as induced by Lord Curzon, while a few members of family of the Nawab opposed the partition and joined the Swadeshi movement.[17] However, the annulment of the partition of Bengal in 1911 by King George V, caused deep frustration of the Muslims and an occasion of great jubiliation for the Hindus. The partition of Bengal left a permanent impression on the Indian's mind anticipating the possibility of India's partition.

The question of separate electorate and reservation of seats for Muslims, an important stand of the Muslim League, could not be solved at the Allahabad Conference in 1910. Further, the birth of Hindu Mahasabha and establishment of Muslim communal institutions embarked Hindu-Muslim antagonism. Sapru's suggestion was opposed by orthodox conservative Hindu leaders. The Muslim leaders began to severely think to solve the communal problem with safeguard of their interests.

In 1913, Maulana Mahomed Ali suggested that North India may be assigned to the Muslims and rest to the Hindus to solve the Hindu-Muslim problem.[18] Similar idea was expressed by Abdul Jabbar and Abdul Sattar at the International Socialist Conference at Stockholm in 1917.[19] A Pathan chief, Mohammad Gulkhan, suggested a separate Muslim homeland in the North-West extending as far as Agra.[20]

On August 3, 1911, Harcourt Butler said that the establishment of

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17. R.C. Majumdar, n. 11, p. 18.
18. Moin Shakir, Radical Humanist (Calcutta), February 4, 1968; quoted in Moin Shakir, Khilafat to Partition (New Delhi: Kalamkar Prakashan, 1970), p. 196.
19. Pakistan Illustrated Weekly (Karachi), May 24, 1964.
20. Aziz Ahmad, Studies in Islamic Cultire in the Indian Environment (Oxford: Clarendon Press, 1964), p. 275.

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the Muslim University "would ... tend to keep alive the Hindu-Muslim feelings"[21]. Montagu opposing the foundation of a denominational Muslim University said: "those,who accused the government of a policy of 'divide and rule', would have a strong case"[22]. "The Secretary of State and some members of his Council objected to the term "Muslim" in the nomenclature of the University"[23]. Since the Aligarh Muslim University Plan included 'Muslim religion', there was a counter-move amongst the Hindus to found a Hindu University teaching Hindu religion. The Government encouraged both the plans to develop separatism among the Hindus and the Muslims, which deepened mistrust, created new misunderstandings and made the path of national leaders difficult. In 1915, the Banaras Hindu University Act was passed. The Muslim University Act was passed in 1920. The establishment of the two universities obviously created a gulf between the Hindus and the Muslims and the idea of being two-nation got much strength.

Political Developments during the First World War

Great Britain declared war against Germany on August 4, 1914. The United States of America sided with the former and Turkey joined the latter. The Congress and the Muslim League expressed loyalty to the British and helped the British war aims. Henry, in February, 1915,pleaded for the grant of 'political autonomy' to India and the Indians began to look towards a great advance in self-government[24]. In January,1915, Gandhiji returned to India after spending twenty-two years in South Africa and became a leading force in the Congress. The British attacked the holy places of Muslims in Hedjaz, which enraged the Muslims in India. The Congress joined hands with the Muslim League to solve the communal problem. Gokhale, Mrs. Annie Besant, Surendranath Banerjea& Wazir Hasan prepared their schedule of demand, which were almost identical. The Special Provincial Conference held at Allahabad on May 30, 1915,manifested wholehearted cooperation between the Hindus and the Muslims.

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21. Butler to The Aga Khan, August 3, 1911, Butler Papers, MSS EUR, F.116 (71), and Butler to Hardinge, September 25, 1911, Hardinge Papers (82),

22. A. Basu, The Growth of Education and Political Development in India, 1898-1920 (Delhi: Oxford University Press, 1974), p. 164.(1920).

23. Mushirul Hasan, Nationalism and Communal Politics in India,1916-1928 (New Delhi: Manohar Book Service, 1979), p. 58.

24. Nirad C. Chaudhri, The Autobiography of an Unknown Indian (London: New York: Macmillan, 1951), p. 399.

Congress-League Conferences

In July, 1915, the U.P. Government introduced a Municipalities Bill into its Legislative Council, as a result of Jinnah's proposal to increase non-official participation. The conservative Hindu politicians were opposed to granting of a separate representation to the Muslims, and when the Congress made its policy to grant concessions to the Muslims, the orthodox Hindus resisted[25]. The Congress and the League prepared their 'Reforms Scheme'[26], but the Congress scheme excluded the separate representation. After much heated discussions, at the Joint Reform Committee meeting held on November 17-18, 1916, the Hindus agreed to separate representation of Muslims provided the Muslims had no vote in the general electorates, which the Muslims accepted. The proportion of representation in five provinces were settled, but in the case of Bengal and U.P., matters were postponed to be settled, which were agreed upon at the Congress-League Joint Session met from December 25-28, 1916, at Lucknow under the Presidentship of Jinnah, who drafted the scheme, known as 'Lucknow Pact'[27].

The Lucknow Pact, 1916

The scheme postulated representative government and Dominion Status and direct election by the people on as broad a franchise as possible and recognised separate electorates for Muslims with a weightage of seats in excess of their proportion of the population in areas where they were in minority. According to the scheme, the question of allocation of seats in the Legislative Council was almost dead and the Congress and the League felt satisfied, and welcomed the scheme[28]. But in U.P. and the Punjab, the Hindus resented. The All-India Hindu Mahasabha and the local Hindu Sabhas denounced the Pact due to the excessive representation given to the Muslim minorities. On the other hand, the conservative Muslims in Bengal demanded 52% instead of 40% seats and in Bombay they

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25. Syed Ali Nabi to Secretary, Government of Uttar Pradesh, October 19, 1915, Municipal 1915, 230 E No. 58, UPS.
26. S.S. Pirzada, Foundations of Pakistan : All-India Muslim League Documents, 1906-24 (New Delhi: Metropolitan Book Co., 1982), Vol. I, p. 378.
27. See for details of proportion of Muslim representation, Mushirul Hasan, n. 23, p. 72.
28. The Tribune (Lahore), December 29, 1916.

demanded 36% of the seats.[29] The ulema of Deoband demanded: (a) an Alim to be appointed to each Legislative Council; (b) the Wakfs and the mosques to be placed under the charge of the Sheikhul Islam; and (c) the dispute amongst Muslims to be settled in accordance with Muslim Personal Law.[30] Due to these differences, the Memoranda, submitted to Montague and Chelmsford, indicated no common political demands and communal interests varied from class to class and region to region.

Dr. Lal Bahadur stated:[31]

> "The fact was that in regard to communal adjustment the Congress, generally speaking suffered from self-delusion. Nothing could be done more head-strong than to hope for the disappearance of separate electorate after 10 years of its birth. The evil could easily be nipped in the bud, but it was allowed to grow till it served an easy stepping stone for the demand of Pakistan".

He holds that the Pact was the evidence of the tactful bankruptcy of the Congress leaders and their helpless lack of shrewdness as they could not visualise that the concession would tear the nation for ever into two communities and the division of the country would be inevitable. He concludes that "The Lucknow Pact demanded a heavy toll of the country's sacrifice and the price was paid in the formation of Pakistan".[32]

Non-Brahmin and Sikh Movements

The non-Brahmin movement began in 1916-17, under the leadership of Dr. C. Sankaran Nair (1857-1934), who was President of the Indian National Congress in 1897; Judge of the Madras High Court during 1908-15; and was then a Member of Governor-General's Council (1915-19). The "non-Brahmins demanded special representation either through separates or through reservation of seats in joint electorates".[33] Further, the

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29. Address of the Anjuman-i-Islam, Bombay, Montague Papers (37), MSS Eur. D. 523, IOL (London) - Transferred to the NAI, New Delhi.

30. Maulvi Mohammad Ahmad to Sheweth, October 30, 1917, Meston Papers (19), NAI.

31. V.D. Mahajan, Modern Indian History : From 1707 to the Present Day - British Rule in India and After (New Delhi: S. Chand & Co.Ltd., 16th edn., 1986), p. 290.

32. Ibid.

33. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 269.

Sikhs, who formed only 11 per cent of the population in Punjab claimed special representation and weightage in the Councils "on historical, political and economic grounds"[34], as they were the rulers of Punjab for seventy years and had stood by the British in 1857. These demands also strengthened the idea of separate homeland.

Keith observed that the idea of a separate Muslim homeland was in the air even long before as early as 1919[35]:

> "Among the Muslims also there was propagated a wild but not negligible scheme for the creation of a Muslim State based on Afghanistan and embracing all those North-Western areas where the faith is strong. Such a State would inevitably form a permanent source of danger in India".

British Declaration of Self-Government, 1917

In November, 1916, Lord Chelmsford, who had assumed the office of Governor-General on April 5, 1916, in his despatch to the Secretary of State, accepted self-government as the goal for India and enlarged the powers of the provincial councils by extending the electorate and increasing the elective element. Edwin Samuel Montagu, on August 20, 1917, became the Secretary of State for India in place of Lord Chamberlain, who had resigned. Montagu, on August 20, 1917, announced in the House of Commons: "The policy of His Majesty's Government ... is that of the increasing association of Indians in every branch of the administration and the gradual development of self-government institutions" and "responsible government in India as an integral part of the British Empire"[36], which realised the infinite divisions of India. The people believed that if Parliamentary government would be formed "the electorate will be at the mercy of a small coterie of politicians who will use their power to exalt themselves"[37]. Therefore, Montagu left Indians "to try to set things right for themselves, and to learn by suffering from their own mistakes"[38]. Montagu visited India and the Montagu-Chelmsford Report saw the light of

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34. Ibid.
35. Anil Chandra Banerjee, A Constitutional History of India(1919-1947), (Delhi: Macmillan Publishers, 1978),Vol.III, p. 287.
36. V.P. Menon, The Transfer of Power in India (Bombay: Orient Longmans, 1957), p. 16.
37. Ibid., p. 17.
38. Ibid.

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the day on April 22, 1918 (published in July, 1918). The Report did not satisfy any community. However, it intensified the efforts of the Congress and the League to acquire their legitimate rights. Three months later, the First World War came to an end.

Gandhi and Khilafat Movement

During the period from 1916 to 1921, the Hindu-Muslim unity continued. On September 21, 1919, an All-India Central Khilafat Committee (AICKC) was founded and Local Khilafat Committees and District Khilafat Committees were organised throughout the country. In November, 1919, Jamiat-ul-Ulema-i-Hind (The Society of Indian Theologians) was founded under the influence of Maulana Abdul Bari of Lucknow. Gandhiji was elected President of the AICKC on November 24, 1919. As the British planned harsh terms on Turkey, aiming its dismemberment, Hasrat Mohani's resolution for boycott of British goods was adopted in spite of Gandhiji's formidable opposition[39]. Gandhiji, to make the new Reforms Bill a success, did not like to create any hinderence in furtherance of the Congress policies. Therefore, at the Amritsar Congress session by the end of December, 1919, Gandhiji got passed a resolution to cooperate with the Government.

The Government of India Act, 1919

On the basis of reports of the Franchise Committee, the Function Committee and the Committee on Home Administration, the Government of India drafted a Bill, which received the Royal assent on December 23, 1919, which is known as the Government of India Act, 1919.

In each of the nine provinces, the Governors had an Executive Council and a Legislative Council. The members of the Executive Council were nominated by the Governors and the members of the Legislative Council were chosen by the Governor from amongst the members of the Legislature. The 'Reserved Subject' were dealt by the Executive Council and the 'Transferred Subjects' were administered by the Legislative Council.

There were two houses: the Central Legislative Assembly and the Council of State. The former consisted of 145 members (103 elected + 42 nominated (25 officials + 17 non-officials) - 51 elected by general

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39. Indulal Yajnik, Gandhi As I Know Him (Delhi: Danish Mahal, 1943), p. 151.

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constituencies + 32 communal constituencies (30 by Muslims and 2 by Sikhs), 20 by special constituencies (7 by landholders, 9 by Europeans and 4 by Indian Commerce). The latter consisted of 60 members (33 elected and 27 nominated by the Governor-General).

The Constitution was based on the Montagu-Chelmsford Report and provided for separate Muslim electorates, as envisaged in the Lucknow Pact of 1916.[40] As Montagu was personally opposed to the principle of communal representation and regarded it a "great mistake"[41] of Morley and Minto in 1909, the 'communal representation was not accorded in any province where Muslims formed a majority of the voters.[42] However, the Act introduced responsive government in the Centre. The Congress demanded 'responsible government'. The new Assembly recommended for revising the Act. The Congress and the Muslim League boycotted the elections in 1920 as a result the Moderates captured the seats. C.R. Das and Motilal Nehru entered the Assembly to adopt method of "wrecking legislatures from within".

Jinnah's Resignation from the Muslim League

At the AIML Session at Amritsar in December, 1919, the Muslim League censured the Government for its atrocities at the Jalianwala Bagh, expressed strong resentment at the proposed dismemberment of Turkey, showed unflinching loyalty to the Sultan of Turkey, demanded the recall of the Viceroy, Lord Chelmsford from India and decided not to sacrifice cow on the occasion of Id-ul-Azha. The Muslim League was dominated by the Khilafat leaders and the country was echoing with shouts of "Ali Bhaion Ki Jai" and "Gandhiji Ki Jai". Jinnah supported the non-cooperation programme of Gandhiji but he was apprehensive of Gandhiji's influence.

Gandhiji chaired the Home Rule League (Swaraj Sabha) Bombay meeting on October 3, 1920, and proposed "To secure complete Swaraj for India". Jinnah argued that "Attainment of self-government within the British Commonwealth ... by constitutional methods" remained the Sabha's best goal, which only he could accept. Gandhiji remarked that those opposing

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40. K.H. Qadiri, Hasrat Mohani (Delhi: Idrah-i-Adabiyat-i-Delli, Ist edn., 1985), p.212.

41. Mushirul Hasan, n. 23, p. 19.

42. Report on Indian Constitutional Reforms (Montagu-Chelmsford Report), Cd. 9109, Parliamentary Papers, p. 135.

the majority's decision were "free" to "resign" from the Sabha as a result Jinnah with his 18 members left the meeting and on October 27,1920, resigned from the Muslim League "with great sorrow"[43], because the league members were euloging Gandhiji more than the Hindus for his participation and cooperation in the Khilafat Movement. This was Jinnah's first "shudder" of apprehension which caused him to uproot his faith in Gandhiji or his judgment to save India from being "shattered" and which led to the partition of India.

Jinnah's Resignation from the Congress

Gandhiji at the Nagpur meeting of the Subjects Committee on December 28, 1920, amending the Congress creed, proposed "the attainment of Swaraj by the people of India by all legitimate and peaceful means"[44]. Jinnah immediately objected that it was impractical and thought it dangerous to the Muslim interests to dissolve "the British connection" without greater preparation for independence, but Jinnah was shouted and voted down the next day. When he mounted to the dias, he was "howled down with cries of 'shame', 'shame' and 'political imposter'[45]. He, however, appealed and argued, but the irate audience, mostly Hindus, and Gandhiji did not answer his appeal and drove him from the platform. This was Jinnah's most bitter humiliating experience of his public life. He left Nagpur by the next train and his hopes of National leadership were buried that day. The memory of his defeat always emblazoned on his brain, which forced him to wait and stand exclusively for the cause of Muslims, if required. Thus, Gandhiji's humiliating attitude may be held responsible for making Jinnah determinant to achieve Pakistan. However, Jinnah, as a protest against the 'pseudo-religious approach to politics', resigned from the Congress. He warned the futility of the Gandhi-Khilafat express, which became manifest when Gandhiji, after the Chauri Chaura episode, on February 5, 1922, called off the Non-Cooperation Movement and Abdul Bari at Ajmere on March 5, 1922, charged Gandhiji for not launching the Non-Cooperation Movement and Dr. M.A. Ansari called the Maulana a

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43. Jinnah's letter dated 27-10-1920, is reproduced in M.R. Jayakar, The Story of My Life (Bombay: Asia Publishing House, 1958),Vol.I, p. 405.

44. P.C. Bamford, Histories of the Non-Cooperation and Khilafat Movement (Delhi: Deep Publications, 1974), p. 21.

45. Dr. Naeem Qureshi, Papers (IV,I), Vol. V, p. 229, NMML.

release, he launched a Shuddhi Movement and Moonji started Sangathan Movement. The Hindu Sabha was refounded as the Hindu Mahasabha towards the end of 1922, to counter the Jamiat-ul-Ulema, which campaigned Tabligh and Tanzim Movements. In 1923, the Arya Samaj reconverted four and a half lakhs of Malakhana Rajputs, which caused 112 major 'communal riots' between 1923 and 1927. The Kohat riots broke out in August, 1924. Gandhiji "considered the Muslims the prosecutors and the Hindus the prosecuted"[49]. He refused to settle the Hindu-Muslim disputes, even when the Ali Brothers, Dr. M.A. Ansari, Maulana A.K. Azad and Dr. Mahmud, approached him. Instead, in May, 1924, he said: "The Mussalman as a rule is a bully and the Hindu is a coward"[50], which added fuel to the fire of communal entanglement.

The riots strengthened the impression among the Muslim masses that their life, land and property would not be safe in Congress ruled India with a massive Hindu majority. This feeling naturally made them think of a better solution of their anticipated dangers and they appeared to find it readily in the proposition of a separate homeland for the Muslims.

However, on September 18, 1924, Gandhiji announced a fast of 21 days appealing for Hindu-Muslim accord.

Bengal Pact, 1923

In the 1923 elections, the Swarajists formed ministries in the Central Provinces and secured substantial number of seats in Bombay, and U.P. Legislative Councils as also in the Central Legislative Assembly. In Bengal, they were able to prevent formation of any ministry.

In December, 1923, the Bengal Swarajya Party formulated the 'Bengal Pact', which "provided inter alia for separate representation to Muslims in the Bengal Council on a population basis; for representation on local bodies in the proportion of 60:40 accordingly as their community was in a majority; and for the grant of 55 per cent of Government appointments to Muslims"[51], but the Congress Coconada Session rejected the Pact and drafted the "Indian National Pact". In early 1924, the Punjab Muslim League drew up a third pact. These pacts, instead of bringing about communal harmony made the situation worse.

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49. Ibid., p. 247.
50. Indulal Yajnik, n. 39, p. 373.
51. P.C. Bamford, n. 44, p. 373.

Lala Lajpat Rai's Partition Proposal, 1924

Lala Lajpat Rai wrote in 1924:[52]

> "Punjab should be partitioned into two provinces, the Western Punjab with a large Muslim majority, to be a Muslim governed province; and the Eastern Punjab, with a large Hindu-Sikh majority, to be a non-Muslim governed province".

R.C. Majumdar writes:[53] "Lala Lajpat Rai 'suggested the creation of Moslem provinces in the north-east and north-west of India ... to set at rest the ceaseless Hindu-Muslim bickerings and jealousies in some provinces".

Communal Ideas of Hindus

The Shuddhi and Sangathan Movements, the Arya Samaj, the Hindu Mahasabha and the Swaraj Party were proud of Hindu nationalism and openly worked for Hindu domination, but the Congress was somewhat better than them in view of its proclamation of secular ideas. It was tragic that the Congressmen did not condemn the anti-Muslim propaganda carried out by the conservative Congress leaders. For instance, Lala Lajpat Rai at Ambala said:[54]

> "O Hindus! do not bother if such and such a man is an agent of the Government ... We need men now who in the interests of the Hindus will cooperate with the Government".

Bhai Parmand, in his book, Hindu Sangathan and Arya Samaj,[55] wrote:

> "They (Hindus) should join with the Government to weaken the Muslims, and so enhance Hindu strength; and after we have increased our power in this way, then we try to get Swaraj".

C.S. Anka Ayer at Nagina said:[56]

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52. Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi: Sterling Publishers Pvt.Ltd., 1984), p. 46.

53. R.C. Majumdar, n. 33, p. 538, note 22. See also The Modern Review (Calcutta), 1925, Part I, p. 489.

54. Hamdam (Lucknow), October 29, 1926; quoted by Abdul Vahid Khan, India Wins Freedom : The Other Side (Karachi: Pakistan Educational Publishers, 1961), p. 173.

55. Abdul Vahid Khan, Ibid., pp. 173-74.

56. Pratap Daily(Lahore), October 3, 1926; quoted by A. Vahid Khan, n. 54, p. 174.

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> "Swaraj means the rule of the majority. It follows that the greatest service to Hindu solidarity that can be rendered is to strengthen the Indian National Congress, in which Hindus predominate".

Likewise, Pandit Madan Mohan Malaviya, Swami Shradhanand, Dr.Moonje, Savarkar and others were engaged in anti-Muslim activities. In contrast, when Dr. Kichlew started similar Muslim movements, the League and the Khilafat leaders stood aloof. Mahomed Ali complained that Motilal Nehru said: "at election times he could in no circumstances be expected to oppose the Hindu Maha Sabha's unseemly activities".[57] Rajpal, who wrote Rangila Rasul (The Colourful Prophet) was, by Justice Dilipsingh, in July, 1927, acquitted of the charges against him. None of the Hindu leaders, even Gandhiji, said nothing. Motilal Nehru said: "I have nothing to say".[58]

Lord Birkenhead's Declaration, 1925

The Congress refused to cooperate in the working of the reforms. Lord Birkenhead, the Secretary of State, on July 7, 1925, declared: "let them produce a constitution which carries behind it a fair measure of general agreement among the great people of India".[59] He thought that Hindu-Muslim agreement on a common constitution would not be possible, and, thus, the British rule would continue.

Jinnah's Revitalisation of the Muslim League

The Muslim League due to fall of the Khilafat Movement had become leaderless as their leaders had lost their influence so much so that one of its meetings was adjourned for lack of a quorum.[60] At this juncture, Jinnah, who was elected member of the Legislative Assembly in September, 1923 elections, had drafted a "national demand", minority report by the end of 1924 and always spoke in defence of invididual rights and equal justice, full religious liberty to all communities, began to advocate separate electorates for Muslims, since joint electorates were deemed a "source of discord and disunion" as well as "wholly inadequate to

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57. K.H. Qadiri, n. 40, p. 258.
58. Ibid.
59. V.P. Menon, n. 36, p. 34.
60. Ibid.

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achieve the object of effective representation"[61]. Jinnah was appointed by the League to frame a scheme for a constitution for the government of India. He came forward to fight for the cause of Muslims and revived the Muslim League in 1925 "for the articulation of Muslim political demands such as communal representation in the legislative bodies, extension of separate electorates to local bodies, and reservation of seats in public service"[62]. Jinnah aimed to regain the influence which he had lost during the Khilafat and Non-Cooperation movements. He was elected permanent President of the Muslim League in 1924 for three years.

Jinnah's Conference, 1927

The Conference, presided over by Jinnah, was held in Delhi on March 20, 1927, and was attended also by Dr. M.A. Ansari, Mahomed Ali, M. Yaqub, M. Ismail, Ali Nabi and the Raja of Mahmudabad besides Muslim leaders from the Punjab, Bihar, Delhi and Bombay. Jinnah still had faith in the Congress dominated by Gandhiji. The Conference agreed to forego separate electorates if their following four demands were accepted by the Congress, in toto[63]:-

1. That Muslim representation in the Bengal and Punjab Legislative Councils would be in proportion to their population;
2. That Muslims would be allowed one-third of the seats in the Central Legislature;
3. That Sind be separated from Bombay Presidency and constituted as an independent province; and
4. That Reforms be introduced in the NWFP and in Baluchistan on the same footing as in any other province in India".

The demands were later endorsed by the All-India Muslim League, the All-India Khilafat Committee and the Jamiat-ul-Ulema.

Motilal Nehru and Srinivas Iyengar persuaded the All-India Congress Committee and the Congress Working Committee to adopt Jinnah's proposals at its Bombay session to be held on March 15, 1927, in order to maintain Hindu-Muslim unity. Hindus bitterly condemned the Congress for"accepting

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61. Stanley Wolpert, Jinnah of Pakistan (New York: Oxford University Press, 1984), p. 83.

62. Mushirul Hasan, n. 23, p. 203.

63. Mushirul Hasan, n. 23, p.268. See also B.N. Pandey (ed.), The Indian Nationalist Movement, 1885-1947 - Select Documents (Delhi:Macmillan, 1979), p. 79. See also A.M. Zaidi, Evolution of Muslim Political Thought in India, Vol. III - Parting of the Ways (New Delhi: S.Chand and Company Ltd., 1977), p. 90.

the Muslim demand for representation in the Legislatures in proportion to their population[64]", and "for recognising the principle of partition along the 'permanent lines of religious cleavages'".

Lord Birkenhead's Declaration, 1927

The Congress at its Madras session in 1927, resolved to boycott the Simon Commission and proclaimed independence as its goal and to place a draft constitution before a Special Convention. Lord Birkenhead, in November, 1927, repeated his challenge that Indians should put forward their own suggestion for a constitution. Consequently, the INC authorised the Working Committee to draft a Swaraj constitution for India.

Rift in the Muslim League, 1927

As Mian Mohammad Shafi (ex-Law Minister) and Firoz Khan Noon, the landed aristocrates, backed by a small group mostly from the Punjab, voted at Lahore to welcome and cooperate with the Simon Commission, most of the members of the League's Council joined 'Jinnah Group' in Calcutta on December 30, 1927, and New Year's Day, 1928. Annie Besant and Sarojini Naidu were the honoured guests. The Aga Khan was to preside, but he withdrew at the last moment. Mohammad Yakub delivered the presidential address. It resolved that "the Musalmans throughout the country should have nothing to do with the Commission at any stage or in any form[65]", and re-elected Jinnah as permanent President of the League for another three years. The Shafi Group Manifesto was signed by the Punjab Muslim leaders - Zulfiqar Ali Khan, Muhammad Iqbal, Abdul Qayyum, Mian Abdul Haye and Maulvi Mahomed Ali. Jinnah's Manifesto was signed by Mohammad Alam, Hissam-ud-Din, Chaudhuri Afzal Haq, Mazhar Ali Azhar and Mohammed Sharif.

All-Parties Conference, 1928

On February 12, 1928, at the Delhi Conference, G.B. Pant and Madan Mohan Malaviya rejected Jinnah's Delhi proposal regarding the principle of reservation of seats in favour of any majority community in any province and "cleared that it considered separate electorates a lesser evil than

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64. Mushirul Hasan, n. 23, p. 268.

65. S.S. Pirzada, Foundations of Pakistan : All-India Muslim League Documents, 1924-1927 (Karachi: National Publishing House Ltd., 1969), Vol. II, p. 127. See also Stanley Wolpert, n. 69, p. 90.

the creation of new provinces"[66]. Daulat Ram, Moonje and Lajpat Rai strongly opposed the Congress resolution relating to the creation of an independent Sind province[67], and, backed by the Nehrus and other Congressmen[68], demanded that the issue of Sind be reviewed again, to which Jinnah, Hasrat Mohani and Mahomed Ali argued that as the Jinnah's proposals (March, 1927) were once agreed upon by the Congress leaders, they had no right to change their opinion, and, hence, they decided to boycott the All-Parties Conference.

All-Parties Conference, March, 1928

The Conference held in Delhi on March 9, 1928, considered the League's resolution and opined to devise "a system of election on the principle of proportional representation by a single transferable vote or some other similar method"[69], and appointed two committees - one to investigate into the whole matter of communal representation and the second to enquire into the financial aspect of the separation of Sind.

However, the prospects of the All-Parties Conference became quite gloomy and Motilal Nehru criticised the Hindu Mahasabha and the Muslim League equally[70]. He declared that he would stand by the Madras resolutions[71], which accepted Jinnah's proposals and in order to achieve this end, he expressed desire even to dissociate some of the communal parties like the Muslim League and the Hindu Mahasabha "if they were dissatisfied with it"[72]. Jawaharlal Nehru was hopeless to find a "common formula"[73], and the League refused to attend any Conference unless the Delhi proposals were accepted by all the political parties.

All-Parties Conference, June, 1928

The Conference,held in Delhi on June 22-24, 1928, appointed a

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66. Purshottamadas Thakurdas Papers, NMML.
67. The Leader (Allahabad), February 15, 1928.
68. Ibid., February 13 and 28, 1928.
69. Uma Kaura, Muslims and Indian Nationalism (New Delhi: Manohar Book Service, 1977), p. 34.
70. Ibid., p. 40.
71. Motilal to Ansari, May 1, 1928, Ansari Papers, JMI.
72. Motilal to Gandhi, June 26, 1928, Motilal Nehru Papers, NMML.
73. Jawaharlal to the Members of the CWC, May 3, 1928, SWG, Vol. 3,p.38.

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Committee of ten members under the Chairmanship of Motilal Nehru to draw up a constitution for India.

Informal Conference, July, 1928

Motilal Nehru called on an Informal Conference on July 7, 1928, which accepted reservation of seats for Muslims in majority provinces for ten years, but on July 8, the resolution was modified by "only the reservation of seats for minorities in both central and provincial legislatures was permitted".

Motilal Nehru and Sapru observed that separation of "Religion" from "Politics" was the only remedy of the communal tangle and favoured separate representation for Muslims, due to which they were opposed to the Hindus.

Nehru Committee Report, August, 1928

The Report, submitted on August 10, was published on August 15, 1928. It recommended "Full responsible government on the model of the constitution of self-governing Dominions" and acceded to the Dominion Status; federal constitution inviting Indian States to join, retaining their position in the new "Commonwealth of India as they occupied at present in the Indian Empire"[74]. The All-Parties Conference met at Lucknow from 28 to 30 August, 1928. The Conference, approved the Report but a group of Congressmen, including Jawaharlal Nehru and Subhas Chandra Bose, opposed the 'Dominion Status' and advocated 'Complete Independence'.

The Report annexed Sind to the NWFP but rejected the Muslim demand for reservation of seats in the Punjab and Bengal. The Report in the Hindu-majority provinces reserved seats for Muslim minorities in proportion to the population both in the central and the provincial legislatures and the principle of weightage and separate electorates were done away with[75]. The Muslims divided into two groups. The first group of the Nationalist Muslims (Azad, Dr. Ansari and T.A.K. Sherwani) supported the Report wholeheartedly. The second (Sir Mohammad Shafi and his followers)

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74. Report of the Committee Appointed by the Conference to Determine the Principles of the Constitution for India (Nehru Report), (Allahabad: All-Parties Conference Publications, 1928), p. 50.

75. Ibid., pp. 43-44.

adopted a non possumus (we cannot). The third (led by The Aga Khan) opposed and held that the Hindus were determined to secure power for themselves. The fourth (led by Jinnah) rejected the Report. Jinnah had left for England in May, 1928, and when he returned after six months, he expressed indignation and disapproved of the Report. In U.P., the Congress faced stiff opposition, because leaders like Hasrat Mohani, Azad Subhani, Shafi Daudi and the Ali Brothers "considered 'Dominion Status' inconsistent with the spirit of Islam"[76].

All-Parties National Convention, December, 1928

A Convention under the Presidentship of Dr. M.A. Ansari was held in Calcutta on December 28, 1929, to consider the Nehru Report and the proposed constitution. Jinnah, on behalf of the Muslim League, and Tassaduq Ahmad Khan Sherwani, on behalf of the CKC, put forward six amendments to the Nehru Report, as follows[77]:-

"1. A majority of four-fifths of the two houses first sitting separately and then together would be necessary for the amendment or alteration of the constitution by Parliament;

2. the Punjab pact regarding communal representation should be incorporated in the Nehru Report".

These two amendments were adopted by the Convention, but the later four amendments regarding one-third of the elected representatives, reservation of seats in the Punjab and Bengal, residuary powers to the provinces and separation of Sind were rejected, as a result Jinnah left the Convention in protest. Jinnah "joined the groups of Muslims led by The Aga Khan and Sir Mohammad Shafi, and organised a united opposition"[78], and founded the 'All-Parties Muslim Conference'.

All-Parties Muslim Conference, December, 1928 - January, 1929

The Conference held in Delhi on December 31, 1928 - January 1, 1929, and accepted the Jinnah's five-point proposal, as follows[79]:-

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76. Mushirul Hasan, n. 23, p. 286.

77. See for details Proceedings of the All-Parties National Convention, December 28, 1928 to January 1, 1929, Allahabad, p. 5.

78. R.C. Majumdar, n. 33, p. 460.

79. See for details Maurice Gwyer (Sir) and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-47, Vol. I (London: Oxford University Press, 1957), pp. 244-45.

1. The only form of Government suitable to Indian conditions was federal system with complete autonomy and residuary powers vested in the constituent status.
2. Muslims should not be deprived of their right to elect their representative through separate electorates without their consent.
3. Muslims should continue to have weightage in the Hindu majority provinces and they were willing to accord the same privilege to non-Muslim minorities in Sind, the NWFP and Baluchistan.
4. Muslims should have their due share in the Central and Provincial cabinets.
5. Muslim majority in all Muslim majority provinces should in no way be disturbed.

Foundation of the All-India Muslim Conference, March, 1929

At the ML Council meeting on March 3, 1929, under the Presidentship of The Aga Khan, the All-India Muslim Conference (AIMC) was founded, which was joined by Jinnah, Shaukat Ali, Shafi Daudi, Iqbal and Sir Mohammad Yaqub.

Jinnah's Fourteen Points, March, 1929

At the AIML Council meeting held on March 28, 1929, it was emphasised that no scheme for the future constitution of the Government of India will be acceptable to the Muslims until and unless provisions were embodied therein to safeguard their rights and interests. Jinnah accommodated the various views[80] in his fourteen points, which were adopted by the Council. These points were as follows:-[80]

"1. The form of the future constitution should be federal, with the residuary powers vested in the provinces.

2. A uniform measure of autonomy shall be granted to all provinces.

3. All legislatures in the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every Province without reducing the majority in any Province to a minority or even equality.

4. In the Central Legislature, Mussalman representation shall not be less than one-third.

5. Representation of communal groups shall continue to be, by means of separate electorates as at present, provided that it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorate.

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80. Ibid., pp. 245-47. See also The Indian Annual Register, Vol.I, 1929; also see Jamil-ud-Din Ahmad, Historic Documents of the Muslim Freedom Movement (Lahore: Publishers United Ltd., 1970), pp.98-100.

6. Any territorial redistribution that might at any time be necessary shall not in any way, affect the Muslim majority in Punjab, Bengal and N.W.F. Province.

7. Full religious liberty, i.e. liberty of belief, worship and observance, propaganda, association and education, shall be guaranteed to all communities.

8. No bill or resolution or any part thereof shall be passed in any legislature or any other elected body if three-fourths of the members of any community in that particular body oppose such a bill, resolution or part thereof, on the ground that it would be injurious to the interests of that community or in the alternative, such other method is devised as may be found feasible and practicable to deal with such cases.

9. Sind should be separated from the Bombay Presidency.

10. Reforms should be introduced in the N.W.F. Province and Baluchistan on the same footing as in other provinces.

11. Provision should be made in the constitution giving Muslims an adequate share along with the other Indians, in all the services of the State and in local self-governing bodies having due regard to the requirements of efficiency.

12. The Constitution should embody adequate safeguards for the protection of Moslem culture and for the protection and promotion of Moslem education, language, religion, personal laws and Moslem charitable institutions and for their due share in the grants-in-aid given by the State and by local self-governing bodies.

13. No cabinet, either Central or Provincial, should be formed without there being a proportion of at least one-third Moslem Ministers.

14. No change shall be made in the constitution by the Central Legislature except with the concurrence of the states constituting the Indian Federation".

Zaruri Ailan (Important Declaration)

The All-Parties Muslim Conference released Zaruri Ailan urging the Muslims to abstain from the Congress participation. The nationalist Muslims also carried on a vigorous propaganda against the Nehru Report. Dr. M.A. Ansari, Jinnah and Mahomed Ali "regarded the settlement of the communal problem as the sine qua non for India's participation in the freedom struggle[81]". Jinnah stressed: "unless the majority community and their leaders grasp that elementary principle (political demands of Muslims) and deal with it in that spirit it will not be possible to get the minority community into line with any national programme[82]".

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81. Mushirul Hasan, n. 23, p. 303.

82. Jinnah to Chagla, August 5, 1929, Chagla Papers, NMML.

Attitude of Hindu Politicians Towards Jinnah's Demands

Sarojini Naidu tried to arrange a meeting between Gandhiji and Jinnah. Jayakar wrote to Gandhiji not to yield to Muslim demand.[83] Malaviya, Lajpat Rai and Moonje though paid lip-service to the Congress ideals but used "communal platform as a means of rallying public support and made concessions to communal feelings which were already running high"[84] in view of recurring riots. They "assumed the nationalist garb and freely sailed between the Hindu Mahasabha and the Congress"[85], and created a wedge between Hindu and Muslim Swarajists. Malaviya, Lajpat Rai and Moonje "moved in and out of communal politics with remarkable ease"[86]. They had strong links with religious and revivalist bodies throughout India and the Congressmen had to rely on their support. Hence, Motilal, Jawaharlal, Gandhiji and Sapru completely succumed to their pressure and ceased to negotiate with the Muslims. The Muslim League "could find no way of reconciling their fears of Hindu domination"[87]. Maulana Azad remarked: "The Muslims were fools to ask for safeguards and the Hindus were greater fools to refuse them"[88]. However, Hindu-Muslim differences grew stronger leading to the demand for partition of India.

Civil Disobedience Movement, 1930

Gandhiji launched the Civil Disobedience Movement in March, 1930, but as Shafat Ahmad argued it would be 'suicidal' to the Muslims and at Lucknow he asserted that the movement without the cooperation of the Muslims would not be successful, the Muslims in the League-fold did not participate. As no fruitful result came out, the movement gradually died like a door-nail by August, 1933.

Round Table Conferences

On October 31, 1929, Lord Irwin announced that H.M. Government intended to confer Dominion Status upon India and called upon all the

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83. Jayakar to Gandhi, July 25, 1929, Jayakar Papers, NAI
84. Mushirul Hasan, n. 23, p. 304.
85. Ibid.
86. Ibid., p. 305.
87. David Lushak, Pakistan Crisis (London: Heinemann, 1971), p. 4.
88. P.N. Chopra, Rafi Ahmad Kidwai : His Life and Works (Agra: Shivlal, 1960), p. xxxiv.

parties to assembly in London to express views before proposals for the future constitution of India was placed before the British Parliament. The First RTC commenced on November 12, 1930, the second on September 7, 1931, and the third on November 17, 1932. The Congress and the League proposals for settlement of communal problems were put forward but the question could not be solved. Hindus and Sikhs did not agree with the Muslim demands. The main problem was that the Hindus wanted their majority in some provinces with a strong centre, while in certain other the Muslims wanted to dominate[89].

As all the parties consented, the Prime Minister came forward with his Award on the communal problem, and announced the 'Communal Award' on August 16, 1932.

ML Session, Allahabad, December, 1930 :Iqbal's Idea of Pakistan

Jinnah and his League leaders on their return from England after attending the First RTC, met at Allahabad in December, 1930. Iqbal emphasised the "Muslim nationality, and rejected the notion that India was a social unity". He said: "India is an Asia in miniature. India is a continent of human groups belonging to different races, speaking different languages and professing different religions[90]". Thus, he proclaimed the 'two-nation' theory, on the basis of which he put forth his plan for a separate State for the Muslims as a solution of the Hindu-Muslim deadlock. He said[91]:-

> "I would like to see the Punjab, N.W.F.P., Sind and Baluchistan amalgamated into a single State. Self-government within the British Empire, or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims, at least of North-West India. I, therefore, demand the formation of a consolidated Muslim State in the best interests of India and Islam".

Observing that "the Hindus and the Muslims had differences based on culture, caste and religion and as such the two communities could not live in harmony[92]", Iqbal in his presidential address said[93]:-

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89. Uma Kaura, n. 69, p. 74.
90. F.K. Khan Durrani, The Meaning of Pakistan (Lahore: Shaikh Mohammad Ashraf, 1944), p. 156.
91. Mohammad Noman, Muslim India: Rise and Growth of the All-India Muslim League (Allahabad: Kitabistan, 1942), p. 312.
92. Sandhya Chaudhri, Gandhi and the Partition of India(New Delhi: Sterling Publishers Pvt.Ltd., 1984), p. 48.
93. Shamloo (ed.), Speeches and Statements of Iqbal (Lahore: Al-Manar Academy, 1948), 2nd edn., p. 11.

> "If the principle that the Indian Muslim is entitled to full and free development on the lines of his own culture and tradition in his own Indian homeland, is recognised as the basis of a permanent communal settlement, he will be ready to stake his all for the freedom of India".

This was the occasion when Atlee, as stated by him, heard of Pakistan when he was a member of the Simon Commission.

Iqbal's contention was to create Muslim majority areas within India where Islamic culture could flourish and he certainly did not advocate a separate sovereign state for Muslims without political or administrative connection with India as advocated by the Muslim League and Jinnah. "He did not envisage the partition of India"[94]. He advocated "Muslim India within India"[95] by the creation of an autonomous state based on the unity of language, race, history, religion and identity of economic interest, which was desired also by Jinnah, Mahomed Ali, Shaukat Ali and Muhammad Shafi[96]. However, he "undoubtedly provided the Muslims with an ideological weapon which was used by the Muslim leadership as the basis for (the demand of) a separate Muslim Homeland"[97]. One can agree that what Iqbal, in effect, had done was to state the proposition of Lajpat Rai (1924) in his own intellectual manner and provide it with a scholar's logic and reasoning. Lajpat Rai had proposed partition of Punjab; and Bengal (according to Majumdar), but Iqbal suggested creation of a Muslim state in north-west India only. However, Iqbal's address "gradually led to the idea that India is not one nation"[98]. Iqbal's idea, however, was later given more elaborate shape by Rahmat Ali and thus, Jinnah gave credit to Iqbal for initiating the move for an independent sovereign state in the Indian sub-continent[99].

Dr. Iqbal is said to have suggested the creation of a separate Muslim state, on the basis of his letter written to Jinnah on May 28, 1937:[100]

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94. Moin Shakir, n.18, Khilafat to Partition, n.18, p. 190.
95. Uma Kaura, n. 69, p. 151.
96. Ibid.
97. Moin Shakir, Khilafat to Partition, n.18, p. 197.
98. Ibid., p. 190.
99. Hector Bolitho, Jinnah: Creator of Pakistan (London: John Murray, 1954), p. 129.
100. S.S.Pirzada, Quaid-e-Azam Jinnah's Correspondence: Letter from Iqbal to Jinnah, dated May 28, 1937 (New Delhi: Metropolitan Book Co.Pvt. Ltd., 1981), pp. 139-40. See also Hector Bolitho, Ibid., p. 114.

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> "But the enforcement and development of the Shariat of Islam is impossible in this country without a free Muslim state or states. This has been my honest conviction for many years and I still believe this to be the only way ... It is necessary to redistribute the country and to provide one or more Muslim states with absolute majorities. Do not you think that the time for such a demand has already arrived?"

He wrote to Jinnah again on June 21, 1937:[101]

> "In this connection, it is obvious that the only way to peaceful India is a distribution of the country on the lines of racial, religious and linguistic affinities".

Iqbal, criticising the Government of India Act, 1935, condemned the idea of a single Indian Federation:-[102]

> "A separate federation of Muslim provinces reformed on the lines I have suggested above is the only course by which we can secure a peaceful India and save Muslims from the domination of non-Muslims. Why should not the Muslims of North-West India and Bengal be considered as nations entitled to self-determination just as other nations in India and outside India are? ..."

Dr. Iqbal emphasised that "the life of Islam as a cultural force in this country very largely depends on its centralisation in a specified territory and in "possessing full opportunity of development within the body politic of India, the North-West Indian Muslims will prove the best defenders of India against a foreign invasion".[103] He did not, however, envisage an explicit partition of India. He only professed the League's demand for an Indian federation comprising Muslim majority provinces. Rahmat Ali writes: "By the word 'state', he meant not a separate or sovereign state but a big province within and as a part of the proposed Indian federation".[104] Iqbal's proposition was given shape by Rahmat Ali, who pioneered the partition scheme and coined the word 'Pakistan' in 1933.

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101. S.S. Pirzada, Ibid., Letter from Iqbal to Jinnah dated June 21, 1937, pp. 140-41.

102. Ibid.

103. Shamloo, n. 93, p. 11.

104. C. Rahmat Ali, Pakistan: The Fatherland of the Pak Nation (Cambridge: The Pak National Liberation Movement, 3rd edn.,1947), pp. 219-20.

Probable Sources of the Ideas of Iqbal

Iqbal was a poet and a philosopher and had a great intellect of deriving inspiration from the realities of the day-to-day life. Being studious, he might have learnt about the ideas of other leaders. In 1921, Nadir Ali of Agra had written a pamphlet in which he discussed the partition of India and suggested the principles on which the Hindu-Muslim problem could be settled in India.[105] In 1923, Mohammed Gul Khan, a tribal chief "suggested the establishment of separate homelands for Muslims in the North-West extending as far as Agra".[106] In 1924, Maulana Mohammed Ali said that if the Hindu-Muslim problem is not settled India will be divided into Hindu-India and Muslim-India".[107] In 1925, Lala Hardyal said that "a joint Hindu-Muslim State is sheer nonsense, which under no circumstances can exist".[108] In 1928, Maulana Ashraf Ali Thanvi spoke something of Pakistan or the Islamic State criticising the government that it was foreign and un-Islamic in character.[109] On August 21, 1931, Madina, a nationalist paper, quoting a letter from Ploden, stated that there was only one solution of the Indian problem: "it should be partitioned into Muslim-India and Hindu-India".[110] Who were responsible for such ideas? Pandit Sunderlal, quoting in "Unpardonable Crime of Jinnan", replies:[111]

> "The truth may be unplatable to you, but it may be admitted that the Hindus themselves are responsible for the cry of Pakistan raised by the Muslims. The Pakistan scheme is not the scheme of Mr. Jinnah. It is the Hindus who started Pakistan; you have a Pakistan in each Hindu household. If a non-Hindu comes to your house for water you refuse to give him your vessal".

Rahmat Ali's Idea of Pakistan

Rahmat Ali belonged to an orthodox Muslim family. His father's teaching that the Muslims should be treated as a distinct nation and not

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105. Ch. Khaliquzzaman, Pathway to Pakistan (Lahore: Longmans Green & Co.Ltd., 1961), p. 237.
106. Aziz Ahmad, Studies in Islamic Culture in the Indian Environment (London: 1964), p. 257.
107. Ch. Khaliquzzaman, n. 105, p. 207.
108. K.L. Gauba, Consequences of Pakistan (Lahore: 1946), p. 14.
109. Abdul Majid Daryabadi, Hakimul Ummat, p. 23; quoted in Moin Shakir, Khilafat to Partition, n. 18, p. 190.
110. Moin Shakir, Ibid.
111. Ibid., p. 204.

as a minority belonging to Indian nation always influenced his thinking and of this feeling, Rahmat Ali write: "I grew with it and it grew with me."[112] He, from his early childhood, believed that "Muslims are a Millat distinct from the caste Hindoo Jati, that our destiny lies in integration with other Muslims and not with the caste Hindus; that among other territories the north-western provinces of present day 'India' belong to us".[113] His thoughts and arguments found expression for the first time in his inaugural address at the Bazm-i-Shibli. He said:[114]

> "North of India is Muslim and we will keep it Muslim. Not only that, we will make it a Muslim state. But this we can do only if and when we and our North cease to be Indian. For that is a prerequisite to it, so the sooner we shed 'Indianism' the better for us all and for Islam".

Rahmat Ali deprecated the "activities of other Muslim leaders" as leading to "Indianization of our nation and our lands".[115] He condemned the federal ideas, which, according to him, involved the "renunciation of Pak nationhood" and the Muslim's acceptance of Indian nationhood. He believed the 'absorption by the caste Hindus (of the Muslims)' a certainty and its acceptance by the Muslims an act of self-immolation.[116] But when in 1933, "the scheme of an all-India federation became a reality he became more vociferous in his condemnation of this development"[117], because, in his view, "it portended an immediate peril to the life and liberty of our nation".[118] Explaining his reaction, he writes:-[119]

> "I warned the Muslim delegates. I knew that their action had obliterated the twelve centuries of our history, destroyed the very foundations of our heritage and crippled all hopes of the fulfilment of our mission. I begged them to realize their responsibility before Allah and His Rasool and to withdraw their demand for the Indian Federal Constitution and ask for a separate federation of our north-western homelands".

But when his consuls were not heeded to, he assumed that "Allah

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112. Ibid., p. 214.
113. Ibid.
114. Ibid.
115. Ibid., p. 213.
116. Ibid., p. 245.
117. Uma Kaura, n. 69, p. 153.
118. C. Rahmat Ali, n. 104, p. 344.
119. Ibid., pp. 222-23.

had assigned that fateful task to me"[120], and directed his full attention for propagating the idea of a separate homeland for the Muslims i.e. Pakistan. He, in 1933, along with Mohammad Aslam Khan, Shaikh Mohammad Sadique and Inayatullah Khan drafted a four page pamphlet entitled, "Now or Never", in which he proclaimed "the freedom of the Muslims from the British-Bania domination, the release of our nation from the bonds of minoritvism"[121]. He denounced and condemned the activities of the delegates at the Round Table Conference for their stand or the demand and support to the creation of an all-India federation. He demanded 'recognition of our distinct nationhood in Pakistan', on the one hand, and a separate creation of "a Federation of India"[122], on the other. He explained the term 'Pakistan' in the following words:-[123]

> "Pakistan is both a Persian and an Urdu word. It is composed of letters taken from the names of all our homelands - 'India' and 'Asian', that is, Punjab, Afghania (North-West Frontier Province), Kashmir, Iran, Sind (including Kachch and Kathiawar), Tukharistan, Afghanistan and Balochistan. It means the land of the Paks - the spiritually pure and clean. It symbolizes the religious beliefs and the ethnical stocks of our people and it stands for all the territorial constituents of our original Fatherland; It has no other origin and no other meaning; and it does not admit of any other interpretation".

The authors of the 'Pamphlet', explaining the need for the establishment of a separate Muslim State in the North West of India, stated - P stands for Punjab, A for Afghanistan, K for Kashmir, S for Sind and Tan for Baluchistan.

Rahmat Ali founded the Pakistan National Movement in 1933 and during 1935 and 1937, established propaganda centres all over the proposed regions of Pakistan. When the 1935 Act was being discussed, Rahmat Ali issued a circular letter on July 8, 1935, from Cambridge, which emphasised that "Government of India Bill, based on the Indian Federal Scheme has created an acute crisis in the national life of Pakistan and has raised a supreme issue - an issue of life or death for

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120. See for details Ibid., pp. 305-306.
121. Ibid., p. 269.
122. Ibid., p. 227.
123. Ibid., p. 225.

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its national future"[124] and hoped for full support to the "inexorable demand of Pakistan - a demand based on justice and equality - for the recognition of its sacred right to a separate national existence as distinct from Hindoostan."[125] He wrote:[126]

> "The very basis and content of our national life is founded on fundamentals essentially different from those on which Hindooism lives and prospers. Our age long social system and our ancient national tradition have given us a civilization with a philosophy - culture, language, a literature and an art basically and fundamentally different from that of Hindoostan. This is not all. We do not interdine; we do not intermarry. Our national customs and calenders, even our diet and dress are different".

Rahmat Ali emphasised that "geographically also the lands comprising Pakistan form a separate and distinct Unit and viewed that "Jumna should flow as 'boundary river' between Pakistan and Hindoostan".[127] He treated the Indo-Pakistan problem not as an inter-communal issue but as an international problem.[128]

The ideas of Rahmat Ali were brought home by the League delegates, who, in their speeches propagated Iqbal's and Rahmat Ali's views. The Indian Muslims in large numbers, siding with the Muslim League, began to urge that they "were a 'nation' by themselves, totally different from the other 'nations' in India, and as such entitled to exercise their right of self-determination and to establish a homeland for themselves where they could work out their destiny according to their own ideas of Islamic culture and polity".[129] It would be worthwhile to conclude that Iqbal favoured the 'creation of Muslim India (with-)in India' and Rahmat Ali advocated the idea of separation of 'Muslim India' from the rest of India.

After the 1937 elections were held, Iqbal, on June 21, 1937, wrote

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124. Ibid., p. 260.

125. Ibid., pp. 301-302.

126. Circular letter issued by Rahmat Ali dated July 8, 1935; Jayakar Papers, File No. 752, 1941-1945, NAI.

127. Uma Kaura, n. 69, p. 155.

128. C. Rahmat Ali, Circular dated July 8, 1935, NAI

129. S.R. Mehrotra, n. 8, p. 199.

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to Jinnah that 'the idea of a single Indian federation' was 'completely hopeless' and that Muslim leaders 'ought at present to ignore Muslim-minority provinces' and instead concentrate on the creation of a 'separate federation of Muslim (-majority) provinces' in the north-west and the north-east.[130] As stated, he wanted a state with enactment of Islamic laws (Shariat). This is called 'Pan-Islamism'. Iqbal's Pan-Islamism was thus "based upon the totalitarian character of the State in which there is no distinction between its spiritual and secular domains".[131] Iqbal says:-[132]

> "I confess to be a Pan-Islamist. The mission for which Islam came into this world will ultimately be fulfilled, the world will be purged of infidelity and the worship of false gods, and the true soul of Islam will be triumphant ... This is the kind of Pan-Islamism which I preach".

Iqbal says that as the Hindus and the Muslims had shown no inclination to sink their respective individualities in a larger whole and each group is intensely jealous of its collective existence, the unity of an Indian nation "must be sought, not in the negation but in the mutual harmony and co-operation of the many".[133] But he observed that "attempts to discover such a principle of internal harmony have so far failed"[134] and said that a unitary form of Government is simply unthinkable to self-governing India.

The Government of India Act, 1935

After the end of the Second RTC, Macdonald had issued the Communal Award, which recommended separate electorates for Muslims. It raised a storm of opposition of Hindus. After the end of the Third RTC, the Government put forth its proposals in March, 1933, which is known as the White Paper. A joint Parliamentary Select Committee, appointed to discuss the enactment of the Paper, published its Report on November 11, 1934, which was redrafted in the form of a Bill, which received the Royal assent in August, 1935, and came to be known as the Government of

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130. Allama Muhammad Iqbal, Letters of Iqbal to Jinnah (Lahore: Sh. Muhammad Ashraf, 1943), pp. 17-19. See also Riaz Ahmad, Iqbal's Letters to Quaid-i-Azam (Lahore: Friends Educational Service, 1976).

131. R.C. Majundar, n. 33, p. 534.

132. Dr. Sachin Sen, Birth of Pakistan (Calcutta: General Painters and Publishers, 1955), p. 83; quoted in R.C. Majumdar, n.33, p. 534.

133. R.C. Majumdar, n. 33, p. 535.

134. Ibid.

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India Act, 1935. The Act envisaged supremacy of the British parliament, federal form of government, provincial autonomy, dyarchy at the Centre, safeguards to British power in the hands of the Governor-General and the Governors and enumeration of 59 items, which defined powers of both the Centre and the Units. As the Congress[135] and the League both rejected the Federal scheme, the Governor-General on September 11, 1939, suspended it for ever, but elections on the basis of 'Provincial Autonomy' was held in 1937.

Idea of Pakistan after 1937 Elections

The results of the 1937 elections shocked the Muslim League. In the two Muslim-majority provinces - Bengal and Punjab, they had no effective majorities and depended on the support of non-League parties. When the separate electorate, which they considered to be their Magna Carta, could not prove effective to win the elections, they, ultimately, proposed an all-India federation, that is, the Muslim-majority states and the Hindu-majority states should be independently joined in a federation. It is surprising that Iqbal, on May 28, 1937, wrote to Jinnah:-[136]

> "... the enforcement and development of the Shariat of Islam is impossible in this country without a free Muslim State or States ... It is necessary to redistribute the country and to provide one or more Muslim States with absolute majorities. Don't you think that the time for such a demand has already arrived".

Iqbal wrote to Jinnah again to make the idea of a Muslim state public, but Jinnah, being not a visionary like Iqbal, decided to wait until the Muslims "were sufficiently organized and disciplined".[137] Jinnah, as a practical and shrewed politician, had realized that before demanding the creation of Muslim federated state or states, the Muslim League should have a control of the governments in the Muslim-majority provinces at the time the withdrawal of the British was definite.

Rahmat Ali, endorsing the views of Sir Syed Ahmad Khan and describing the social and religious differences between the Hindu-majority

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135. Jawaharlal Nehru, The Discovery of India (New York: John Day & Co., 1946), p. 10.

136. Letters of Iqbal to Jinnah, n. 130, pp. 17-19.

137. Ibid., pp. 23-24.

and the Muslim-minority, said:-[138]

> "Therefore for us to seal our national doom in the interest of one Indian nationhood would be a treachery against our posterity, a betrayal of our history and a crime against humanity for which there would be no salvation".

Till this time the Muslim League had not endorsed the ideas of Iqbal and Rahmat Ali.

Jinnah, however, was not so far confident that India would achieve its independence in that near a future. He was still hoping that the Congress and the Muslim League would settle their differences and reach an agreement. For the purpose of this settlement, the Congress and the League, both tried to come to a settlement on the question of Federation.

It would appear that partition philosophy was apparently going to hurt both the Hindus and the Muslims. Besides, it was also too radical. It would have necessitated shifting of both Hindus and Muslims, in large numbers, from their native places and environment; it meant starting life anew also and problems of big split arising from ones own linguistic and cultural moorings and environment. The idea of partition, therefore, was not heeded to either by the Hindus or by the Muslims. It had to be gradually made popular and the scheme of Hindu and Muslim states in a federal India with weak centre was just a step in that direction. Two other effective means which helped to make the idea of partition gradually popular were communal hatred fanned by frequent riots and introduction of religious factor - a promise of a theological polity coming into vogue after partition. As a predicament, while the use of religious factor involved large number of Hindu masses in Congress movement, likewise a large number of Muslims were involved in support of the idea of partition.

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Federal Plan

As was evident from the 1937 election results, the Congress formed ministries in six provinces and the League failed to form ministry even in the five Muslim-majority provinces. The Muslims were very apprehensive of the Congress atrocities after the formation of Congress ministries in spite of Congress assurances for justice. The Congress, under the leadership of Gandhiji, was utterly unaware of the trends of Muslim

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138 R.C. Majumdar, n. 33, p. 537.

opinion going devastatingly against the Hindu-Muslim unity. Further, the Congress was "becoming increasingly metaphysical, having lost all touch with reality, thereby also losing its primary purpose which was meant to be political"[139]. Moreover, the extremist Hindus also pronounced with emphasis on Hindu-Muslim differences. In 1937, V.D. Savarkar clearly said: "India cannot be assumed today to be an uncertain and homogeneous Nation; but on the contrary, there are two Nations in the main, the Hindus and Muslim in India."[140]

Rajendra Prasad wrote to Vallabhbhai Patel on October 11, 1938[141]:-

> "... we have been wasting all our time and energy and trying to win over people of doubtful integrity by doubtful means. This has had its reactions and created prejudice against our organisation. Even a good suggestion from us apt to be looked upon with suspicion and has hardly any chance of being accepted".

He wrote also[142]:-

> "The Mussalmans as a body have been alienated and in spite of all that the Congress ministries have been doing to be just and even generous to them, there is not only no recognition but positive opposition to even a good scheme like the Wardha Scheme. I think if we had not been engaged in breaking, or at least discrediting, Muslim ministries in non-Congress provinces the position would have been different. The Muslim propaganda has gained much strength on account of this attitude of Congress in Muslim provinces ..."

Obviously, the Congressmen had realised that the Congress ministries were not committing some wrongs intentionally with the Muslims. Rajgopalachari rightly wrote to Kher on November 20, 1938, in a secret letter as follows[143]:-

> "I am afraid we are going the wrong way to deal with these communal attacks (League charges). The Muslims who refuse, without sufficient thought, to join the Congress now see that there is no way to political influence and power. They are desperate. If we only allow them to work off their anger, I believe that large bodies of them will join the Congress at the next elections".

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139. Sasadhar Sinha, Indian Independence in Perspective (Bombay: 1964), p. 24.

140. K.I. Gauba, n. 108, p. 18; see also Malik Fazl-e-Hussain, Plans of Hindu Raj (Calcutta: 1932); quoted in Moin Shakir, n. 18, p. 191.

141. Rajendra Prasad Papers, NAI

142. Ibid.

143. B.G. Kher Papers, NMML.

In fact, the Congress ministries "demonstrated by positive evidence that most of the charges had no foundation in fact"[144]. They were there for many years. However, the Congress tended to remove the grievances of the Muslims by removing the first two stanzas of the Bande Mataram song, that referred to a Hindu Goddess even though this action was strongly "resented by the Hindus"[145]. Sir Harry Haig, the Governor of the United Provinces, wrote at the end of 1939: "In dealing with communal issues the Ministers, in my judgment, normally acted with impartiality and a desire to do what was fair"[146].

By the end of 1938, the League concluded that complete independence of India on Federal basis would provide a strong hold to the Congress Hindus at the Centre and, thus, the Federal Muslim States, as envisaged in the 1935 Act, would be dominated by them and they would live on their mercy. Therefore, deciding that the Federal system was detrimental to the Muslims, the Muslim leadership began to search for an alternative scheme.

Alternative Schemes

In October, 1937, the alternative scheme was referred at the Lucknow session of the Muslim League. By then Linlithgow had realised that "an all-India Federation was the only line of constitutional advance and a corollary to provincial autonomy"[147] and he was looking forward to an early implementation of the federal scheme.

Linlithgow met Gandhiji and the latter extended various concessions to the League on the Hindu-Muslim question. The Viceroy conveyed those proposals to Sultan Ahmed, Feroz Khan Noon, Nawab of Chhatari and Nazimuddin to let them know the concessions to which Gandhiji was prepared to make. Their proposals were as follows:-[148]

"(1) Population proportion or else weightage in minority provinces for appointments in all branches of the services. A corresponding arrangement to be made in respect of provinces in which the Hindus were in a minority.

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144. R.C. Majumdar, n. 33, p. 608.
145. Ibid., p. 609.
146. Sir Reginald Coupland, India: A Re-Statement (London:Oxford University Press, 1944), Part II : Indian Politics, 1936-1942, p. 195.
147. Uma Kaura, n. 69, p. 131.
148. Linlithgow to Zetland, March 25, 1939, Linlithgow Collection, NAI.

(2) A committee to be set up consisting of equal numbers of Hindu and Muslim philologists to prepare a dictionary of Hindustani and to meet the difficulties which had arisen over the Hindi-Urdu question. If the Muslims attached importance to the retention of Urdu, he would be ready to agree to the amount spent in the case of Muslims on education in Hindu majority provinces to be handed over to a Muslim body entirely outside the Ministry of Education, on the understanding that a similar arrangement would be introduced in respect of Hindus in provinces in which they were in a minority".

However, Gandhiji's proposal could not bring the Congress and the League to a conclusion, but it could have paved the way of reconciliation if the leaders had taken up rapprochement more seriously. Whether they really wanted a rapprochement knows their heart.

In February, 1939, certain Muslims in the Punjab advocated for "a federation of the North-West comprising of the Punjab, Sind, N.W.F.P. and the Punjab States"[149]. Sir Sikander had placed this scheme before the Viceroy but was dissuaded to drop it. Jinnah met the Viceroy on February 28, 1939, and proposed "in any federal scheme, the government should ensure an adequate equipoise between the Hindu and Muslim votes. In order to secure that ... 'manipulation' of territorial votes and the adjustment of territorial divisions"[150] should be maintained. Jinnah also advocated that India was not "competent" to run a democracy and the League misjudged "the capacity of India to run such a system"[151]. He complained also the Congress atrocities in the Hindu-majority provinces where the Hindus considered the institution of Congress ministries as establishment of the Hindu Ram Raj.

In March, 1939, Khaliquzzaman and Abdur Rehman Siddiqi explained Zetland about the proposal for establishment of three or four federations of provinces and states, which would be co-ordinated by a small central body giving equal measure of control to the Hindus and the Muslims, and which would comprise a federation of Bengal and Assam, a federation of Bihar and Orissa, a federation in the North-West India, and the rest for the whole of India, i.e. the federation of Hindu provinces and states[152].

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149. Note on an interview between Linlithgow and G.D. Birla at New Delhi on February 1, 1938. Enclosures 1 to letter dated February 7, 1938, Linlithgow Collection, NAI.

150. Uma Kaura, n. 69, p. 133.

151. Ibid.

152. Zetland to Linlithgow, March 20, 1939, Linlithgow Collection, NAI

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On March 20, 1939, Zetland wrote to Linlithgow that "we should probably have greater difficulty in bringing the Muslims into a federation than the Congress"[153]. Though Linlithgow was sympathetic to the Muslim grievances, he did not give any importance to these proposals and remarked that "any of the schemes that have so far been ventilated have the least chance of surviving critical examination"[154], and treated them as a "formless apprehension"[155]. Zetland wrote to Linlithgow to give due weightage to the Muslims, who had no "adequate mouthpiece"[156] in view of the widening gulf between the Congress and the League, and also exhorted the Congress to accede to the Muslim demands and placate them. But as the two parties could not settle their differences, it led to the idea of partition of the sub-continent on the basis of Parliamentary system and democracy.

Parliamentary Democracy

The provincial sections of the Government of India Act, 1935, had an approach to the transfer of power through adoption of the parliamentary system, which envisaged the Congress and the League to demonstrate their popular support in electoral terms and to form governments. The Congress after its massive victory in the 1937 provincial elections formed one-party governments in provinces, while the Muslim League expected coalitions, making themselves as partners. But the League's failure had proved that the Congress represented all-India. Thus, there was no need to the Congress to make concessions to the League. The Congress conviction that only those Muslims would be in the government who had renounced the League and joined the Congress. Therefore, both Jawaharlal Nehru and Rajender Prasad stated that if there would be League members in the government, the 'collective responsibility' would be meaningless. Rajendra Prasad said: "Congressmen thought it contrary to the spirit of Parliamentary democracy to appoint any outsider in their Ministry"[157]. This conviction frustrated the League members and they

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153. Ibid.

154. Uma Kaura, n. 69, p. 134.

155. Ibid.

156. Zetland to Linlithgow, May 19, 1939, Linlithgow Collection, NAI

157. P.N.S. Mansergh, 'Some Reflections on the Transfer of Power in Plural Societies', in C.H. Philips and M.D. Wainwright, The Partition of India : Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), p. 47.

declined to cooperate with the Congress. Sir Penderel Moon argued that "the Congress leaders 'were responsible, though quite unwittingly' for the critical change in Muslim sentiment from readiness to contemplate co-operation in an all-India federation to insistence upon separation'. The differences grew and the Congress passionately continued to preserve the unity of India, while the League acted to ensure the partition of India i.e. formation of Pakistan, on communal issues.

Communal Problem

The communal differences were deep rooted in the past history of the majority and minority communities which had strong hold on the Congress and League mentalities. Gandhiji opined that communal differences were insoluble as long as the British remained in India. On the other hand, the British maintained that they could not leave India until the communal problems were solved, which they knew would be impossible.Thus, they meant that they would stay in India for ever. The Congress emphasised that it was a domestic problem and it would be solved after the British would leave India. At the Round Table Conference the Princes and the Muslims had proclaimed that they did not like to create 'Ulsters in India'. Gandhiji complained that it was the traditional policy of Great Britain "to prevent parties from uniting"[158]. The Congress conviction was that the British had followed (for some forty years before partition) the policy of 'divide and rule'. Had the British Government decided to transfer power, they could have preferred to transfer power to a single party preserving India's unity. This fact was realised by both the Congress and the League, who realised that the British had their own interest in dividing them. To remove this obstacle, wittingly or unwittingly, both the parties began to think over the question of partition of India.

The War Aims

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The Second World War ensued when Germany invaded Poland on September 1, 1939, and Britain declared war against Germany on September 3, 1939. The British Government "declared India a belligerent country without consulting the Indian people"[159] on "the same day that Britain declared

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158. Ibid., p. 50.

159. Rajendra Prasad to Lord Linlithgow, November 3, 1939, Rajendra Prasad Papers, NAI; quoted in B.N. Pandey (ed.), The Indian Nationalist Movement, 1885-1947 - Select Documents (New Delhi: Macmillan Press Ltd., 1979), pp. 135-36.

war on Germany[160]. The Viceroy issued an ordinance, which contained "the most stringent powers for the suppression of internal disorder[161]". Subhas Chandra Bose, the leader of the Forward Bloc, addressing a gathering of about two hundred thousand people on September 3, 1939, on the sea-beach in Madras considered the war as the "golden opportunity[162]" to win freedom, which cautioned the Government that the Congress would not be supporting Great Britain in her war aims. Therefore, Linlithgow sought help of Jinnah for securing favour of Muslims towards the war aims promising to treat the Muslim League on terms of equality with the Congress. He reminded Jinnah on September 4, 1939, that he had told him "again and again that he regarded the influence of the British in India as essential to the survival of his own community[163]", and told Jinnah that as per his desire, the British Government had decided "in view of the onset of war, to suspend the work in connection with the Federation[164]". Sir Sikandar expressed loyalty and cooperation of Bengal and Punjab with the British[165] in the war and Jinnah also agreed to 'share those sentiments' saying that "he was a public man and had to think of his followers[166]". A Linlithgow's letter to Zetland reveals that Linlithgow wanted to strengthen the hands of Jinnah and complete overhauling and reshaping of the constitution as the Congress provinces were doing injustice with the Muslims and that Jinnah has said that the Congress ministries should be turned out[167]". Linlithgow asked Jinnah that "if democratic government was unsuitable to this country, how was she to obtain her goal of self-government. Was such a policy not to condemn India to a perpetual condition of communal strife[168]?" Jinnah replied that "an escape from the impasse ... lay in the adoption of Partition[169]". Consequently, the British Government, on September 11, 1939, announced that "the inauguration of the federal constitution under the Act of 1935 was postponed for the duration of the war[170]".

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160. Subhas Chandra Bose, The Indian Struggle, 1920-1942 (New Delhi etc.: Asia Publishing House, 1964), p. 339.
161. Ibid.
162. Ibid.
163. Linlithgow to Zetland, September 4, 1939, Linlithgow Collection, NAI.
164. Ibid.
165. Ibid., September 5, 1939.
166. Ibid.
167. Note of an interview between Jinnah and Linlithgow, October 5, 1939, Linlithgow Collection, NAI
168. Ibid.
169. Ibid.
170. Subhas Chandra Bose, n. 51, p. 339.

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On September 14, 1939, at Wardha the Congress Working Committee issued a lengthy resolution inviting the Government to declare in unequivocal terms what their war aims were in regard to democracy and imperialism and "how those aims were going to apply to India ...".[171] The resolution also declared that if India were granted freedom, then "a free and democratic India will gladly associate herself with other free nations for mutual defence against aggression and for economic cooperation".[172]

At the ML Working Committee meeting held on September 18, 1939, Jinnah declared that Muslim India was "irrevocably opposed to any 'federal objective' which must necessarily result in a majority-community rule under the guise of democracy and a parliamentary system of government. Such a constitution is totally unsuited to the genius of the peoples of this country which is composed of various nationalities and does not constitute a national State".[173]

Further, the Committee resolved that the Viceroy's declaration suspending the Federation was in favour of the Muslims and demanded for its complete abandonment without further delay and the future constitution should be considered de novo.[174] The Committee pointed out:-[175]

> "It had hoped to occupy an honourable place in the national life, government and administration of the country and work for a free India with free and independent Islam in which they could play an equal part with the major community with a complete sense of security ... but the developments that have taken place and especially since the inauguration of the provincial constitution based on the so-called democratic parliamentary system of government and the recent experiences of over two years have established beyond doubt that it has resulted wholly in a permanent communal majority and the domination of the Hindus over the Muslim minorities whose life and liberty, property and honour are in danger and even their religious rights and culture are being assailed and annihilated every day under the Congress government in various provinces".

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171. Rajendra Prasad to Lord Linlithgow, November 3, 1939, Rajendra Prasad Papers, NAI.

172. Subhas Chandra Bose, n. 51, p. 339.

173. I.A.R., 1939, Vol.II, p. 351; quoted in R.C. Majumdar, n. 33, p. 616, note 22.

174. N.N. Mitra (ed.), The Indian Annual Register (Calcutta: Annual Register Office), 1939, Vol. II, p. 351.

175. Ibid.

Iqbal Hayat Institute

Linlithgow reiterated that "Dominion Status was the natural issue of India's progress"[176] and announced that after the War all parties would be consulted "with a view to secure their aid and cooperation in the framing of such modifications in the details of the plan embodied in the Act of 1935"[177] keeping in mind the communal differences[178], which encouraged Jinnah. After their support to Britain in the war, the Muslim League further strengthened its credibility in the eyes of the British.

Dr. Rajendra Prasad approached Jinnah and Nehru to break the communal impasse. He wrote to Nehru that the communal question was dominant because "not only the decision of the British government but any future line of action that we may decide upon depends to a large extent upon its satisfactory solution"[179]. He stressed to Jinnah that the tales of Congress atrocities were unfounded and based on "misapprehensions" and "one-sided reports"[180] and offered to get the charges of atrocities on Muslims investigated by Sir Maurice Gwayer, the Chief Justice of the Federal Court, but Jinnah turned down the proposal and replied that His Excellency was "the proper authority to take such action and adopt such measures as would meet our requirements and would restore complete sense of security and satisfaction among the Muscalmans"[181].

Refusal of Jinnah to have the atrocities perpetrated by Congress ministries inspired by a British Chief Justice and his insistence on the role of Viceroy as arbiter is significant. Also one has to see the wordings of his two conditions placed before Gandhiji. They confirm to the sophisticated British traditional clever coating applied to manipulated vested interests. Congress under Gandhiji could come to ethical norms but he could not afford to take that kind of manipulative stance. It appears that after giving Gandhiji a popular chance, Congress leadership just got fed up of the whole drama of pretences and may be beliefs and became a party to partition. Gandhiji appeared to believe

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176. Speeches and Statements of Linlithgow, October 19, 1939, Linlithgow Collection, NAI.
177. Ibid.
178. Linlithgow to Zetland, November 5, 1939, Linlithgow Collection, NAI
179. Prasad to Nehru, October 14, 1939, Rajendra Prasad Papers, NAI
180. Uma Kaura, n. 69, p. 141.
181. N.N. Mitra, n. 174, p. 234.

the ultimate victory of good and truth but, unfortunately, his disciples exhausted their patience and placed into the side of the British and the League.

Jinnah said to Gandhiji, in Delhi, October, 1939[182]:-

"(1) that so long as the Congress was not prepared to treat the Muslim League as the authoritative and representative organization of the Mussalmans of India it was not possible to carry on talks regarding the Hindu-Muslim settlement; and

(2) that the League would not endorse the Congress demand for the declaration of British war aims till the two organizations had reached an agreement with regard to the minority problems".

The AICC on October 10, 1939, asked the Government to declare that the war aims "would not countenance the country being made a party to the War unless India was treated as an independent nation whose policy would be guided in accordance with the wishes of the people"[183].

Jawaharlal Nehru persuaded Jinnah to forge a united front to oppose the war aims of the Government and wrote to Jinnah in a rather apologistic way[184]:-

> "I entirely agree with you that it is a tragedy that Hindu-Muslim problem has not so far been settled in a friendly way. I feel terribly distressed about it and ashamed of myself in so far as I have not been able to contribute anything substantial towards its solution. I must admit to you that in this matter I have lost confidence in myself though I am not usually given that way. But the last two or three years have had a powerful effect on me".

The Congress prepared a draft statement to settle the differences under signature of Rajendra Prasad, Nehru and Jinnah. Though the statement had much in common, but there was no solution of the communal question[185], which was left for future discussion, to which Jinnah did not agree and the statement could not be issued.

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182. Jinnah to Nehru, December 13, 1939, Nehru Papers, NAI

183. Indian National Congress, Congress and the War Crisis (Allahabad: Indian National Congress Publication, 1940), p. 118.

184. Nehru to Jinnah, October 18, 1939, Nehru Papers, NAI

185. Draft to be issued under the joint signatures of Rajendra Prasad, M.A. Jinnah and Jawaharlal Nehru, November 4, 1939, Nehru Papers, NAI.

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On October 17, 1939, the Viceroy, in reply to the Wardha resolution of September 14, 1939, issued a statement, which was published in London as a White Paper. The Viceroy proposed to establish a "Consultative Group", including Indian representatives, which would advise the Viceroy on questions pertaining to the war. He also reaffirmed the pledge of Dominion Status at some future date, which had been first made ten years ago by the then Viceroy, Lord Halifax (Irwin)[186]". This statement infuriated the Indians in view of the fact that while the British were fighting for the sake of "freedom and democracy", they had adopted totally an adverse policy suspending the credibility of the 1935 Act and its Federal scheme, thereby concentrating all powers in the hands of the Viceroy, restricting personal liberty, prohibiting all public meetings and demonstrations and sentencing without trial etc.

The CWC on October 22-23, 1939, considered the Linlithgow's declaration on British war aims. As the Congress had extended unconditional help to Britain during the First World War (1914-1918), but after the War, the national leaders, including Gandhiji, were disillusioned, the Congress did not like to be fooled again. Its demand for immediate transfer of power was not acceded to by the Government. Therefore, the CWC "categorically declined to admit any necessity for prior agreement with the Muslim League as a condition precedent to the fulfilment of its demands. Its contention was that the Constituent Assembly would adequately secure protection for the Muslims. To express its disapproval of the Viceroy's statement (October 17, 1939), the Committee called upon the Congress ministries to tender their resignations[187]". Therefore, the Congress ministries resigned in October, 1939, adopting a resolution in the Provincial Legislatures on the War aims and condemning the way in which the Government was treating sentiments of Indians. Gradually, the Muslim League, which in 1937 could not form a Ministry even in one province, swept over the seats, consolidated its position and established its sway in five provinces - Assam, Bengal, the Punjab, Sind and N.W.F.P.[188]".

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186. Subhas Chandra Bose, n. 51, p. 341.

187. Indian National Congress, n. 183, pp. 137-38.

188. M.V. Pylee, Constitutional Government in India (Delhi: Asia Publishing House, 3rd edn., 1977), p. 126.

Jinnah's Day of Deliverance

Jinnah's position by then became rather politically sound. He unfurled the League's flag at Bombay on November 13, 1939, at Esplanade Maidan, and, on December 2, 1939, called upon Muslims, in a statement, to observe December 22, as 'Day of Deliverance', since the Congress governmenta had ceased to function. Jinnah was surprised at the 'sudden conversion' of Gandhiji to the idea of a Constitutional Assembly. On December 9, Jinnah reiterated his statement about observance of the Day of Deliverance. On December 13, Jinnah demanded the appointment of a Royal Commission to investigate into the grievances of the Muslims in the Congress provinces and repeated his appeal for observing the Day of Deliverance.

Demand for a Royal Commission and refusal of an enquiry by the Chief Justice again is indicative of the desire of Jinnah to have this matter treated by politicians and bureaucrats and not by judicial personnel.

In reply to Nehru's letter of December 9, Jinnah said:-[189]

> "So long as the Congress is not prepared to treat the Muslim League as the authoritative and representative organization of the Mussalmans of India, it was not possible to carry on talks regarding the Hindu-Muslim settlement".

To Jinnah the problem of Hindu-Muslim conflict obviously appears to be subservient to his concern to have Muslim League declared as their sole representative of Muslims of India.

In reply to Nehru's letter of December 14, Jinnah, on December 15, refused to talk with Nehru on Hindu-Muslim issue as the Congress did not recognise the League as a representative of the Indian Muslims. Ultimately, Jinnah rejoiced the dissolution of the Congress ministries by observing December 22, 1939, as a "Day of Deliverance" from the Congress "tyranny, suppression and injustice during the last two and a half years"[190], which aggressiveness caused Nehru to gasp and leave the Leaguers in surprise as they felt that "Jinnah had overshot his bolt,

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189. Sharif Al-Mujahid, *Quaid-i-Azam Jinnah: Studies in Interpretation* (Delhi: B.R. Publishing Corporation, 1985), p. 590.

190. C.H. Philips and M.D. Wainwright, n. 157, p. 165.

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and that his extreme tactics might even cause a split in the League".[191]

In an appeal to the Muslims, Jinnah, ridiculing the Congress High Command, accused it of the "wrongs that had been done to Muslims",[192] for destroying Muslim culture and interfering with the religious and social life. Jinnah said if his 14-point demands had been accepted, the Congress ministries had not been dissolved.[193] These statements closed the door of further negotiations between Jinnah and Nehru. Linlithgow, who wanted to keep the Congress under effective control and was determined not to give Government ministry to it, encouraging Jinnah assured that:-[194]

> "His Majesty's Government are not under any misapprehension as to the importance of the contentment of the Muslim community to the stability and success of any constitutional development in India".

Thus, the Jinnah's Day of Deliverance created a wider and new gulf between the Congress and the League. Therefore, Nehru set his heart on political independence and a socialist society through a constituent assembly. Jinnah said that the proposal of the Constituent Assembly was wholly utopian and Nehru's "all talks of hunger and poverty is intended to lead the people to socialistic and communistic ideas for which India is far from prepared".[195]

Encouraged by the new developments, Jinnah demanded that "no new pronouncement or new constitutional departure should be made without the approval of the League",[196] to which Linlithgow agreed to and thus gave it the recognition of an arbiter of future policy.[197]

Without any agitation, impoverishments and punishments, the League leadership acquired a position from where they could, by playing

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191. Report from the U.P. Government to the Government of India, January 5, 1940, Government of India, Home Department, File 18/12/39 Po.
192. Uma Kaura, n. 69, p. 142.
193. Jamil-ud-Din Ahmad (ed.), Mohammad Ali Jinnah: Some Recent Speeches and Writings of Mr.Jinnah, Vol.I (Lahore: Ashraf, 6th edn., 1960), p.95.
194. Linlithgow to Zetland, January 4, 1940, Linlithgow Collection, NAI.
195. Jamil-ud-Din Ahmad, n. 193, p. 126.
196. "Note of a Conversation between Linlithgow and Jinnah", Linlithgow to Zetland, January 12, 1940, Linlithgow Collection, NAI
197. Ibid.

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their cards carefully, get all that the Congress was forcing the British to part with.

As Linlithgow was determined not to hand over the Government machinery to the Congress, he wrote to Zetland that the main problem of constitutional progress in India was the "finding of shoulders broad enough to carry the burden which he should relinquish"[198] and, in other words, he conveyed that he had found the "broad shoulder" of the Muslim League for the purpose during the war when the British were struggling for their own existence. Zetland, on the other hand, though considering the Congress an anathema, was not as averse as Linlithgow. The realization that the widening gulf between the Congress and the League might result in a civil war promoted him to take some measures. It was neither accurate nor dignified on the part of Linlithgow to say again and again that "communal difficulties were the biggest hurdle in the way of constitutional development"[199].

By the end of 1939, the Congress and the League stood poles apart and both had concluded that any settlement of the communal issue was impossible between them. The matter could have been decided if the Hindu Mahasabha had not had a dominant hold on the working of the Congress. They were orthodox Hindus and they were not agreeable to relinquish any concession to the Muslims. At this stage, Jinnah was "thinking only of how to realise his plan of Pakistan (division of India) with the help of the British"[200]. On the other hand, Savarkar "seemed to be oblivious of the international situation and was only thinking how Hindus could secure military training by entering Britain's army in India"[201]. In this circumstance, it was quite a hopeless view that either the Muslim League or the Hindu Mahasabha or the Indian National Congress could do much for the unity and independence of India. All the parties came down to prepare drafts of plan for partition of India.

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198. Linlithgow to Zetland, January 30, 1940, Zetland Collection, NAI
199. Zetland to Linlithgow, February 4, 1940, Zetland Collection, NAI
200. Subhas Chandra Bose, n. 51, p. 344.
201. Ibid.

Conclusion

The Hindu-Muslim communal antagonism led to political impasse and Jinnah's Fourteen Points. Jinnah opposed the Civil Disobedience Movement. Due to communal tension and riots, the Muslim League at the Round Table Conferences demanded safeguards for the Muslims and claimed itself as the sole representative of the Muslims, to which the Congress expressed its pronounced opposition as there were thousands of Muslims in the Congress fold. As the Congress and the League could not reach an agreement, the British Prime Minister announced the Communal Award, which reserved considerable seats for the Muslims in the Central and Provincial Legislative Assemblies. At the elections held in 1937, under the Government of India Act of 1935, the Congress was returned to power with overwhelming majority. Jinnah to win the by-election of 1937, used the slogan of 'Islam in Danger' and charged the Congress ministries with committing atrocities on Muslims. The Congress challenged the charges and called for arbitration, but Jinnah declined. The League leadership appeared to have realized that by pursuing a politics of isolation and exclusiveness vis-a-vis the Congress with its overhauling Hindu leadership; and with the explicit support and patronage of the British, who were obliged to seek the cooperation of the Muslim League in the fight against the nationalist movement under the auspices of the Indian National Congress the Muslim League could place itself in a position of immense advantage. It could achieve a lot of political objectives and have a lot of its demands conceded by the British in view of the then existing nationally over-charged political situation in India.

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CHAPTER III

PAKISTAN RESOLUTION
(1940)

Although the idea of Pakistan was taking shape in the Muslim majority states, East Bengal, NWFP, Sind and Punjab, amongst proselytized Muslim aristocrates and educated men, a large majority of Muslims supporting the Congress had denounced Jinnah's demand for a Muslim homeland. After the Lucknow session of the League (April, 1936), Jinnah won favour of Sikandar Hyat Khan, leader of the Unionist Party and premier of Punjab, and on October 17, 1937, at the League Lucknow session declared the League's creed changed from "full Responsible Government" to "full Independence" and resolved as follows[1]:-

> "Resolved that the object of the All-India Muslim League shall be the establishment in India of full Independence in the form of a federation of free democratic states in which the rights and interests of the Musulmans and other Minorities are adequately and effectively safeguarded in the Constitution".

The Muslim League emphatically disapproved the federal scheme of the Government put forth in the 1935 Act, and also opposed the Congress plan of a 'constituent assembly', describing these "detrimental to the interests ... of the Muslims in particular[2]", as Mehrotra rightly observed, the "League rank and file were pressing for it[3]". He does not write that the whole of Muslim India was pressing for it because there was a large number of Muslims in the Congress fold also.

Jinnah and other speakers "breathed fire and sword against the Congress and the Hindus" and "accused the British of aiding the Congress in its design of establishing Hindu raj and perpetrating 'atrocities' on the Muslims". They "denied that India was a nation and talked of

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1. The Leader (Allahabad), October 19, 1937. See also for details K.K.Aziz, Muslims Under Congress Rule, 1937-1939: A Documentary Record (Islamabad: National Commission on Historical and Cultural Research, 1978). See also Muslim Freedom Movement Collection, Archives of the Freedom Movement, University of Karachi, Pakistan.
2. The Leader(Allahabad), October 20, 1937. No definite conclusion was reached on the question of an alternative to federation.
3. S.R. Mehrotra, Towards India's Freedom and Partition (New Delhi: Vikas Publishing House Pvt.Ltd., 1979), p. 202.

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establishing 'Muslim raj' in opposition to 'Hindu rāj'.[4]

Dr. Mahmudullah Jung wrote[5]:-

> "The doctrine of aloofness was preached ad nauseam in a most unrestricted and irresponsible language. Out of the clouds of circumlocution and confusion arose the cry of Islam in danger. The Muslims were told that they were disunited and were about to be crucified by the Hindus ... In the name of Muslim solidarity, Mr. Jinnah wants to divide India into Muslim India and Hindu India".

Pandit Jawaharlal Nehru reacted sharply. He commented[6]:-

> "The League and its supporters stand clearly and definitely today for the division of India, even on the political and economic planes, into religious groups. Whatever it may be, it is the antithesis of the nationalist idea of the unity of India. It is a reduction to absurdity of modern life and its problems. It is mediaevalism in excelsis".

Evidently, the division of India, emphasised above, had become as common as the independence itself. The root of the growing differences goes deep in the soil of political achievement endeavoured by the Hindus and the Muslims sacrificing others interest followed by accusations and manipulation of charges against each other. The confidential report on the Political Situation for the first half of November, 1939, relating to Bengal, says that the Congress and Hindu papers had been denouncing Jinnah for his "intransigence" and "constantly expanding demands" and proclaiming the problem of minorities as "entirely factitious"[7].

Jinnah toured the whole of India to propagate the League's stand. The Hindu-Muslim antagonism culminated into riots during Holi and Moharram in 1938, and Jinnah's letter of October 9, 1938, at last, closed all doors of a settlement and the rupture grew wider and wider. Gandhiji also failed to win over Jinnah. These circumstances, inevitably, led to the clear demand of Pakistan by the Muslim League in Lahore on October 10, 1938.

However, the enthusiasm for demand of a Muslim Homeland became

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4. Ibid.
5. The Pioneer (Allahabad), November 7, 1937.
6. Ibid., October 19, 1937.
7. Mss - National Archives of India, Government of India (First half of November, 1937).

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parallel to fanaticism as the Muslim League leaders lost all brain to talk in parliamentary terms. At the Sind ML Conference held at Karachi in October, 1938, which was presided over by Jinnah, the leaders delivered fiery speeches, which was sufficient to excite the mostly innocent and illiterate Muslim audience against the Congress and the Hindus. Shaukat Ali remarked: "If the Congress will not allow the Muslim League to have ministries in the four provinces where the Muslims are in a majority, vagabonds like me will run amuck"[8]. Jinnah, accusing the Congress of attempting to divide the Muslims, warned: "This will result in India being divided"[9]. Sir Abdulla Haroon, the Chairman of the Reception Committee of the Conference, spoke of "an independent federation of Muslim States"[10]. Fazlul Haq was cheered by the audience when he said, "If Muhammad bin Qasim, an eight year old lad, with 18 soldiers could conquer Sindh then surely nine crores of Muslims can conquer the whole of India"[11]. Sheikh Abdul Majid threatened that if the Muslims were not granted their rights, they would "fall back upon the 'Pakistan scheme', and that 'nothing would prevent Muslims, from Karachi to Calcutta, to march to their own self-determination"[12]. The Muslim League, analysing the sins of the Congress and the Hindus, tabled the following resolution[13] on October 10, 1938:-

> "The Sindh Provincial Muslim League Conference considers it absolutely essential in the interests of an abiding peace of the vast Indian continent and in the interests of unhampered cultural development, the economic and social betterment and political self-determination of the two nations, known as Hindus and Muslims, that India may be divided into two federations, namely, the federation of Muslim States and the federation of non-Muslim States.
>
> "The Conference therefore recommends to the All-India Muslim League to devise a scheme of constitution under which Muslim-majority provinces, Muslim Indian States and areas inhabited by a majority of Muslims may attain full independence in the form of a federation of their own with permission to admit any other Muslim State beyond the Indian frontiers to join the Federation and with such safeguards for non-Muslim minorities as may be conceded to the Muslim minorities in the non-Muslim Federation of India".

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8. The Leader (Allahabad), October 11, 1938.
9. Ibid.
10. The Times of India (Bombay), October 10, 1938.
11. Ibid., October 11, 1938. In fact he had with him 6000 cavalry and camel riders each and 3000 camels for transport.
12. The Statesman (Calcutta), October 12, 1938.
13. Ibid., October 11, 1938. See also The Times of India (Bombay), October 5 and 10, 1938; A.H. Albiruni, Makers of Pakistan and Modern Muslim India (Lahore: Shaikh Mohammed Ashraf, 1950), p. 218.

It is very much felt that the Muslim Leaguers spoke so vehemently that the Hindu population got completely distracted from the federal scheme, as the Pakistan scheme claimed the area from Karachi to Calcutta. The outcome is traced by some to the orthodoxy of the Congress, which did not concede the League demand of forming coalition ministries in the Muslim minority states. It is contended that Jawaharlal Nehru accepted Jinnah's scheme for Muslim states and the Hindu states with a weak centre, there was no harm to the country, as the federal system adopted by other countries like the USSR, USA and Switzerland has proved workable. In fact, the Congress and the League leaders wanted a country purely dominated by them so that their religion, culture and language could flourish without any conflict with the others. Further, as has been pointed out earlier protagonists of Congress-League rapprochment assume genuine urge on the part of Congress-League to come together for and in a free country. These postulates appear to be non-existent in real politic of the country and so one can never be sure that any coalition could have a fair chance of being tried in this country.

In December, 1938, the AIMI Patna session reiterated the opposition to the Federal scheme and authorised Jinnah to explore a suitable alternative scheme "which would safeguard the interests of the Muslims".[14] On March 26, 1939, the MI Working Committee appointed a committee, headed by Jinnah, to examine and report on the various draft schemes, "already expounded by those who are fully versed in the constitutional development of India and other countries and those that may be submitted hereafter to the President and report to the Working Committee their conclusions at an early date".[15]

In March, 1939, the Muslim League appointed a small committee to submit report on various constitutional schemes. Until August, 1939, there were only two schemes those of Muhammad Iqbal and Rahmat Ali. Two League leaders, Syed Abdul Latif and Sir Mohammed Shah Nawaz Khan, drew up schemes for a separate state for the Musulmans.[16] Two other schemes devised

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14. The Statesman (Calcutta), December 29, 1938.

15. The Pioneer (Allahabad), March 28, 1939.

16. See for details of schemes, M. Gwyer and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-1947 (London: Oxford University Press, 1957), Vol. II, pp. 444-45. For salient features see Appendices I, II and III.

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by Sikandar Hyat Khan and a joint scheme of Sayyid Zafrul Hasan and Muhammad Afzal Husain Qadri were put forward for consideration of the Committee. The ML Working Committee examined the "several schemes in the field including that of dividing the country into Muslim and Hindu India"[17], but yet the League had not finally come to a conclusion in favour of devising a scheme of its own for separation of India. But as the schemes were not acceptable to the Congress, the last efforts for settlement, inevitably, failed and Jinnah, very seriously began to think over the possibility of creation of a separate sovereign Pakistan exclusively for the Muslims. Rahmat Ali proclaimed in enthusiasm: "We are Muslem, not Hindu, Pakistani, not Hindustani, and Asian, not Indian"[18]. He spoke of a federation of three Muslim majority states viz. Pakistan (Punjab, Afghanistan, Kashmir, Sind and Baluchistan), Bang-i-Islam (Bengal and Assam), and Usmanistan (Hyderabad and Deccan)[19]. He wrote[20]:-

> "For this alone would set the final seal at our separation from India, inspire the Millat and impress the world as nothing else would".

Evidently, the demand for Pakistan had become a major issue during the first half of 1939, and all the leaders had been thinking about the possibility of creation of Pakistan, which continued to widen the gulf between the Congress and the League.

Muslim Organizations

Besides the All-India Muslim League, there were a number of Muslim organizations playing their role in different parts of the country. The Jamiat-ul-Ulema-e-Hind, founded by Maulana Mahmud-ul-Hasan in 1919, was a group of conservative ulema , with its headquarters in Delhi and the Deoband School was the centre of its activities[21]. The Jamiat formed the

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17. N.N. Mitra (ed.), The Indian Annual Register (Calcutta: Annual Register Office, 1930-1947), 1939, Vol. I, p. 374.
18. Rahmat Ali, The Millat of Islam and the Menace of Indianism (Cambridge: W. Heffer and Sons, 1940), p. 7.
19. Ibid.; quoted in Rajendra Prasad, India Divided (Bombay: Hind Kitabs, 1946), p. 184.
20. Ibid., p. 185.
21. See for details Ziya-ul-Hasan Faruqi, The Deoband School and the Demand for Pakistan (Bombay: Asia Publishing House, 1963).

Azad Muslim Conference against the League. The Ahrars, a combination of lower middle-class Muslims, was operative in Punjab with aggressive outlook. The Momins, especially in the eastern U.P., consisted of the weavers, who were not well-organized.[22] The Shias, a religious group of Lucknow, supported the joint electorates for all. The Kisans of Bengal organized the Krishak Sabha. All these organizations opposed the Muslim League and the League's demand for Pakistan. However, they joined the Azad Muslim Conference for the safeguards of Muslim interests in India.

Non-Muslim Organizations

There existed a number of political and politico-religious organizations with varied aims and objectives, which fomented differences between different groups of politicians and peoples, whose path was separate but the goal of independence and after was the same. The Forward Bloc, founded by Subhas Chandra Bose in July, 1939, when he resigned in protest from the Congress Presidency due to differences with Gandhites on the question of sanction of Satayagraha to be adopted by the Provincial Congress Committees concerned,[23] was a radical and progressive party. It was not a purely Hindu organization as it included Muslim volunteers also. However, the Bloc brought the entire left-wing under its banner.

The Communist Party of India, banned by the Government, was working underground. M.N. Roy, who had escaped any how from India in 1915, went to Java and contacted with German agents. In 1917, he met Lenin, who put him on the Executive Committee of the Communist International. After the victory of Stalin, he went to Germany in 1929, and returned to India and was imprisoned for six years. After his release, disgusted with the Congress policies, Roy became a staunch critic of Gandhi and Nehru.[24] In 1934, the Congress Socialist Party (CSP) was formed, which, favouring the British War aims and opposing the Congress, added to the disruptive

22. See for details of activities and British repression J.M. Deb, Blood and Tears (Bombay: Hind Kitabs, 1945), p. 666. See also R.S. Vidyarthi, British Savagery in India (Agra: Shiva Lal Agarwal & Co., 1946), p. 263.

23. See for details Subhas Chandra Bose, Indian Struggle, 1920-1942 (Bombay: Asia Publications, 1964).

24. Jawaharlal Nehru, Toward Freedom (New York: The John Day Company, 1941), p. 414. Also see Wm. Theodore de Bary and others, Sources of Indian Tradition (Delhi: Motilal Banarsidas, 1958), pp. 807-08.

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tendencies within the national movement. The Kisan Party was more radical with positive action. All these parties were causing weakness to the Congress and national movement, but there was most importantly the Hindu Mahasabha which was playing no less important a role in poisoning the stream of Indian politics. The Mahasabha emphasised Hinduism, Hindutva and Hindudom. Its President, V.D. Savarkar, at the annual session of the Hindu Mahasabha, declared the aim of the organization as maintenance, protection and promotion of the Hindu race, Hindu culture and Hindu civilization and the advancement of the glory of Hindu rashtra. The President called upon the Hindus to boycott the Congress and not to vote for the Congress candidates in the elections. There was also the Arya Samaj, which emphasised Hindu Raj, Hindu culture and Hindu civilization. The Arya Samaj was a response to Muslim fanaticism. The Samaj launched a satyagraha against the Nizam of Hyderabad in protest of atrocities against the Hindus. This move was supported by the Hindu Mahasabha and the Congress could not keep itself alianated from the connivance, which encouraged the Hindus so much so that they proved themselves no less fanatic than the Muslims. Baldev observed: "There should be no trace of Muslims in India; there should be Hindu raj. We have to secure the throne of Nizam within six months"[25]. Further, the demand of making Hindi as the lingua franca of India assured the Muslims that the Congress rule would "prevent the progress of Urdu language and obliterate the religious traditions and cultures of Musalman"[26], as a result they began to go out of the Congress fold. Jinnah concluded that the salvation of the Muslims lay only "in getting rid of the Hindu majority"[27].

The Hindus, Sikhs and even the Christians had realized that there were essential differences between the Hindu and Muslim outlooks of life and, hence, the Britons urged that future constitutional and other developments in India should be decided ensuring the consent of both the communities But it was opposed by the Hindus and the Sikhs, who urged that "the League claim that the Muslims formed a nation separate from the other Indian communities was fallacious and that, in spite of different religions, all Indians formed one single nation and therefore the League case for a

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25. Mohammad Noman, Muslim India (Allahabad: 1942), p. 304.

26. Ibid., p. 380.

27. Jinnah's statement at the Lucknow session of the Muslim League, in Jamilud Din Ahmed (ed.), Some Recent Speeches and Writings of Mr.Jinnah, 1946, Vol. I (Lahore: Sh.Mohammad Ashraf, 1942), pp. 30-38.

separate State for the Muslims was untenable".[28]

Congress and League Towards the War Aims

On September 3, 1939, the war broke out between Britain and Germany. Soon the world was divided into two military blocs. Germany occupied Luxembourg, Belgium, Holland and France in quick succession and attacked England on August 8, 1940. The British Dominions and India also joined the fight.

Soon after the War was declared on September 3, the Viceroy declared that "India was at war" and began to despatch Indian troops to Singapore and the Middle East for the defence of the British Empire and designed a number of Ordinances "to equip the Indian bureaucracy with stringent powers to suppress "internal disorder" as also took steps to amend the 1935 Act so as to concentrate all powers of the Provincial Government into the hands of the Central Government. Jinnah realised that, in the state of war, the Congress ministries in the Provinces, would not last long. Therefore, he adopted the policy of appeasement with the Government, assuring cooperation of Muslim India the British needed, and, in return, hoping British assistance in dissolution of the Congress Ministries in the Provinces. Jinnah, thus, aimed to level grounds for the League's culmination to power.

Pandit Jawaharlal Nehru in his Presidential Address in April, 1936, at the Congress Lucknow Session had said: "Every war waged by imperialist powers will be an imperialist war whatever the excuses put forward; therefore, we must keep out of it".[29] Later, the Congress made it clear that "India cannot fight for freedom unless she herself is free". The AICC Session at Tripuri in March, 1939, seeing the dark clouds of war rising in the West and exploitation of Indian resources, had vehemently opposed the British foreign policies "culminating in the Munich Pact, the Anglo-Italian Agreement and the recognition of rebel Spain" and "constantly" helping the Fascist Powers "in the destruction of democratic countries". Strongly opposing the "Imperialism and Fascism alike", the Congress urged

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28. I.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), p. 20.

29. R.C. Majumdar, Struggle for Freedom, Vol. XI (Bombay: Bharatiya Vidya Bhavan, 1969), p. 624.

that the "world peace and progress required the ending of both of these"[30].

On September 5, 1939, Gandhiji expressed his own sympathy with England and France and broke down at the very possibility of the destruction of London. He offered unconditional support to Britain. Jinnah also did not lack in palacating the Government. On September 7, 1939, Jinnah expressed his sympathy for Poland, Britain and France and declared that Great Britain may prosecute the war successfully taking the Muslim India into confidence through the All-India Muslim League. The League Working Committee declared that "real Muslim cooperation and support to Britain in this hour of trial could not be secured successfully if H.M.'s Government and His Excellency the Viceroy were unable to secure to Muslims "justice and fairplay"[31] in the Congress-governed Provinces.

At the Wardha CWC meeting, which met on September 8-14, 1939, Jawaharlal Nehru, on September 8, declared: "We do not approach the problem with a view to taking advantage of Britain's difficulties ... I should like India to play her full part and throw all her resources into the struggle for a new order"[32]. Nehru had, actually, adopted the policy of appeasement to Britain in view of the Jinnah's statement of September 7. Both aimed to win favour of the British Government for perpetuating their provincial control. But Subhas Chandra Bose stressed to launch freedom struggle at once to make use of the weak position of the Allies in the War, while the Germans had threatened to burn England. Bose said that the Congress "since 1927, repeatedly declared that India should not cooperate in Britain's war, and that the Congress should now put that policy into practice"[33], as a result the Gandhi Wing gave up the idea of cooperation with the British war-aims altogether, as Bose said that if the Congress would not agree, the Forward Bloc would do so. However, the Congress on September 14, taking a grave view of the Viceroy's steps, resolved that "The issue of peace and war must be decided by the Indian

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30. A.K. Azad, India Wins Freedom (Bombay: Longmans, 1959), p. 245.

31. V.P. Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 62.

32. The Statesman (Bombay), September 10, 1939. See also Sir Reginald Coupland, India: A Re-Statement (London: Oxford University Press, 1945), Vol. II, p. 214.

33. Subhas Chandra Bose, n. 23, p. 340. See also R.C. Majumdar, n. 29, p. 625.

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people" and they cannot "permit their resources to be exploited for imperialist ends". The Congress also resolved that if the war was "to defend the status quo, imperialist possessions, colonies, vested interests and privileges, then Indian can have nothing to do with it. If, however, the issue is democracy and a world order based on democracy, then India is intensely interested in it"[34]. The Congress also resolved that if Britain was fighting "for the maintenance and extension of democracy, then she must necessarily end imperialism in her own possessions and establish full democracy in India". The Resolution also demanded right to the Indians for framing their own constitution without any external interference, and asked the London Government to declare their war aims "in regard to democracy and imperialism" and how those aims were going to apply to India and to be given effect to in the present[35].

It may be pointed out that Subhas Chandra Bose was, perhaps, pondering over the possibility of gaining military and financial assistance from the Axis Powers to overthrow the British yoke from India by force. Anticipating the very small army in India to be left by the British during the War, Subhas Bose's proposal seems to be very radical and convincing. He did not like to beg but to take his right with might. This was the very idea that led to the formation of the Azad Hind Army. Had his proposal prohibiting the recruitment of Indians to British army was accepted the British would have been reduced really ineffective and, perhaps, defeated and India might have become independent much earlier.

However, the CWC resolution of September 14, 1939, was endorsed by the AICC on October 9, 1939, demanding an independent country, democracy and the principle of "self-determination of dependent peoples"[36].

On the other hand, the Muslim League was closely watching the reaction of the Congress Working Committee at Wardha. They happily noted that the Congress had refused to cooperate with the British war-aims in view of the past bitter experience at the close of the First World War, when Great Britain had assured to grant self-determination to the Indians. The Congress did not want to be befooled again. The Muslim League took all

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34. Sir Reginald Coupland, Vol. II, n. 32, p. 215. See also IAR, 1939, Vol. II, pp. 226-28.

35. Ibid.

36. D.C. Tendulkar, Mahatma, 1938-1940 (New Delhi: Government of India, 1952), Vol. I, p. 177.

these in view and formulated its own resolution demanding such thing that may be effectively obtained in its interest and the British may also find better to accede to it. The British Government, realising the fact that the Congress would not lend any assistance, felt that if the Muslim League, which had the huge Muslim following, would also go against. They also viewed with danger the opposition of various Hindu organization to the British war-aims. Therefore, the Government took the way of appeasement to the Muslim League to satisfy their own objectives. The Muslim League, taking advantage of the British appeasement posture, passed a resolution on the situation, created by the war; at the Lahore Conference on September 18, 1939, that "no assurances must be given as to the constitutional advance nor any new constitution framed without the consent and approval of the League - the only organization that can speak on behalf of Muslim India"[37]. R.C. Majumdar writes that the League promised support to the British only on two conditions: 'First, the Muslims must be assured of "justice and fair-play" in the Congress provinces. Secondly, the British Government must give an undertaking, "that no declaration regarding the question of constitutional advance for India should be made without the consent and approval of the All-India Muslim League, nor any constitution be framed and finally adopted by His Majesty's Government and the British Parliament without such consent and approval"[38].Further the Government was asked "to take into its confidence the Muslim League which is the only organization that can speak on behalf of Muslim India"[39]. Notwithstanding the fact that the Viceroy on October 17, 1939, "accepted, at least implicitly, the League's claim to speak for the Muslims of India", the questions of provincial ministries and the demand for Pakistan were not shelved, in view of many grievances of Muslims in the Congress ministries. But it is noteworthy that when the CWC invited Jinnah to state the grievances against the Congress ministries, the latter rebuffed the gesture[40].

It was an atmosphere of divergence of opinion on war-aims. All the parties had their own views, policies and programmes. On September 10, 1939,

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37. Ibid., Vol. V, p. 163.
38. R.C. Majumdar, n. 29, p. 626.
39. Sir Reginald Coupland, Vol. II, n. 32, p. 216.
40. Jawaharlal Nehru, Discovery of India (Bombay: Asia Publishing House, 1969), p. 432.

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the Hindu Mahasabha had declared that it was a matter of "common concern to the British Government as well as Indians" to defend the country from foreign attack and that in order to have "effective" cooperation of the Hindus, the Government should introduce responsible government at the centre and revise the Communal Award. "The National Liberal Federation and Hindu Mahasabha offered unconditional support to the Government[41] ...". However, other organizations, such as, the Liberation Federation and the All-India Christian Conference extended their full support to the British war aims unreservedly. The Indian States were solidly behind the Government and Rabindra Nath Tagore also favoured their stand. As the Congress was mitigated by the Hindu Mahasabha since the last decades, it may be said that the Congress was being fed back by the revivalists of Hinduism, whose main aim was to cause a setback to the Muslims and the Muslim League[42]. They thought that if the British perpetuated their dominance in India, the power would one day be transferred to the Hindus being in majority and if they were defeated and left the country, the Hindus would be able to capture Delhi by force. Jinnah had also realised this danger and that is why he came forward to help the British war-aims so that the British could transfer power safeguarding the Muslim interests or even by vivisecting the country.

Gandhiji, Dr. Rajendra Prasad and Jinnah met the Viceroy to discuss the Government plan to expand the Executive Council. In the discussion, the Congress members refused to cooperate till the British "accepted the CWC viewpoint[43]" of September 14, 1939. On the other hand, Jinnah emphasised that the British Government and the Congress should recognise the League as "the sole representative body of the Indian Muslims". Due to severe differences amongst the three parties - the Viceroy, the Congress and the League, the talk failed and it resulted in the resignation of the Congress ministries and Jinnah's observing the "Day of Deliverance".

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Zetland's Desiderata

Lord Zetland, the Secretary of State for India, prepared a memorandum

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41. R.C. Majumdar, n. 29, p. 624.

42. See for details M.A.H. Ispahani, 'Factors Leading to the Partition of British India', in C.H. Philips and M.D. Wainwright, The Partition of India : Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), pp. 331-59.

43. Ibid.

It is significant that only two nations (Hindus and Muslims) are emphasised in this statement, ignoring other communities like Christians, Sikhs and Parsis. The obvious inference is that the British were only keen to propound the viewpoint of the minority which was acting as an impediment to the Congress movement.

On February 3, 1940, Linlithgow said to Sikandar Hyat Khan that the position of Muslims, as maintained by Jinnah, was "unhelpful" and "static to a dangerous degree"[49]. Fazlul Haq, explaining the position of Muslims, assured him of his entire loyalty and support to the Government saying: "He was a Muslim first, always and his duty to his community was one which he could not at any stage forget"[50]. He complained also that the case of Muslims was not fully and properly considered either in India or in England and assured that he would not enlist support of the Congress but expressed willingness to join the Congress ministry. Referring the Muslim position, he said:[51]

> "The Muslims were in the constant difficulty of being on the defensive. They could not recommend any recession from the present position in regard to constitutional advance or publicly reject the principle of Home Rule or Dominion Status".

Linlithgow advised Fazlul Haq and Sikandar Hyat Khan that "so long the Muslims adopted a negative attitude and unconstructive policy, it would be very difficult to make it understood in Great Britain, the United States and even in this country"[52]. Therefore, Linlithgow advised them to follow a positive attitude preparing a positive scheme or an alternative scheme for the benefit of Muslims. Such encouragements directly contributed to and resulted into the demand for Pakistan by the Muslim League.

Linlithgow, the Viceroy, had encouraged Jinnah to adopt a positive attitude i.e. positive alternative in favour of the Muslims alone, defining

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49. Enclosure 2 to letter dated January 30, 1940. Note of a conversation between Linlithgow and Sikandar Hyat Khan at Delhi on January 25, 1940; Linlithgow Collection, NAI

50. Uma Kaura, n. 44, p.146.

51. Note of a conversation between Linlithgow and Sikandar Hyat Khan and Fazlul Haq, February 14, 1940; Linlithgow Collection, NAI

52. Uma Kaura, n. 44, p. 147.

future constitution of India, but Jinnah expressed his inability to present in detail "the considered opinion of his colleagues and himself on this very important subject" and pleaded for some time to frame his response. It reveals that though Linlithgow encouraged Jinnah to present an alternative scheme to the federal scheme envisaged in the 1935 Act, Jinnah was not eager to give details. Linlithgow insisted that negative policy would do harm to the Muslim League and wrote to Jinnah[53]:

> "If he and his friends wanted to secure that the Muslim case should not go by default in the United Kingdom, it was really essential that they should formulate their plan in the near future. At the risk of wearying him I was bound to repeat what I had often said before that I was convinced that it was quite useless to appeal for support in Great Britain for a party whose policy was one of sheer negation".

Jinnah replied that he would "make public at any rate the outlines of their position in time to enable him to explain the Muslim position in Great Britain and in India[54]", and found this opportunity at the meeting of the Council of AIML on February 25, 1940, where he, appealing to the Muslims to organise themselves and to convey the message of the league to every Muslim, said[55]:

> "People ask me what is our goal ... The whole question is very simple. Great Britain wants to rule India. Mr.Gandhi and the Congress want to rule India and the Mussalmans. We say that we will not let either the British or Mr. Gandhi rule the Musalmans. We want to be free".

The role of the British colonial rulers in prompting the separatist stance of the AIML is quite evident. As for the acquiescence of the league leadership, it was clearly a situation in which they were in an extremely happy position to ask for a free Muslim state with support and patronage of colonial power guaranteed without virtually and conditions imposed. The tragedy, apparently of this whole episode, lay in the inevitable turmoil and violence that both the Muslims and the Hindus masses were to undergo in the event of partition. In as much as the Muslim league, on the bidding of the British rulers, readily agreed

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53. Note of an interview between Linlithgow and Jinnah, Enclosure 3 to letter dated February 6, 1940, from Linlithgow to Zetland, Linlithgow Collection, NAI

54. Uma Kaura, n. 44, p. 149.

55. Jamil-ud-Din, n. 27, Vol. I, p. 132.

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to precipitate this situation, perhaps the blame can be laid more at their door. But the guilt of the Congress which all the time claimed to be the custodian of the interests of the Indian masses including the Muslims can nevertheless be mitigated. Their impatience in dealing with this manoeuvre was just a negation of Gandhian strategy of compassion, love and tolerance. On the issue of the partition both AIML and INC appeared to be operating from the same pedestal and level of response. Hence, the disillusionment of Maulana Azad in his memoirs.

Congress Ramgarh Session, 1940

In the same week, after the Lahore AIML Session, at the Congress Session held at Ramgarh on March 19-20, 1940, Maulana Azad reiterated the Congress view:-[56]

> "It was India's historic destiny that many human races and cultures and religions should flow to her, finding a home in her hospitable soil, and many a caravan should find rest here ... One of the last of these caravans, following the footsteps of its predecessors, was that of the followers of Islam. This came here and settled here for good. This led to a meeting of the culture-currents of two different races. Like the Ganga and Jumna, they flowed for a while through separate courses, but nature's immutable law brought them together and joined them in sangam. This fusion was a notable event in history ... Eleven hundred years of common history have enriched India with our common achievements. Our language, our poetry, our literature, our culture, our art, our dress, our manners and customs, the innumerable happenings of our daily life, everything bears the stamp of our joint endeavour. This joint wealth is the heritage of our common nationality and we do not want to leave it and go back to the time when this joint life had not begun ... The cast has now been moulded and destiny has set its seal upon it. Whether we like it or not, we have now become an Indian nation, united and indivisible. No fantasy or artificial scheming to separate and divide can break this unity. We must accept the logic of fact and history and engage ourselves in the fashioning of our future destiny".

It is apparent that Jinnah, as a shrewed politician, aimed to take advantage of the growing rift between the Congress and the Government. Further, the Day of Deliverance had created a new gulf between the Congress and the Muslim League. After the dissolution of the Congress ministries, the League took over the seats and gained power. Jinnah strengthened the League's position under the shadow of the slogan, "Islam

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56. The Leader (Allahabad), March 21, 1940.

in danger" and realised that settlement between the Congress and the League was impossible and, hence, determined to work for achieving Pakistan, a separate homeland for Muslims, which would be free for their development without any interference of the Hindus.[57]

AIML Lahore Session, 1940

By the end of 1938-39, Syed Abdul Latif, Khaliquzzaman, Sikandar Hyat Khan, Professor Syed Zafrul Hasan, Mohammad Afzal Husain Qadri and Sir Abdullah Haroon put forward proposals[58] for the reorganization of the country on the basis of federation, confederation or vivisection, which were considered by the Conference of the All-India Muslim League held at Lahore on March 22-24,1940. Jinnah, propounding the two-nation theory and in the typical tradition of a brilliant lawyer arguing his point, said[59]:-

> "Notwithstanding a thousand years of close contact, these nationalities are as divergent today as ever, and they cannot at any time be expected to transform themselves into one nation merely by means of subjecting them to a democratic constitution and holding them forcibly together by the unnatural and artificial methods of British Parliamentary statutes".

On March 23, 1940, Jinnah red out the resolution[60]:

> "... the scheme of Federation embodied in the Government of India Act, 1935, is totally unsuited to, and unworkable in the peculiar conditions of this country and is altogether unacceptable to Muslim India.
>
> "... Muslim India will not be satisfied unless the whole constitutional plan is reconsidered de novo and that no revised plan would be acceptable to the Muslims unless it is framed with their approval and consent.

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57. See for details Jinnah's Speech, Appendix IV.
58. Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi: Sterling Publishers Pvt.Ltd., 1984), p. 51.
59. N.N. Mitra (ed.), The Indian Annual Register (Calcutta: Annual Register Office, 1930-1947), 1940, pp. 308-09.
60. S.S. Pirzada, Foundations of Pakistan, Vol. II, 1924-1947 (Delhi: Metropolitan Book Co.Pvt.Ltd., 1982), p. 341. See also Resolutions of the All-India Muslim League from December, 1938 to March,1940 (Delhi: (Nawabzada) Liaquat Ali Khan, M.A.(Oxon), M.I.A.(U.P.), Barrister-at-Law, Honorary Secretary, All-India Muslim League), pp. 47-48.

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"Resolved that it is the considered view of this session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principle, viz. that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the north-western and eastern zones of India should be grouped to constitute "Independent State" in which the constituent units shall be autonomous and sovereign.

"That adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities in these units and in the regions for the protection of their religious, culture, economic, political, administrative and other rights and interests in consultation with them and in other parts of India where the Mussalmans are in a minority adequate, effective and mandatory safeguards shall be specifically provided in the constitution for them and other minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them".

The Session also authorised the Working Committee of the AIML "to frame a scheme of constitution in accordance with these basic principles, providing for the assumption finally by the respective regions of all powers such as defence, external affairs, communications, customs and such other matters as may be necessary"[61].

To understand the implications of the words used in the resolution and to highlight the argumentative and conflicting stance which the whole issue of partition was fact-assuming, it seems worthwhile to quote below the questions raised by Gandhiji[62] and replied by Jinnah[63] in 1944:-

S.No.	Gandhiji's Questions	Jinnah's Answers
1	Pakistan is not in the resolution. Does it bear the original meaning - the Punjab, Afghanistan, Kashmir, Sind and Baluchistan, out of which the name was mnemonically formed? If not, what is it?	Yes, the word "Pakistan" is not mentioned in the resolution, and it does not bear the original meaning. The word has now become synonymous with the Lahore resolution.

61. L.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), p. 21.

62. Letter from M.K.Gandhi to M.A.Jinnah, September 15, 1944, in Gandhi-Jinnah Talks (New Delhi: The Hindustan Times, October, 1944), pp.12-14.

63. Letter from M.A.Jinnah to M.K.Gandhi, September 17, 1944, in Gandhi-Jinnah Talks, Ibid., pp.16-18; I.A.Sherwani, n.61, pp. 78-79.

2.	Is the goal of Pakistan pan-Islam?	This point does not arise, but still I reply that the question is a mere bogey.
3.	What is that distinguishes an Indian Muslim from every other Indian, if not his religion? Is he different from a Turk or an Arab?	This point is covered by my answer that the Mussalmans of India are a nation. As to the last para of your query, it is hardly relevant to the matter of clarification of of the resolution.
4.	What is the connotation of the word "Muslim" in the resolution under discussion? Does it mean the Muslims of the India of geography or of the Pakistan to be?	Surely you know what the word 'Muslim' means.
5.	Is the resolution addressed to Muslims by way of education, or to the inhabitants of the whole of India by way of appeal, or to the foreign rulers as an ultimatum?	This point does not arise by way of clarification of the text of the Lahore resolution.
6.	Are the constituents in the two zones to constitute 'independent States', an undefined number in each zone?	No. They will form units of Pakistan.
7.	Is the demarcation to take place during the pendency of the British rule?	As soon as the basis and the principles embodied in the Lahore resolution are accepted, the question of demarcation will have to be taken up immediately.
8.	If the answer to the last question is in the affirmative, the proposal must be accepted first by Britain and then imposed upon India, not evolved from within the free will of the people of India!!!	In view of my reply to (7) your question (8) has been answered.
9.	Have you examined the position and satisfied yourself that these 'independent State' will be materially and otherwise benefitted by being split up into fragments?	Does not relate to clarification.
10.	Please satisfy me that these independent sovereign States will not become a collection of poor States, a menace to themselves and to the rest of India.	My answer to (9) covers this point.

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11. Pray show me the facts and figures or otherwise how far independence and welfare of India as a whole can be brought about by the acceptance of the resolution?	Does not arise out of the clarification of the resolution. Surely this is not asking for clarification of the resolution. I have in numerous speeches of mine and the Muslim League in its resolutions have pointed out that this is the only solution of India's problem and the road to achieve freedom and independence of the people of India.
12. How are Muslims under the Princes to be disposed of as a result of this scheme?	"Muslims under the Princes". The Lahore resolution is only confined to British India. This question does not arise out of the clarification of the resolution.
13. What is your definition of 'minorities'?	The definition of 'minorities'. You yourself have often said "minorities" means "accepted minorities".
14. Will you please define the "adequate, effective and mandatory safeguards" for minorities referred to in the second part of the resolution?	The adequate, effective and mandatory safeguards for minorities referred to in the resolution are a matter for negotiation and settlement with the minorities in the respective States, viz. Pakistan and Hindustan.
15. Do you not see that the Lahore resolution contains only a bare statement of the objective and does not give any idea as to the means to be adopted for the execution of the idea and the concrete corrollaries thereof?	It does give basic principles and when they are accepted, then the details will have to be worked out by the contracting parties.
For instance:	
(a) Are the people in the regions falling under the plan to have any voice in the matter of separation and, if so, how is it to be ascertained?	Does not arise by way of clarification.
(b) What is the provision for defence and similar matters of common concern contemplated in the Lahore resolution?	Does not arise by way of clarification.
(c) There are many groups of Muslims who have continuously expressed dissent from the policy of the League. While I am prepared to accept the	The Muslim League is the only authoritative and representative organization of Muslim India.

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preponderating influence and position of the League and have approached you for that very reason, is it not our joint duty to remove their doubts and carry them with us by making them feel that they and their supporters have not been practically disfranchised?	
(d) Does this not lead again to placing the resolution of the League before the people of the zones concerned as a whole for acceptance?	No; see answer (c)
Final paragraph	
"As I write this letter and imagine the working of the resolution in practice, I see nothing but ruin for the whole of India ...".	"... you have already passed your judgment when you say, "As I write this letter and imagine the working of the resolution in practice, I see nothing but ruin for the whole of India".

However, the resolution asserted the demand for Pakistan leaving behind and rendering redundant all problems of separate electorates, composite cabinets, reservation of posts etc.

M.A. Jinnah's Two-Nation Theory

Jinnah, in his presidential speech, analysing the Hindu-Muslim differences, said that it was "not of an intercommunal character, but manifestly of an international one" and he suggested, "it must be treated as such". He anticipated that, in the presence of Hindu-Muslim differences, "any constitution that may be built will result in disaster and will prove destructive". Therefore, deciding that the differences cannot be settled, he conclusively said that "If the British Government are really in earnest and sincere to secure peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by dividing India into 'autonomous national states'[64]. These words reveal the spirit that Jinnah sincerely longed for Pakistan not for enemity between Hindus and the Muslims, but dejectedly

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64. Summary of Speech made by M.A. Jinnah as reproduced in All-India Muslim League, Lahore Session, March, 1940, 'Presidential Address by M.A. Jinnah', in (Nawabzada) Liaquat Ali Khan, n. 60, pp.21-25.

since the Hindu-Muslim differences could not be settled. One might add that on this point of inevitability of partition the League and the Congress viewpoints appeared to converge. Jinnah also expressed himself on the advantages of vivisection. He said[65]:

> "On the other hand, the rivalry and the natural desire and efforts on the part of one to dominate the social order and establish political supremacy over the other in the government of the country will disappear. It will lead more towards natural goodwill by international pacts between them, and they can live in complete harmony with their neighbours. This will lead further to a friendly settlement all the more easily with regard to minorities by reciprocal arrangements and adjustments between Muslim India and Hindu India, which will far more adequately and effectively safeguard the rights and interests of Muslims and various other minorities".

Jinnah, in view of the prejudicial statements and reactions of Hindus, asserted that "our Hindu friends fail to understand the real nature of Islam and Hinduism[66]". He justified that as the Hindus have "different and distinct social orders ... it is a dream that the Hindus and Muslims can ever evolve a common nationality[67]". He said that "this misconception of one Indian nation has gone far beyond the limits and is the cause of most of our troubles and will lead India to destruction if we fail to revise our notions in time[68]". Still Jinnah wanted to settle the Hindu-Muslim problems by revising notions against each other. He had in mind the Hindu-Muslim relations during the past when they lived like brethren. Justifying his view of two-nation theory, which protracted the demand for a separate Muslim homeland, he gave a long statement[69]:-

> "The Hindus and Muslims belong to two different religious philosophies, social customs, literature, They neither intermarry, nor interdine together and indeed they belong to two different civilizations which are based mainly on conflicting ideas and conceptions. Their aspects on life and of life are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, their heroes are different, and different episodes. Very often the hero of one is a foe of the

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65. L.A. Sherwani, n. 61, p. 24.
66. Ibid.
67. Ibid.
68. Ibid.
69. Ibid.

> other and, likewise their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state".

Supporting his idea of India's division, Jinnah recalls the examples of Balkan Peninsula which "comprises as many as 7 or 8 sovereign states. Likewise, the Portuguese and the Spanish stand divided in the Iberian Peninsula"[70]. He observed that the then state of India was "artificial" and was "maintained by the British bayonet". He expressed his fears that "the termination of the British regime ... will be the herald of the entire break up with a worse disaster than has ever taken place during the last one thousand years under the Muslims"[71]. Assessing the constitutional development in view of the Hindu-Muslim differences, he said[72]:-

> "Muslim India cannot accept any constitution which must necessarily result in a Hindu majority government. Hindus and Muslims brought together under a democratic system forced upon the minorities can only mean Hindu Raj. We have had ample experience of the working of the provincial constitution during the last two and a half years and any repetition of such a government must lead to civil war and raising private armies as recommended by Mr. Gandhi to Hindus of Sukkur when he said that they must defend themselves violently or non-violently, blow for blow, and if they could not, they must migrate".

Here Jinnah has advocated the reason of demand for Pakistan based on the assumption that there would be Hindu Raj leading to civil war. However, Gandhiji's provocation to Hindus for "blow for blow" otherwise they should "migrate" had very much encouraged the Hindu Mahasabha, who weaved a long net of riots and conspiracies resulting in the assassination of Gandhiji's himself.

Jinnah tried to remove the misunderstanding of the Congress, which proclaimed the Muslims in India a minority. Jinnah claimed that "Mussalmans are not a minority as it is commonly known and understood ... Mussalmans are a nation according to any definition of a nation and they

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70. Ibid.

71. Ibid., pp. 24-25.

72. Ibid., p. 25.

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must have their homelands, their territory and their state. We wish to live ... as a free and independent people ... in consonance with our own ideals and according to the genius of our people ...".[73]

A.K. Fazlul Haq on the Lahore Resolution

The Bengal Premier, Moulvi Fazlul Haq, while moving the resolution, said that the "idea of federation must not only be postponed, but abandoned". He emphasised that "Muslims of India would not consent to any scheme which was framed without their approval. To them only that constitution would be acceptable as was framed from the Muslim point of view"[74], otherwise it would be unworkable. He hoped that the framers of the future constitution would consider also the Muslim feelings. He said that they "constituted 80 millions scattered all over India" and "were in a weak position numerically in almost every province of India"[75]. He characterised Azad's presidential address as "un-Islamic". The Maulana had said that "Muslims should not feel nervous: 80 millions was not a small number and they need not be afraid"[76].

Choudhry Khaliquzzaman on the Lahore Resolution

The MLA and leader of the Opposition Party in the U.P.Legislative Assembly, Ch. Khaliquzzaman, laid responsibility of the disastrous proposal: firstly, on the Government, "who in order to exploit the Indians declared that India was one nation and started the majority and minority question"; secondly, on the Congress, which gave a realisation to the Muslims that "their existence was in danger and, if they wanted to maintain their identity, they must struggle for it";and, thirdly, on those Muslims, "who tried to split the ranks of the Muslims by setting up rival organizations or joining the Congress or other non-Muslim political parties". Criticising Azad's advice that Muslims should not demand separation since they were strong enough to defend themselves, Khaliquzzaman said: "if

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73. Summary of Speech made by A.K. Fazul Haq, as reproduced in All-India Muslim League, Lahore Session, 1940, 'Presidential Address by M.A. Jinnah', (Nawabzada) Liaquat Ali Khan, n. 60, pp. 30-32. Also see S.S.Pirzada, n.60, pp. 337-38. See also Radical Humanist (Calcutta-12: 15, Bankim Chatterjee Road), p. 196. The Journal later shifted to New Delhi in March, 1940.

74. Summary of Speech made by A.K.Fazlul Haq, Ibid.
75. Ibid.
76. Ibid.

the issue between the Hindus and Muslims was to be decided by means of the sword, the Muslims had no fear. They did not need 9 crores to settle it. As it was, the issue depended on votes". Assuring the Muslims in minority provinces, he clarified that, "Muslims in the minority provinces should not be afraid as to what would happen to them after the partition of India into "Hindu India" and "Muslim India". The same thing would happen to them as to the minorities in the Punjab and Bengal".[77]

K.K. Aziz on the Lahore Resolution

Searching the cause for the demand of Pakistan, K.K. Aziz said that it was"a proof of the desperate apprehension with which Muslims regarded the prospect of Hindu domination". He opined that "Had the Congress formed coalitions in the provinces the already existing fissiparous tendencies might have been prevented from spreading". "All the assumptions, he further said, "on which the Muslim acceptance of the 1935 constitution had been based were destroyed by the working of provincial autonomy in the Hindu provinces. The Hindu demand for a constituent assembly to draw up a constitution for all India proved the last straw". Analysing the cause of differences he said, "If the Hindus wanted a strong centre and were not prepared to compromise on it, the Muslims did not want a centre at all. If the Hindus believed in the rule of the majority, the Muslims denied that they were a minority".Assuring the Muslims left in India after the alleged partition, he stated that "Pakistan would not only safeguard the Muslims left behind in India (on the principle of 'mutual retaliation') but also give self-respect to those who lived within the boundaries of Pakistan".[78]

Sir Sikandar Hayat Khan on the Lahore Resolution

Explaining the Lahore resolution on March 11, 1941, Sir Sikandar Hayat Khan said: "... When that resolution was passed it was termed the Lahore resolution; the word Pakistan was not used at the League meeting and this term was not applied to the League resolution by anybody until

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77. Summary of Speech made by Ch. Khaliquzzaman, as reproduced in All-India Muslim League, Lahore Session, 1940, 'Presidential Address by M.A. Jinnah', (Nawabzada) Liaquat Ali Khan, n. 60, pp. 32-34. See also N.N. Mitra, The Indian Annual Register, 1940, Vol.I, p. 313.

78. The Making of Pakistan : A Study in Nationalism (London: Chatto & Windus, 1967), pp. 60-61; in L.A. Sherwani, n. 61, pp. 28-29.

the Hindu press had a brain-wave and dubbed it Pakistan. They have sown the wind and must now reap the whirlwind"[79]. Admitting the authorship of the proposal, he said that the resolution which he drafted was radically amended by the Working Committee eliminating the part which related to the "Centre and co-ordination of the activities of the various units ... It must be taken as the official resolution of the Muslim League which was ratified by the Muslim League ...". He expressed his conviction that "the future destiny of India lies in accepting a position of freedom within the British Commonwealth". Proposing the solution of the constitutional problem, he reiterated[80]:-

> "Under my scheme every unit will enjoy complete autonomy in its internal affairs. It is fortunate that the population of India is so distributed in the various units that in four out of the eleven British Indian provinces Muslims are in the majority, though in two of these they have just a bare majority- while in the remaining seven provinces Hindus are in the majority ... it provides the fullest opportunity and scope to the two major communities, within their respective territorial spheres to exercise and enjoy the rights of a majority, subject, of course, to the rights and privileges of the minorities. If we accept this principle, which to my mind is a rational principle, then all those difficulties which are of our own making, and which obstruct our constitutional progress, will disappear as if by a magic wand".

Considering the Muslim acceptance of the proposal, he says[81]:-

> "At the same time they are willing to concede - and they cannot reasonably deny to the Hindus what they claim for themselves as a just right - the same rights and privileges to the Hindus in the provinces in which they happen to be the majority community ... Since the Hindus will benefit from this proposal in seven out of eleven provinces, why should they grudge the same facilities and privileges to the Muslims in the four Muslim majority provinces?"

He also thought of the fear that "if the provinces are not free and autonomous, there will always be a danger of undue and unwarranted interference from the Centre which will be dominated by the Hindus. He further anticipated that a "Central Government with a Hindu majority would use its authority and influence to strengthen the position of Hindu

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79. From Speech in the Punjab Legislative Assembly, Punjab Legislative Debates, Vol. XVI (Lahore: Superintendent, Government Printing Press, 1942), pp. 350-56.

80. Ibid.

81. Ibid.

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provinces in the political, economic, social and cultural fields at the expense of the Muslim majority provinces on the one hand, while on the other they would try to undermine the authority and position of the latter by unnecessary interference and unjust restrictions and obstructions".[82] However, as its solution, Sir Sikandar recommended as follows:-

> "I say, give complete autonomy and freedom to the units and let them be demarcated into regions or zones on a territorial basis. Representatives of the units within each zone should represent their respective units as also the region at the Centre. The Centre constituted will not be a domineering hostile Centre looking for opportunities to interfere with the work of provincial Governments, but a sympathetic agency enjoying the confidence and support of the provinces - ".

Sir Hassan Suhrawardy on the Lahore Resolution

In his opinion, "Mr. Jinnah envisages the course followed in the evolution of the Union of the Commonwealth of Australia and that of the Dominion of Canada. The Muslim States will first function as separate and independent units in the British Commonwealth of Nations, and, if and when found feasible, confederate as equal partners by mutual consent with other parts of India and with other Dominions". Discussing the nature of Pakistan to be a symbol of certain facts and progress, he says that "It is by no means an aggressive movement against any community or political party. If anything, it is a protective and defensive movement; its root causes lie in the social injustice and selfish exclusiveness of that great evil, the caste system of the Hindus".[83]

Suhrawardy highlighted the position of Punjab also. Counting the total Sikh population in India as 5.7 millions and that of the Muslims 94-1/4 millions; and the total Sikh population in Punjab as 03-3/4 millions and Muslim 16-1/4 millions out of total population of 28-1/2 millions, he observed that "most of the Sikhs of the Punjab live in the area south-east of a line following the Sutlej River up to Ferozpore, and from there the railway line passing by Amritsar and Gurdaspur to the

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82. Ibid.

83. From Lecture on "The Indian Crisis: Muslim Viewpoints", given at a joint meeting of the Royal Central Asian Society and the East India Association on 4 November, 1942, Journal of the Royal Central Asian Society (London), January, 1943, pp. 61-63.

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River Ravi". He further indicates that "there has been antagonism between the Muslims and the Sikhs" and, therefore, "if after careful consideration the Sikh community are not satisfied that, with the constitution of the North-West Dominion under the Pakistan scheme, their present influential position in the Punjab and in the whole of India will be much improved, they could form an enclave to include the majority of the Sikh population, and by treaty rights safeguard the interests of the minority living outside the enclave"[84].

The opinions of eminent Muslims in different states may be instanced also. Maulana Zafar Ali Khan said that during his association with the Congress he experienced that the Congress was not anxious for freedom but wanted to suppress the minorities, and that the Congress had achieved its strength with the help of the Muslim League (during association of Gandhiji with the Ali Brothers and Maulana Abdul Bari in the Khilafat movement). Sardar Aurangzeb Khan, Leader of the Opposition in the Frontier Assembly, thanked the Muslims living in minority provinces for their support to the League, which meant freedom for six crores of Muslims. Sir Abdullah Haroon, M.L.A., Central Province, said that "if the Hindus did not treat the Muslims fairly, the latter would treat the Hindus in the same way as Hitler treated the Sudetans"[85]. Abdul Hamid Khan, a Muslim Leader of Madras, said that two and a half years Congress rule had been instrumental for awakening the Muslims and consolidating the League. Mohammed Alam, who was an eminent leader of the Congress in Punjab and an admirer of Gandhiji, "blamed the Congress and said that it simply aimed at establishing Hindu Raj within British India"[86].

Nationalist Muslims on the Lahore Resolution

The nationalist Muslims criticised the League's demand for a separate homeland. Begum Abdul Aziz, President, Nationalist Muslim Women's Association, characterized the scheme as mischievous, impracticable and against the Islamic principles[87]. Azad Muslim Conference, which comprised various nationalist groups, such as, "Jamiat-ul-Ulema, All-India Organisation of Muslim Divines and Scholars, Majlis-i-Ahrar-i-Islam, the Independent

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84. (Nawabzada) Liaquat Ali Khan, n. 60, p. 30.
85. Sandhya Chaudhri, n. 58, p. 54.
86. N.N. Mitra, The Indian Annual Register, 1940, Vol.I, p. 314.
87. The Tribune (Lahore), March 29, 1940.

Party of Bihar, the Krishak Praja Party of Bengal, the All-India Momin Conference, the Anjuman-e-Watan of Baluchistan and the Central Standing Committee of All-India Shia Conference condemned the partition plan[88]" and did not recognize the claim of the League to be the only representative of all Muslims in India.

Khan Bahadur Allah Bux, the Sind Premier, said[89]:

> " A majority of the Ninety million Indian Muslims who were descendents of the earlier inhabitants of India were in no sense other than sons of the soil. He characterised the Pakistan scheme as harmful and fantastic and ... that it sought to create another Palestine under British mandate".

He exhorted the Muslims to "live like brothers in a joint family". Maulana Abul Kalam Azad described the partition scheme as "meaningless and absurd[90]". Maulvi Abdul Majid, presiding over the U.P. Azad Muslim Political Conference, on July 28, 1940, repudiating the Pakistan demand said: "No power on earth can deprive the Muslims of their religion, culture and other rights if they themselves are determined to stand on their own legs[91]". Sir Habibur Rahman, President, All-Bengal Krishak Praja Party, remarked[92]: "If Pakistan means Muslim Raj, I will have nothing to do with it". He further said: "... the Muslim majority provinces of India namely the Punjab, the Frontier, Sind and Bengal etc., had now openly turned down the Pakistan scheme of Jinnah" and "the proposal was not only absurd, chimerical and visionary but also would remain for ever a castle in the air ... The Indians, both Hindus and Muslims, live in a common Motherland, use the offshoots of a common language and literature, and are proud of the noble heritage of a common Hindu and Muslim culture, developed through centuries of residence in a common land. There is no one among Hindus and Muslims who will be prepared to sacrifice all this in order to accept what is demanded by MrlJinnah[93]". Khan Abdul Qaiyum declared that "the Frontier Province will resist the partition of India with its blood[94]".

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88. Sandhya Chaudhri, n. 58, p. 54.
89. N.N. Mitra, The Indian Annual Register, 1940, Vol.I, pp.323-27.
90. The Hindu (Madras), April 8, 1940.
91. The Tribune (Lahore), July 21, 1940.
92. The Hindu (Madras), April 4, 1940.
93. Ibid.
94. The Tribune (Lahore), September 11, 1940.

Sir Ghulam Hussain Hidayatullah rejected the idea of Pakistan outright.[95]

M.K. Gandhi on the Lahore Resolution

Gandhiji disclosed his mind in Harijan on April 6, 1940:-[96]

> "I know no non-violent method of compelling the obedience of eight crores of Muslims to the will of the rest of India, however powerful a majority the rest may represent. The Muslims must have the same right of self-determination that the rest of India has. We are at present a joint family. Any member may claim a division".

Rejecting the two nations' theory of Jinnah, Gandhiji wrote in the same issue of Harijan:-[97]

> "The 'two nations' theory' is an untruth. The vast majority of Muslims of India are converts to Islam or are the descendants of converts. They did not become a separate nation, as soon as they became converts. A Bengali Muslim speaks the same tongue that a Bengali Hindu does, eats the same food and has the same amusements, as his Hindu neighbour. They dress alike. I have often found it difficult to distinguish by outward sign, between a Bengali Hindu and a Bengali Muslim. The same phenomenon is observable more or less in the south among the poor who constitute the masses of India ...".

In reply to a statement of Nawabzada Liaquat Ali Khan, Gandhiji wrote on April 13, 1940:-[98]

> "As a man of non-violence, I cannot forcibly resist the proposed partition, if the Muslims of India really insist upon it. But I never can be a willing party to the vivisection. I would employ every nonviolent means to prevent it. For it means the undoing of centuries of work done by numberless Hindus and Muslims to live together as one nation. Partition means a patent untruth".

Gandhiji was against the two-nation theory. He wrote:-[99]

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95. The Hindu (Madras), April 17, 1940.

96. Harijan (Ahmedabad), April 6, 1940, as reproduced in D.G.Tendulkar, Mahatma : Life of Mohandas Karamchand Gandhi (New Delhi: Government of India Publications Division, 1969), Vol. V, pp. 269-70.

97. Ibid.

98. From reply to the statement of Nawabzada Liaquat Ali Khan, see Harijan (Ahmedabad), April 13, 1940, as reproduced in D.G.Tendulkar, n. 96, pp. 271-72.

99. Ibid.

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"My whole soul rebels against the idea that Hinduism and Islam represent two antagonistic cultures and doctrines. To assent to such a doctrine is for me denial of God. For I believe with my whole soul that the God of the Koran is also the God of the Gita, and that we are all, no matter by what name designated, children of the same God. I must rebel against the idea that millions of Indians who were Hindus the other day changed their nationality on adopting Islam as their religion.

"But that is my belief, I cannot trust it down the throats of the Muslims who think that they are a different nation. I refuse, however, to believe that the eight crores of Muslims will say that they have nothing in common with their Hindu and other brethren. Their mind can only be known by a referendum made to them duly on that clear issue. The contemplated constituent assembly can easily decide the question. Naturally on an issue as this, there can be no arbitration. It is purely a matter of self-determination. I know of no other conclusive method of ascertaining the mind of the eight crores of Muslims".

Gandhiji, who was deeply pained and purturbed at these proposals, wrote in the Harijan:-[100]

"I cannot think in terms of narrow Hinduism or narrow Islam. I am wholly uninterested in a patchwork solution. India is a big country, a big nation composed of different cultures, which are tending to blend with one another, each complementing the rest. I must wait for the completion of the process. I must wait. It may not be in my day. I should love to die in the faith that it must come in the fullness of time ...Pakistan cannot be worse than the foreign domination. I have lived under the latter, though not willingly. If God so desires it, I may have to become a helpless witness to the undoing of my dream. But I do not believe that the Muslims want to dismember India.

"The partition proposal has altered the face of the Hindu-Muslim problem. I have called it an untruth. There can be no compromise with it. At the same time I have said that, if the eight crores of Muslims desire it, no power on earth can prevent it, notwithstanding opposition, violent or non-violent. It cannot come by honourable compromise".

Gandhiji further wrote:-[101]

"... if the Congress loses hope and faith and comes to the conclusion that it must surrender its original position for the purpose of getting a common measure of agreement, it will cease to be the power it is. Today, it is the sheet-anchor of India's hope and faith. It will be well for it, if it refused to move away from its moorings, whether it is in a minority or a majority".

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100. The Statesman (Calcutta), May 5, 1940.
101. Ibid., June 6, 1940.

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Jawaharlal Nehru on the Lahore Resolution

Jawaharlal Nehru, at a speech in Allahabad, categorically rejecting the Lahore proposals, said:-[102]

> "We will have nothing to do with this mad scheme. This whole problem has taken a new complesion and there is no question of settlement or negotiations".

However,he felt relief especially at the thought that the League had come out with clear terms and open decision. Therefore, Jawaharlal Nehru, instead of expressing grief, was happy to say:-[103]

> "... he was pleased, not because he liked it - on the contrary he considered it to be the most insane suggestion - but because it very much simplified the problem, they were now able to get rid of the demands about proportionate representation in legislatures, services, cabinets, etc.... (He) asserted that if people wanted such things, as suggested by the Muslim League at Lahore, then one thing was clear, they and people like him could not live together in India. He would be prepared to face all consequences of it but he would not be prepared to live with such people".

At other occasion Nehru said:-[104]

> "Many knots of the Hindu-Muslim problem had been merged into one knot, which could not be unravelled by ordinary methods, but would need an operation ... he would say one thing very frankly that he had begun to consider them (Muslim Leaguers) and people like himself, as separate nations".

Jawaharlal Nehru, expressing his least anxiety wrote of the resolution as "Jinnah's fantastic proposals" reading it as a cat's paw of British imperial duplicity.[105]

Dr. Rajendra Prasad on the Lahore Resolution

Admitting that the Jamiat-ul-Ulema, the Jamiat-ul-Mominin, the Ahrars, the Nationalist Muslim organizations, the All-India Shia Conference

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102. The Tribune (Lahore), April 14, 1940. See also The Leader (Allahabad), April 15, 1940.

103. Ibid.

104. The Leader (Allahabad), April 16, 1940.

105. Nehru to Krishna Menon, April 12, 1940; see S. Gopal, Selected Works of Jawaharlal Nehru, 14 Vols. (New Delhi: Orient Longmans Ltd., 1972-81), Vol. XI, p. 16.

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and others "expressed their opposition to separation". Dr. Rajendra Prasad made it clear that "the Hindus and the Sikhs have declared their unequivocal determination to resist partition. This is bound to become more pronounced and more bitter with the persistance with which the proposal for division is pressed. It is difficult to forecast what shape this conflict may take in the future"[106]. He was sure that the "Distrust which is the basis of the proposal is bound to grow and any hope that after separation things will settle down and the independent states will soon become friendly will have been built on sand"[107]. Explaining the position of minorities, he said:-[108]

> "For the minorities it will veritably be a case of jumping from the frying pan into the fire. The non-Muslim minorities will have the situation forced upon them, if the proposal succeeds. But the Muslim minority will have chosen it, worked for it and extorted it from the non-Muslims and could not blame any one else for it".

Dr. B.R. Ambedkar on the Lahore Resolution

He asserted that an integral India will never be an organic whole. "India may in name be continued to be known as one country but in reality it will be two separate countries - Pakistan and Hindustan - joined together by a forced and artificial union"[109]. Assessing the impact of the Jinnah's two-nation theory, he said:-[110]

> "The two-nation theory will not leave room even for the growth of that sentimental desire for unity. The spread of that virus of dualism in the body politic must some day create a mentality which is sure to call for a life and death struggle for the dissolution of this forced union".

He anticipated that if India will not be divided, the continued "union will go on sapping her vitality, loosening its cohesion, weakening its hold on the love and faith of her people and preventing the use, if not retarding the growth, of its moral and material resources. India will

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106. Dr. Rajendra Prasad, India Divided (Bombay: Hind Kitabs, 1946), pp. 320-320A.
107. Ibid.
108. Ibid.
109. B.R. Ambedkar, Thoughts on Pakistan (Bombay: Thacker and Company Limited, 1941), pp. 342-43.
110. Ibid.

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be an anaemic and sickly state, ineffective, a living corpse, dead though not buried". He opined that "if this forced union continues there will be no political advance for India unless it is accompanied by Communal Settlement". He said also that in case of a federation, there will be a need of a third party to appeal to in cases of dispute with sufficient armed forces to see that the settlement is not broken[111]. The prestige of this assessment is amazing. Ambedkar appeared to be the only statesman who could assess the future course and incidentally the future logic of Indian leadership which led to emergence of a mental preparedness for partition.

Chimanlal H. Setalvad on the Pakistan Demand

Setalvad in plain words held the Congress responsible for the demand of Pakistan by the Muslim League. He says:[112]

> "The real parentage of the Pakistan movement can be traced to the Congress who by the wrong way in which they handled the communal question and by their behaviour when they were in power, created the great distrust in the minds of the Muslim community which has driven them to advocate Pakistan. In the beginning, Congress leaders said that there was no communal problem in India and if there was, it could be settled after India got Independence, forgetting that for the very purpose of getting Independence, communal unity was essential. There is the tragic perversity which the Congress displayed when they assumed office under the Act of 1935. When the Congress won at the elections in Bombay, they pretended, when forming the ministry, to provide for minority representation. For that purpose, they made a Muslim member of the Assembly sign the Congress pledge on one day and made him minister the next day. This was indeed a travesty of Muslim representation when that Muslim minister had not the confidence of the 22 Muslim League members of the Bombay Legislative Assembly. They dealt unjustly with the Muslim community and made them hostile..."

M.R. Jayakar on the Lahore Resolution

Jayakar, speaking at the Tilak Anniversary on August 1, 1940, regarding the Lahore Resolution, said:-[113]

> "Its technique is very skillful and astute, and is primarily intended to create panic amongst the Hindu community in the hope that in the panicky condition, the Hindus would surrender more and more rights in order to avoid the advent of Pakistan".

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111. Ibid.
112. Chimanlal H. Setalvad, Recollections and Reflections (Bombay: Padma Publications Ltd., 1946), pp. 414-15.
113. Jayakar Papers, File No. 711, NAI

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On another occasion, in a public meeting, Jayakar said: "The remedy for India was not vivisection, but was greater fraternisation and mutual understanding"[114].

However, the Congress leaders decided to secure political freedom of India as early as possible preserving the political unity of as large a part of the country as possible and their cherished ideals and left the Muslim League for giving up or pursuing its demand of a separate homeland.

The Sikhs on the Lahore Resolution

Sardar Ujjal Singh, Parliamentary Secretary to Government of Punjab, said that "Khalsa would resist attempts to divide India" and Master Tara Singh, at the UP Sikh Conference held at Lucknow on April 15, 1940, warned, "If the Muslim League wants to establish Pakistan, they will have to pass through an ocean of Sikh blood"[115]. Speaking at Karachi on April 12, 1941, Master Tara Singh said[116]:

> "I do not share the view of those who say that Pakistan is impracticable. We are opposed to Pakistan because its very conception is based on extreme communal considerations, because its aim is not the protection of Muslims but their domination over the minorities, because it is conceived in the interest of one community and not in the interest of the minorities, because it creates ever-fighting divisions of the country. The Pakistan scheme aims at Muslim domination in certain parts of the country. This mentality of domination is so bad that its result can only be chaos and anarchy. If we think we, Hindus and Muslims, cannot unite on any basis whatsoever, let us then frankly say that we are unfit for swaraj and agree to foreign rule".

The Civil and Military Gazette

An article (the author has not given the name) embodies the following interesting lines[117]:-

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114. The Statesman (Calcutta), August 15, 1941. See also The Hindu (Madras), August 15, 1941.

115. The Tribune (Lahore), April 16, 1940.

116. From Speech at Karachi, The Civil and Military Gazette (Lahore), April 13, 1941.

117. Gazette of Lahore (Lahore), November 18, 1941.

"The proposal of vivisection of the country can offer no solution of the communal problem, for minorities and majorities are bound to remain in Pakistan scheme, unless it is followed by an exchange of populations. In that case every community should have its sovereign State. Taken to its logical conclusion, the Pakistan idea will lead to the establishment of hundreds of small warring states, which will become an easy prey to an ambitious foreign invader. History will then repeat itself. Muslims should therefore think seriously about the danger of the scheme which they seem to have evolved in a fit of anger or desperation".

British Attitude to the Demand for Pakistan

A few Britons believed that India could be governed as one and indivisible by their brown successors. "To many Britons in India, who found the Congress either incomprehensible or irritating, the demand for Pakistan appeared to be a condign punishment to the Congress for its impudence in asking the British to quit India. They regarded the partition of India as inevitable and not entirely unwelcome".[118]

Jim Masselos, a scholar of Indian nationalism, observed that "the Muslim League Resolution was not widely accepted seriously even by Muslim intellectuals and leaders, much less by middle class and masses".[119] Hugh Tinker says: "Some British officials welcomed this (Pakistan) plan as means of checkmating Congress demands".[120]

J.P. Griffiths on the Pakistan Scheme

Echoing the work of the British officials for building a united India, Griffiths says that "The demand for Pakistan is largely akin to that cry of "Islam in danger" which has never yet failed to rouse the Moslem to action". He argued that "For many Moslems today the demand for Pakistan is connected with one of their deepest emotions; it has become a cry from the heart, which will not be gainsaid". Supporting this idea, he quotes Guy Hint: "Among Moslem youth - at least among the urban classes - there is developing one of those romantic, turbulent movements which have been among the great driving forces of human history". He concludes that

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118. S.R. Mehrotra, n. 3, p. 211.

119. Jim Masselos, Nationalism on the Indian Subcontinent : An Introductory History (Melbourne: Nelson, 1972), p. 161.

120. Hugh Tinker, Experiment with Freedom: India and Pakistan, 1947 (London: Oxford University Press, 1967), p. 24.

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the demand for Pakistan "is a movement which may well destroy irreparably the British conception of a united India"[121].

L.S. Amery on Indian Unity and Division

Amery sees that there was a fundamental geographical, racial and political unity, which made them a nation to defend their country from time to time in her history. I wished at that time that "if some sort of Indian unity had not existed it would have to be invented".Expressing his apprehension, he says: "If India were broken up and reverted to chaos tomorrow, Indians would have to set about trying to invent for her at any rate some minimum unity against the dangers from outside"[122].

Lord Linlithgow on Peace and Welfare

The Viceroy on August 8, 1940, made it public that the Government "could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of government whose authority is directly denied by large and powerful elements in India's national life"[123]. Speaking on December 17, 1942, the Viceroy,emphasising the importance of geographical unity of India, said: "I would judge it to be as important as it ever was in the past, nay more important, that we should seek to conserve that unity in so far as it may be built up consistently with full justice for the rights and the legitimate claims of the minorities, whether those minorities be great or small"[124].

Lord Wavell on Indian Unity

Lord Wavell in an address in Calcutta on February 17, 1944, gave instances of England and Ireland, Canada, Britain, France, Italy,Germany, Switzerland and the Soviet Union, having federal agreements, which operate satisfactorily. He infers that "two communities and even two

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121. J.P. Griffiths, The British in India (London: Robert Hale Limited, 1946), pp. 167-69.

122. From Speech at Manchester Luncheon Club, L.S. Amery, India and Freedom (London: Oxford University Press, 1942), p. 48.

123. Gwyer and Appadorai, Vol. II, n. 16, p. 505.

124. From Speech at the Annual Meeting of the Associated Chambers of Commerce, Calcutta, Speeches by the Marquess of Linlithgow, Vol. 2 (Simla: Manager, Government of India Press, 1944),p. 458.

nations can make arrangements to live together in spite of differing cultures or religions[125]".

Sir Reginald Coupland on Centre and Provinces

Coupland finds the Centre's composition more difficult. He observed[126]:

> "The Moslems, it seems certain, would prefer no Centre, whatever the material results might be, to one which constitutes in any shape or degree a Hindu Raj".

Referring to the statement of Sir Muhammad Zafrulla Khan, he said[127]:

> "The moslems claim to be a separate nation, and, as such, entitled, if asked to share in an all-India Centre, to fifty percent of all its organs, legislative, executive and judicial. If, however, the shape of the constitution is such as to reassure them that there would be no room for the domination of one community by another, they might be willing to abate, to some extent, their claim to a fifty per cent share".

Press Reports on Lahore Resolution

Commenting on the Lahore Resolution, the Statesman wrote[128]:-

> "Partition, we have to recognize, is becoming a live issue. If India receives Dominion Status partition seems the inevitable result in view of the attitude which the Muslim community appears disposed to adopt. If that really represents their position neither the Congress nor the Hindu Mahasabha would be able to hold them. There would probably be fighting, but in any case there would be partition. The situation would be further complicated by other facts. The Congress resolution repudiates association with Great Britain and aims at severing economic links, and the most vocal section of the Congress, the Leftists, demand a new economic orientation and affiliation with Soviet economy, while the Rightists are in economics purely reactionary and talk of reversion to the spinning wheel, and village economy to replace national industry. The Muslims on the other hand propose that their independent Northern and Eastern federation shall be permanently allied with Great Britain and free from fads either about the spinning

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125. From Address to the Council of State and the Legislative Assembly, Legislative Assembly Debates, Vol.I, 1944 (Delhi: Manager of Publications, Government of India Press, 1944), p. 342.

126. Sir Reginald Coupland, n. 32, pp. 267-69.

127. The Times (London), March 20, 1945.

128. The Statesman (Calcutta), March 26, 1940.

> wheel or the dictatorship of the proletariat. Actually at the back of their minds is probably the intention of making an easy meal of the other half of India, while it is busy with the quarrel between the spinners and the Marxists, and establishing an Islamic empire to be a glory of the modern world".

The Manchester Guardian wrote: "Mr. Jinnah has re-established the region of chaos in India"[129]. Amrita Bazar Patrika considered the Lahore Resolution an 'absurd scheme'[130]. Advance observed[131]:

> "The child, Mr. Jinnah has begotten, is already dead, still he hugs it if only he can thereby spite the Congress by proclaiming to the world the disunity between the Hindus and the Muslims in India".

Rozana Hind commented that "Mr. Jinnah is an enemy of Indian freedom"[132]. The Nagpur Times wrote: "The two-nation theory advanced by Jinnah was the crown and culmination of the communalistic attitude so elaborately built up by the one time ambassador of Hindu-Muslim unity"[133]. The Leader commented: "Mr. Jinnah's remedy is worse than the disease and that it will tend to create Sudetenland all over the country"[134]. Bharat observed: "There is bulk of conflict but no effort for unity, there are instructions to how slavery may be perpetuated but there is no hint as to how freedom may be achieved"[135].

The Intelligence Reports from Bombay informed the Government that Jinnah's Presidential Address at Lahore Session was severely criticised by all except three pro-League Muslim papers[136]. His scheme was characterised as "... impracticable and disastrous to the people of India including the Muslims themselves since it strike at the very root of national unity of India"[137].

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129. The Manchester Guardian (Manchester), April 12, 1940.
130. Sandhya Chaudhri, n. 58, p. 57.
131. Ibid.
132. Ibid.
133. Ibid.
134. Ibid.
135. Ibid.
136. Ibid.
137. Home Poll. 18.3.1940, Fortnightly Reports for Second Half of March, 1940, NAI

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Needless to emphasi se that Jinnah was honoured and greeted with the slogan of 'Qaid-e-Azam Zindabad' and a song: "Millat ka Pasban hai Muhammad Ali Jinah" (Jinnah is the protector of national unity) was sung in his presence, which reveals that in spite of the large scale criticism, he had considerable number of followers.

Despite massive pervasive press comments, Jinnah persisted in his demand for Pakistan, because he was backed by Muirhead, the Under-Secretary of State, and Lord Zetland, the Secretary of State for India, who said to Khaliquzzaman abd Abdul Rahman Siddiqi, in March, 1939, that "the British would ultimately concede partition"[138]. Further, Jinnah had taken the Viceroy into his confidence, who "informed him that he could not possibly agree to the demands of Mr. Gandhi"[139]. The motive behind the proposal for creation of Pakistan seems to lay in Jinnah's anxiety for attaining a title of the Father of Pakistan like Mahatma Gandhi as the Father of the Nation in India. The proverb comes true that "Two beggers can sleep under one rug, but two kings cannot live in one country"(Saadi Sheerazi). Jinnah thought that he could not live in supremacy vis-a-vis Gandhiji in a united India; therefore, he propounded Pakistan for the Muslim majority provinces, while the Muslims in other parts of India preferred to live in India and opposed the lahore resolution. The same proverb comes true in case of Nehru. While Gandhiji felt grief and tried his best to have settlement with Jinnah, Nehru felt a sense of relief in the demand for Pakistan, which he appeared to accept, in an ambiguous expression. The demand was Jinnah's last straw and if they wanted settlement, there was a very easy scheme i.e. reservation of seats in the Centre and the States according to population much like the Lucknow Pact, which was almost agreed upon by all the parties. But, later, the Nehru Constitution created antagonism, which could not be settled under the pressure of the Hindu Mahasabha and, subsequently, the 1935 Act was implemented, which was followed by the Lahore Resolution envisaging a separate Muslim homeland. They knew that "it would not bring peace but sword. The Muslims in India would raise the cry for oppression at the hands of the Hindus and the Hindus in Pakistan would raise a similar cry, and there would be retaliatory wars. Instead of peace and harmony there would be aggression

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138. C. Khaliquzzaman, Pathway to Pakistan (London: Orient Longmans, 1961), p. 211.

139. Ibid., p. 234.

of one state against the other and the sub-continent would for ever remain exposed to third-party intervention. The creation of Pakistan would be detrimental even to the best interests of the Muslims, for it would permanently divide and weaken them[140]".

Gandhiji's statements impressed a great majority of people - the Hindu and Muslim masses alike as they were wedded to democracy and non-violence. The Pakistan idea was favoured by ten per cent of Muslim population comprising only the landed groups and the Ashrafs, who, as we have seen earlier, were the important elements in the Muslim League and were opposed by the third element, the Momins etc. As the first and the second elements were less numerous, Jinnah was not very confident to secure a decisive verdict in favour of Pakistan, but hoped that the two elements, being in power, would dominate over the third element, which was in majority, by using their personal influence. But the Viceroy's and Amery's statements of August, 1940, tilted the opinion of most of the Muslims in favour of the demand.

The Viceroy said[141]:

> "It goes without saying that they (His Majesty's Government could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of government whose authority is directly denied by large and powerful elements in the Indian national life nor could be a party to the coercion of such elements into submission to such a government".

Amery, encouraging the Pakistan proposal, said[142]:

> "The foremost among these elements stands the great Muslim community, ninety million strong and constituting a majority both in north-western and north-eastern India, but scattered as a minority over the whole sub-continent. In religious and social outlook, in historic tradition and culture, the difference between them and their Hindu fellow countrymen goes as deep, if not deeper than any similar difference in Europe".

The British policy was to encourage the Muslim League so as to extract help in their war efforts. With this view, Linlithgow wrote to Zetland[143]:

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140. C.H. Philips and M.D. Wainwright, n. 42, pp. 208-09.
141. Ibid., pp. 167-68.
142. Ibid., p. 168.
143. From Viceroy to Secretary of State, April 6, 1940, Linlithgow Collection, Microfilm No. 16, NAI.

> "My first reaction is, I confess, that silly as the Muslim scheme for partition is, it would be a pity to throw too much cold water on it at the moment, though clearly, one cannot accept it or associate ourselves with it".

He reaffirmed it more elaborately in a subsequent telegram to Zetland:-[144]

> "It remains as important as ever that the fullest weight should be given to the Muslim position when their assistance and support is so essential to us both from the military point of view (as they provided at the moment 60 per cent of the army) and because of possible reaction in other Muslim countries".

The Viceroy, Linlithgow, however, felt that the scheme was more a bargaining counter. He wrote to Zetland:[145]

> "Jinnah has put forward the scheme in order to show that the Muslims have a constructive scheme of their own; to offset the extreme Congress claims to independence and the contention that the Congress is the mouthpiece of India; and that a constituent assembly on the basis of adult suffrage is the only machinery for deciding future progress".

The Secretary of State, Zetland, considered the scheme practically void. He mentioned it in a telegram to the Viceroy:-[146]

> "I wonder whether Jinnah has ever contemplated that the resources of their North-West unit would find the revenue for any army that could hold the frontier against Afghanistan, let alone Russia, and how does he contemplate North-West India and Bengal working together. Pakistan would mean the beginning of endless civil war in India".

At the CWC meeting in April, 1942, C. Rajagopalachari openly accepted the demand for Pakistan of the Muslim League, but as no other member supported him, he resigned and propagated the acceptance of Pakistan, which strengthened the claim of the League, and, in due course, the country was partitioned.

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144. Telegram No. 930-S, from Viceroy to Secretary of State, June 10,1940, p. 156,NAI. Also see Telegram from Secretary of State to Viceroy, June 30, 1940, p. 192, NAI.

145. Telegram No. 517-S, from Viceroy to Secretary of State, April 6,1940, p. 85, NAI

146. Telegram from Secretary of State to Viceroy, December 13, 1940, Microfilm No. 7, p. 245, NAI

The Madras annual session of the Muslim League was held in April, 1941. The League amended its constitution and adopted the Lahore resolution with slight amendments as one of the aims and objectives of the All-India Muslim League[147] and in the year to come, Pakistan became the goal of the Muslim League.

CONCLUSION

The Congress aimed to retain unity of India, but the Muslim League, being encouraged by the British policy of 'Divide et Impera' began to think over the idea of partition of the country. Iqbal's idea of a Muslim homeland within India and Rahmat Ali's idea of a separate homeland strengthened the belief of the Muslim League in this regard. They opposed the Federal Scheme envisaged in the 1935 Act, which could provide a strong hold of the Congress at the Centre. The Muslim League proposed three or four federations of states, but the Congress opposed. The 1935 Act was based on the principle of parliamentary democracy, but the Congress after winning the 1937 elections did not agree to form coalition ministries in the provinces and at the Centre. As a result of this the communal problem became more intense and Jinnah declared the observance of the 'Day of Deliverance', which caused the Congress ministries to resign. All these events helped the growth and spread of the idea of Pakistan and the Muslim League began to seriously think for the demand of a separate homeland, for Muslims. Since the Muslim and non-Muslim organizations stood poles apart and failed to settle their differences, Jinnah, to break this permanent impasse, as he considered, resolved at the Lahore Session, 1940, for partition of India. The nationalist Muslims opposed the resolution, while the Muslim League massively propagated the demand. The British officials focussed upon the dangers and the bad consequences of the partition. The foreign and Indian papers opposed the idea of partition, but the Muslim League conscious of the prospects of its being conceded ultimately not only by the British but by the Congress leadership also - Gandhiji's personal objections notwithstanding - struck to its demand. However, Jinnah, despite condemnations, remained determined for the creation of Pakistan. He made the dream a reality.

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147. Khalid Bin Sayeed, Pakistan : The Formative Phase (Karachi: Pakistan Publishing House, 1960), p. 124.

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CHAPTER IV

THE WAR AND THE DEMAND FOR PAKISTAN
(1937-1942)

Since the onset of the Second World War on September 3, 1939, the Congress grew more persistent in the pursuit of its aim of India's independence. On the other hand, the Muslim League became more keen for its recognition as the representative body of Muslims and acceptance of Muslims as a separate nation as also a separate State in the north-western and eastern zones of India. The League was to render all possible help in the prosecution of the war, if the Government assured to accept these demands. The British Government realized that whereas the Congress demand had the immediate consequence of departure of the British from India the League's demand not only had no effect on the then policies of the British Government but also contained a potential prospect of blunting the very edge of the national movement. By then, the Muslim League had opened its branches throughout the country. The British Government preferred to exploit the Muslim League to fulfil its urgent need i.e. mobilisation of all possible resources of India for winning the war. Furthermore, the Congress had earlier declared non-cooperation with the British aims while the Muslim League had created no difficulties in the British war efforts even though the Government had not accepted the League's demand.Moreover, the Muslims in ratio to their population, made a very great contribution to the army in all parts of India. The Muslim League propagated to cooperate with the British to win their cherished goal of a separate Muslim homeland.

On February 3, 1940, Linlithgow said to Sikandar Hyat Khan that the position of Muslims, as maintained by Jinnah, was "unhelpful" and "static" to a"dangerous degree". Linlithgow assured his help and Jinnah assured to strengthen the position of the Muslim League by preparing an alternate scheme to the 1935 Act, with manifest programmes in the interest of the Muslims. Further, Zetland, on December 13, 1940, had also expressed doubts as to how Jinnah would be able to find adequate resources in the NWFP and he had anticipated the beginning of an endless civil war in India. Jinnah was seized of all these aspects of the problems of the proposed area of Pakistan, which was quite backward economically. He had also to convince all sects of Muslims in India of the genuineness of the Pakistan

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demand, for enlisting their support. It goes to the credit of Jinnah's capability and farsightedness that he fought successfully on all these fronts, and completed the 'Five Year Plan' for the revival, reorganisation and revitalization of the Muslim League in 1941 successfully.

To revitalise the League's machinery through the length and breadth of India, he organised Provincial Committees and divided each province into divisions. Big cities were divided into wards. Branches in the Wards were called Primary Muslim Leagues. Membership of not more than one Primary Muslim League was allowed to individuals. Representatives of Primary League formed the District Muslim League. The District League elected members to form the Provincial Muslim League. Jinnah was doing all these things with the specific encouragement of the British Government.

The growing strength of the Muslim League membership may be assessed from the following table[1]:-

Place	Year	Primary League	Number of Membership
Madras	1938	183	43,920
	1940	330	88,833
	1941	302	1,12,978
C.P.	1938	-	23,000
	1943	-	33,541
U.P.	1939	-	8,000 - 10,000 (in each district)
Bengal	1944	-	5,50,000
Sind	May 13,1944	-	3,30,000 (25% of the adult male Muslim population)

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Congress Disengagement with the British

On October 17, 1937, Lord Linlithgow, after interviewing about fifty Indians, including Gandhiji, Nehru and Jinnah, had issued a statement

1. Z.H. Zaidi, 'Aspects of the Development of Muslim League Policy,1937-47', in C.H. Philips and M.D. Wainwright, The Partition of India: Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd.,1970), p. 268.

reiterating that Dominion Status was the goal of the British policy and that the 1935 Act would be open to modification giving full weight to the opinions of minorities. He also proposed, "the establishment of a consultative group, representative of all major political parties in British India and of the Indian Princes, over which the Governor-General would himself preside[2]". The Congress, condemning the proclamation, had later adopted the policy of non-cooperation at Ramgarh.

The Congress did not change its policy towards the British during the period from 1937 to 1938. As a result when the War broke out, Nehru hurried back to India from his tour in China and, considering the conflict between democracy and freedom on the one hand, and fascism and democracy on the other, declared: "our sympathies must inevitably be on the side of the democracy ... I should like India to play her full part and throw all her resources into the struggle for a new order[3]". The CWC emergency session met at Wardha on September 8-14, 1939, and offered its cooperation in the struggle against fascism, but emphasised that it was to be "a cooperation between equals by mutual consent for a cause which both considered to be worthy[4]", which Nehru said was the only honourable course to adopt.

On September 11, 1939, Gandhiji explained that "his sympathy with England and France were reasoned[5]". The CWC, by its statement of September 14, 1939, "demanded from the British as a condition for India's participation in the war the declaration of war aims for the liquidation of imperialism[6]" and questioned "the Anglo-French declaration that the war was being carried in the cause of democracy and freedom[7]". The war aims, as Nehru expected, were liberation of countries, extension of democracy and freedom and ending of racial discrimination[8].

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2. Sir Reginald Coupland, Report on the Constitutional Problem in India (Madras: Oxford University Press, 1944), Part II: Indian Politics, 1936-1942, p. 217.
3. V.P. Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 60.
4. B.R. Nanda, 'Nehru, the Indian National Congress and the Partition of India, 1935-47', in C.H.Philips and M.D.Wainwright,n.1, p. 164.
5. Harijan (Ahmedabad), September 11, 1939.
6. Neva Narayan Mallik, The Development of Non-Alignment in India's Foreign Policy(Allahabad:Chaitanya Publishing House,1967),p.20.
7. Indian National Congress Publications, Reports (March,1939 to January, 1940), (Allahabad), pp. 37-43.
8. Ibid., p. 217.

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In mid-November of 1939, the CWC interpreted the British attitude "as a desire to maintain Imperialist domination of India in alliance with the reactionary elements in the country[9]" and declared that "in no event can the Congress accept the responsibility of government, even in the transitional period, without real power being given to popular representatives[10]". The Congress emphasised that the Constituent Assembly was "the only democratic method of determining the constitution of a free country[11]". However, the Congress hoped for an honourable settlement" and adopted the policy of non-violent and peaceful settlement.

Further, the Viceroy Lord Linlithgow had realized that he had committed a mistake by declaring the war on behalf of the Indians without consulting the Indian political leaders. To make up for this omission, he invited the Indian leaders for consultation, but he was dejected when the Congress declared that "after the war British would concede Indians 'the right of self-determination by framing their own constitution through a Constituent Assembly[12]". In fact, he did not like to invite any political party to participate effectively in the central government as it was never the British policy "to expedite in India constitutional changes for their own sake or gratuitously to hurry the handing over of controls to Indian hands[13]".

To understand the future political development and situation, it seems necessary to survey the swaying waves of thought in the country during the first half of November, 1939. In Bengal, it was conceived that there would be some proposal acceptable to the Congress, the Muslims and the Viceroy to settle the communal problem. The Congress thought that its position would "be betrayed by acceding to Mr. Jinnah's demand" and the League feared that "Mr. Jinnah might not prove firm enough[14]".However,

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9. Jawaharlal Nehru, The Discovery of India (Bombay: Asia Publishing House, 1969), p. 440.
10. Ibid.
11. Ibid.
12. B.R. Nanda, n. 4, p. 164.
13. Lord Linlithgow to Lord Zetland, December 28, 1939; see also Second Marquess of Zetland, "Essayez", The Memoirs of Lawrence, Second Marquess of Zetland (London: John Murray, 1956), p. 277; see also B.R. Nanda, n. 4, p. 164.
14. Confidential Reports relating to the First Half of November, 1939, NAI (Pol.), p. 21.

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the Congress and Hindu papers continued to "denounce Mr. Jinnah for his intransigence"[15] and for his "constantly expanding list of demands" taking the line, as usual, that "the problem of minorities was entirely fictitious, that democratic principles could not be followed except by leaving such minorities as actually might exist to make their own terms with the majority, and that Mr. Jinnah and his Muslim League had no right to claim that they represented unanimous Muslim opinion in view of the substantial number of Muslims who repudiated him"[16]. The Hindusthan Standard, without ignoring the Hindu-Muslim differences, wrote that "concrete issues must be faced on both sides in a spirit of give and take"[17].

In Punjab, it was blamed on all sides that the Congress was putting "the clock back many years" and that it was unable "to carry all Hindu opinion in the Punjab with it in its recent decisions"[18]. Pratap observed that the British aim was to show that the Hindus and the Muslims quarrelling with each other was obstructing political advance and charged that the Congress by opening parleys with the League has reduced its position to the level of Hindu Sabha and surrendered to communalist Muslims. In the Hindu, Bhai Parmanand wrote that Gandhiji's theory about the Hindu-Muslim unity, first, was 'entirely wrong', and, secondly, as the foundation of Swaraj, was misleading to the country[19]. In another issue of the Hindu, he recalled Gandhiji's statement that "the Congress did not represent the Hindus" and argued that it was, therefore, "impossible for Congress, being a non-Hindu body, to negotiate and reach a settlement with the Muslim League". He held "the Congress leaders more responsible than the British Government for bringing up the communal question". Ihsan, criticising the Congress attitude, called the Congress uncareful of the country's future, and declared that "the Muslims would now offer their sacrifices and would defend India by the power of their arm". The Inqilab argued that "Congress was not prepared for a compromise and that it was obscuring the real issue by its absurd and aimless objections. It stood by the constituent assembly scheme by which it hoped to get all the

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15. Ibid.
16. Ibid.
17. Ibid.
18. Ibid., p. 34.
19. Ibid.

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minorities unconditionally under its control". Secret organizations were in preparation for a possible civil disobedience movement. The newspapers[20] were publishing exciting reports to highlight the spirit and enthusiasm of the people and were committed to printing objectionable articles.

The Congress ministries resigned on November 3, 1939. The Searchlight reported that the appointment of two Advisers establishing a bureaucratic government did not follow any violent change in the Government policy. Dr. Rajendra Prasad, following Mahatma Gandhi, declared that "the country is not ready for civil disobedience, that Congressmen must always be thoroughly non-violent and that the immediate aim of every Congressman should be the achievement of communal unity"[21]. The Left Wing of the Congress, the Forward Bloc, the Congress Socialists and Kisan Sabha and Communists, being too weak to start a movement or unable to be combined, forced the hands of the Congress Right Wing. At Hathwa (Saran), the League declared that "Muslims had no quarrel with the Hindus". The Hindu Sabha, observing Hindu Nation Day (October 27, 1939) declared "India for the Hindus".

In Orissa, a section of Congressmen, who did not appreciate Gandhiji's policy of 'unconditional support in the War' criticised him openly. In Cuttack, the League was "looked upon with suspicion by the educated Muhammadans who avoided meetings of Maulvi Yakub Ali Qurashi, whose criticisms of some local Muhammadans, had given rise to a defamation case.

In Assam, the Congress Ministry tendered its resignation on November 15, 1939. The newspapers[22] criticised the "capitalistic elements". The Times of Assam observed: "It is no use denying the difficulties of this outstanding communal problem and democracy cannot foster in the Indian soil unless our communal problems are solved in the light of our national self-consciousness. Democracy without this consciousness will

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20. Jhang Sial (Jhang), Khalsa (Gujranwala), Film Magazine (Lahore), Jarida Al-Islah (Lahore), Pratap (Lahore), Ihsan (Lahore), Milap (Lahore), Daler Khalsa (Gurmukhi Weekly - Lahore), Shardhanand (Urdu Weekly - Rawalpindi).

21. Report on the Political Events in Bihar during the First Half of November, 1939 (Patna: the 18th November, 1939),NAI, p. 42.

22. Saptake (Silchar), Assam Herald, Assam Tribune and Times of Assam.

surely turn out to be either despotism of the majority or tyranny of the minority[23]".

In the NWFP, Khan Abdul Ghaffar Khan toured Peshawar and Mardan districts alleging that "if Great Britain were really out to fight the freedom of small nations, she would have done so in the cases of Abyssina, Czechoslovakia and so on" and charged that "Muslim League leaders have, indeed, done more than good to their cause by the intolerance shown in their speeches in the Assembly[24]". Under the Indian Press Emergency Act, 1931, Rikhtini-Khudai-Khidmatgar was warned for its criticising Britain's war aims. The Forward Block press material was refused publication since it appealed to the public to refuse to enlist in the British army.

In Sind, the Congress circles looked upon the Working Committee's instructions to the Ministries to resign as a fitting measure for counter-acting the policy of the British. Anti-ministerial and communal speeches continued. One speaker remarked that "India, from Kashmir to Cape Comorin, belonged to the Hindus, and that the Muslims, who came later as guests of the Hindus, had no right to have any say in matters affecting the political destiny of India[25]". The Beawar Municipal Elections campaign was started. The Hindu coalition (consisting of members of the Mahasabhists and the Arya Samaj and certain other Hindus attached to no-party but having non-Congress sympathy) opposed the Congress because, they believed, the Congress had failed to protect Hindu rights. The position of the Congress was quite precarious. The Congress was "opposed by Muslims as being anti-Muslim and by the ardent Hindus as not being sufficiently pro-Hindu[26]". The attempt to reconcile conflicting communal aims was, thus, in effect, resulting into the alienation of members from both wings.

During the second half of November, 1939, in Madras, as a result of Government prosecutions, there was a marked decrease in the number of anti-war speeches, but recruitment did not suffer noticeably as a result

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23. Report on the Political Events in Assam during the First Half of November, 1939, NAI, p. 61.
24. Report on the Political Events in NWFP during the First Half of November, 1939, NAI, p. 63.
25. Fortnightly Report for the First Half of November, 1939 (Sind), NAI, p. 67.
26. Fortnightly Report for Ajmer-Merwara for the First Half of November, 1939, NAI, p. 77.

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of critical speeches. Many speakers were warned. Objectionable pamphlets were distributed and slogans written on walls. Sir Currimbhoy Ibrahim, a member of the WCML, visited Madras and Malabar and exhorted Muslims to join the Muslim League. In Cuddapah, the enthusiasm was so intense. The Pesh Imam of a Mosque was "deposted by his congregation for having insulted Mr. Jinnah in a sermon"[27]. The Muslim League on November 25, in Banganapalle State resolved "appealing to the Government not to abolish the State but to replace the present Nawab, if found unfit, by another member of the ruling family"[28]. On November 30, 1939, Rajagopalachari addressing a crowded meeting in Bombay City, urged that "foreign control could not be eliminated unless India were united in a common programme"[29] with the Muslims. The Hindu Mahasabha, on November 19, at Bombay, resolved that "dominion status could only be regarded as the first step and not the final goal, the latter being complete political independence", and asserted that "the Congress did not represent the Hindus and that any settlement made by it with the British Government in consultation with the Muslim League would not be binding on the Mahasabha"[30].

In Bengal, Subhas Bose was the most vocal politician. He ridiculed the Congress policy and Gandhiji's insistence for communal unity to improve the communal situation. Referring to the Allahabad resolution of the AICC, he said, it amounted to "licking the feet that kick" and intended to "hoodwink and bluff" the country into inaction[31]. Bose's Forward Bloc insisted that the time was ripe for taking "definite and active steps". Criticising Gandhiji, he questioned whether "his leadership will not result in a diminution of Congress prestige"[32]. M.N.Roy and Dr. Moonje also criticised the Congress policies. Moonje, on behalf of the Hindu Mahasabha said the Congress "repudiation of the federal scheme and the resignation of Congress ministries were blunders which have betrayed Hindu interests"[33]. Moonje observed that the communal problem

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27. Fortnightly Report for the Second Half of November, 1939, Madras, D.O.P. 4-22 (December 2, 1939), NAI, p. 81.
28. Ibid.
29. Ibid., p. 90.
30. Ibid., p. 91.
31. Report on the Political Situation for the Second Half of November, 1939, in Bengal, NAI, p. 103.
32. Ibid.
33. Ibid.

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was somewhat improved when an excellent impression was created by Jinnah's broadcast on the conclusion of the Ramazan fast, who "made an eloquent plea"for toleration and a "cultural synthesis"[34]. In respect of Hindus, he said that "the Congress is not a suitable representative of their communal interests and a growing demand that the Hindu Mahasabha must be a party to any communal settlement particularly as regards Bengal"[35]. Communal tension increased in Malda on the question of "music before mosques" and "a Muhammadan taking part in the Kali Puja procession and behaving roughly"[36] in Burdwan. The Congress blamed Britain for the emergence of the problem which was said to be "due to deliberate encouragement of communal feeling among the Moslems"[37]. The Hindusthan Standard declared that the Congress "failed to recognise the consistent demand for the development of a Moslem culture"[38]. Commenting on the Congress, the Hindu Mahasabha was reported to have said that "in any settlement of communal difference this body should be treated on the same terms as the Moslem League". The Amrita Bazar Patrika declared that "The British Government have no legal or moral justification for treating the League differently from the Hindu Mahasabha"[39].

In Punjab, people were unusually quiet, but peace was occasionally disturbed by party meetings. At Lahore, Sardul Singh Kavisher, the leader of the Forward Bloc in the Punjab, in an intemperate speech openly "preached revolt from the restraint imposed by Mr. Gandhi and declared that it was impossible for the country to obtain freedom otherwise than by resolt to force"[40]. The Manzilgah affair in Sindh had embittered communal relations in Punjab.

In Bihar, the communal tension had such an impact that even a trivial incident led to a riot. The Darbhanga Muslim League Annual session, under the presidentship of Nawabzada Liaquat Ali Khan, M.L.A.(Delhi), from November 24-26, 1939, was attended by 15 to 20 thousand Muslims

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34. Ibid., p. 104.
35. Ibid.
36. Ibid.
37. Ibid., p. 107.
38. Ibid.
39. Ibid.
40. Report on the Situation in the Punjab for the Second Half of November, 1939, NAI, p. 119.

including Fazlul Haq, the Prime Minister of Bengal, Aziz of Patna, Maulvi Abdul Hamid of Budaun and Maulvi Barhanul Haque of Central Provinces. The Conference described the "oppression of the Congress Ministries and the need for unity among Muslims[41]". Their resolution condemned the system of joint electorates. At another meeting of the league, it was expressed that "Swaraj in India in the present circumstances could mean nothing but Hindu Raj[42]". At Gaya, the League supported the British Government provided it safeguarded the rights and privileges of the Muslims. On the occasion of the Id prayers, in Monghyr, the followers of Jamiat-ul-Ulema and the League held their prayers separately as they had difference of opinion on the electoral system. Dr. Moonje visited Darbhanga and declared that "the British were the friends of the Muslims as the latter had promised support in the war[43]". Moonje advocated the Hindus "to unite, obtain military training as volunteers and try for Swaraj without caring for the support of the Muslims[44]". Shareef, an influential member of the League at Patna, wrote to Searchlight that the "British master is infinitely better than the Congress or Hindu master and, therefore, there could be no unity between Hindus and Muslims[45]".

In the Central Provinces and Berar, D.K. Mehta, Manganlal Bagdi and Dandekar addressed meetings. The organisers of the Pratap Vyayamshala, Wardha, decided to start a Congress Sena Dal, on the lines of the Rashtriya Swayam Sewak Sangh (RSSS). R.P. Paranjpe of Poona said that the Congress had committed a blunder in refusing to cooperate with the British Government. At Nagpur, the Hindu Mahasabha in a meeting, chaired by Moonje and attended by Bhai Parmanand of Punjab, the Congress was criticised for its conciliatory attitude towards the Muslims. Bhai Parmanand said: "The more the Congress wooes the Muslims, the greater did their demands become[46]".

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41. Report on the Situation in Bihar for the Second Half of November, 1939, NAI, p. 127.
42. Ibid., p. 128.
43. Ibid.
44. Ibid.
45. Ibid.
46. Fortnightly Report for the C.P. and Berar for the Second Half of November, 1939, NAI, p. 133.

In Assam, Srijut Kuladhar Chaliha, M.L.A. (Central) remarked on "non-violence as to insinuate the efficacy of violence"[47]. The Muslim League was also active in organising the students of the Assam Valley.

In the NWFP, Congress meetings were held but with small audience. There were a few anti-recruiting posters in Hazara District, but without any effect on the people. In Orissa, the Congress held a very large number of meetings and laid great stress "on achieving unity between Hindus and Muhammadans" and the Congress workers were asked "to give this their first consideration"[48].

In Sind, at the Second Sahiti Congress Conference held at Deparja, Nawabshah District, Khan Abdul Samad Khan Achakzai of Baluchistan appealed to the people to join the Congress. Prof. Ghanshuam J.Shivdasani remarked that "England's statement that she was fighting Germany for the freedom of small nations was false, as she was really fighting to preserve her Imperialism which was threatened by the growing power of Germany. Moulvi Mahomed Sidik at the Karachi Congress Committee meeting said that the Viceroy considered the Indians were "a herd of goats which could be dragged into war as in 1914"[49]. Hafiz Nasir Ahmad Atta Mahomed at the same meeting said that "Mr. Jinnah was mistaken if he thought that every Muslim would support him in prolonging the British domination of India and he assured the Congress that the Muslims were as anxious to attain freedom as any other community". He asserted that the various communities in India would come to an immediate settlement if the British left them alone to settle their own affairs.

The most tragic event was the Manzilgah riots during the second fortnight of November, 1939. The Hindus alleged that the Muslim shrine of Zind Pir (a small island in the Indus between Old Sukkur and Rohri) was in reality a Hindu shrine and was taken forcible possession of by Muslims many years ago. Communal agitation led to the decision of the Rohri Panchayat to boycott of Muslim meat shops and to open Jhatka shops. On the call of the Restoration Committee, thousands of Muslims gathered

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47. Fortnightly Report for Assam for the Second Half of November, 1939, NAI, p. 144.

48. Fortnightly Report for Orissa for the Second Half of November, 1939, p. 152 (D.No.6284-C dated 4.12.1939), NAI.

49. Fortnightly Report for the Second Half of November, 1939 (Sind), Home Dept. No. P.25-H(S)/39 dated 12.12.1939, NAI, p. 159.

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to resist the police on November 15. When negotiations failed, the Government ordered eviction of the shrine's vicinity from the Satyagrahis by a police lathi charge and use of tear gas, while the Hindu Sabha volunteers were strutting about the streets in khaki uniforms, joined by the police "who seemed to be getting out of control owing to communal feeling in their ranks"[50]. On November 22, the Working Committee of the Baluchistan Muslim League at Quetta sympathising with the Muslims alleged to have been attacked by the Hindus and urged the Government at Sukkur to restore the Sukkur Manzilgah to the Muslims and severely punish those responsible for the riots.

Another serious incident in Sind was the forcible eviction of a small Makrani colony unauthorisedly occupying a plot of land near the railway station at Hyderabad. The leaflet issued by a Moulvi and other leaders of Hyderabad Makrani Jamiat proclaimed that the police pulled down the Makrani dwellings and an alleged mosque and appealed to the Muslim police to rise equal to the occasion, as did the Hindus not long ago when faced with the demolition in Karachi of the Hanuman Temple.

The Hindu-Muslim tension had become very grave in this period. The Arya Samajist said that "every Arya Samajist should get a lathi and a knife for self-defence"[51]. At meetings of Arya Samaj, the audience were exhorted to enlist in the Hindu Volunteer Corps. One Kundomal of Hyderabad distributed short iron dandas amongst the local Hindus and offered another fifty to the Hyderabad Arya Samaj. Arya Vir Dal, on the line of Khaksar, was organised, who praded with lathis in uniforms for the protection of Hindus. Amil Sheva Dal and Yogi Physical Culture resolved that Hindus should arm themselves with defensive weapons. The Hindus refused to purchase newspapers from Muslim vendors. A Moulvi at an Idgah meeting in Dadu District advised Muslims not to purchase sweetmeats from Hindu halwais as they were made in an impure way. It was alleged that the Hindus of Hyderabad distributed "four thousand lathis, hundreds of spears and had stored acid, on account of which the authorities were warned that the Muslims could not be held responsible for any breach of the peace"[52]. Syed Ahmed of Karachi said that Khaksars were to be organised in order to re-establish Muslim rule in India lost since the time of Shah Jehan and Aurangzeb.

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50. Ibid., p. 161.
51. Ibid., p. 162.
52. Ibid.

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On November 16, Hyat accused the Sind Ministry of "dancing at the beck and call of Hindus, who in order to eliminate Muslims were endeavouring to usurp Muslim rights to so great an extent that they were now interfering in the religious affairs of the Muslims[53]". The Qurbani (November 16)alleged that the Sind Muslims were making daily attacks against the life, honour and property of Hindus. The Dawat-e-Islam(Sukkur) was equally violent in its attacks on Hindus. The Islah (November 20) condemned Hindu propaganda against Muslims and opined that a Civil War would result if such propaganda continued. The Kumar (November 21)alleged that Muslim police at Sukkur failed to prevent Muslim rioters from attacking Hindus and burning Hindu houses and even helped Muslims to do so. Al-Wahid, Qurbani, Dharamvir, Dawat-e-Islam, Sindhi and Sind Zamindar were warned not to publish any article on Manzilgah for one month. Zamindar, Ahsan and Shahbaz (Punjab newspapers) held the Sind Government responsible for the Sukkur riots. A poster in Karachi refers "to the heartless and oppressive manner in which innocent and oppressed Muslims of Sukkur have been ruined and compares the conditions at Sukkur to those obtaining in the days of Hilakookhan and Changezkhan[54]".

On January 7, 1940, Jinnah reiterated League's demand for recognition as the sole, authentic and representative organization of Muslims in India. Nehru stated that the Congress did not recognize the League as sole representative of Muslims. On January 10, 1940, Nehru at Ghaziabad declared that "there could be no question of settlement with government or of return of Congress ministries to office until question of India's freedom finally settled[55]". Linlithgow, in view of the Congress-League conflict, thought that their differences "would strengthen Britain's hold on India for many years[56]". Having carefully considered negotiated with numerous parties and individuals, he favoured maintenance of "the political status quo[57]". Nehru, interpreting this Viceroy's policy, wrote to Gandhiji: "The same old game is played again, the background is the same, the

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53. Ibid., p. 163.
54. Ibid., p. 164.
55. Maurice and Taya Zinkin, 'Impressions, 1938-47', in C.H. Philips and M.D. Wainwright, n. 1, p. 561.
56. R.J. Moore, 'British Policy and the Indian Problem, 1936-40', in C.H. Philips and M.D. Wainwright, n.1,pp.79-94; see also B.R.Nanda, n. 4, p. 165.
57. Ibid.

various epithets are the same and the actors are the same and the results must be the same[58]". Notwithstanding the fact that the Congress and the Government were drifting apart, but there was still a possibility of modus vivendi between them. Nehru came to know that Jinnah was in a cooperative mood and invited "Jinnah to join the Congress in protesting against India being plunged into the war, without her consent[59]; hence, by appealing to Jinnah's patriotism, he wrote: "Our dignity and self-respect as Indians has been insulted". Jinnah seemed cordial, but he did not comit himself and continued the conversations.

Muslim League Appeasement of the British

The Muslim League,"neither accepted nor rejected the Viceroy's statement, but asked for further discussion and clarification[60]". The League commended the assurance of giving weight to the interests of the minorities and condemned the amendment of the Federal part of the Act and, on the whole, demanded that the whole constitutional problem should be considered afresh.

After the Congress Ministries had resigned in October, 1939, the Governors in the Non-Muslim majority states and the Muslim League in the Muslim majority provinces had taken over the provincial administration, the Viceroy began "to lean more on the support of the Muslim League[61]" and "with the Congress in wilderness and Jinnah's hands considerably strengthened, waverers among the Muslims began trickling into the League". For all practical purposes Jinnah was given a veto on further constitutional progress and an"adriot politician that he was, he made the very most of the situation[62]". It was then generally held that the question of minorities was given more importance than it deserved in the light of Zetland's speech declaring the Congress demand for self-determination to be unacceptable[63].

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58. Ibid.
59. Ibid.
60. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 627.
61. V.P. Menon, n. 3, p. 69.
62. Ibid., p. 70.
63. N.P.A. Smith to F.H. Puckle, Secretary to the Government of India, Home Department, NAI, p. 8.

On November 5, 1939, Jinnah addressed the Viceroy, asking for assurance on the following four points[64]:-

"(1) that as soon as circumstances permitted, or immediately after the war, the entire problem of India's future constitution (apart from the Government of India Act, 1935) would be examined and reconsidered de novo;

(2) that no declaration would, either in principle or otherwise, be made or any constitution be enacted by His Majesty's Government or Parliament without the approval and consent of the two major communities of India;

(3) that His Majesty's Government would try to meet all reasonable national demands of the Arabs in Palestine; and

(4) that Indian troops would not be used outside India against any Muslim power or country".

Up to that moment, the League had not created any difficulty nor had embarrassed the British in their war prosecution but the provinces, where the League had a dominant voice, "had been left free to cooperate with the British Government pending their consideration with regard to the assurances they had asked for an in particular that the British Government should make no declaration regarding the future constitutional problems of India and the vital issues that were raised in that connection without their approval and consent[65]".

Jinnah's Five Points

The Congress on September 15, 1939, had resolved that the issue of war and peace was to be decided by the Indians, and the British Government in view of the growing discontent and increasing gravity of the situation, had declared that the Viceroy's Executive Council would be expanded to include in it the representatives of major political parties. The Congress was against the formation of the coalition ministries as an interim settlement during the War. Meanwhile, in November, 1939, the Muslim League put forth five points before the Congress for an interim settlement[66]:-

"(1) Establishment of coalition ministries in the provinces;

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64. V.P. Menon, n. 3, p. 70.

65. Jamil-ud-Din Ahmad, Some Recent Speeches and Writings of Mr. Jinnan, Vol. I (Lahore: Mohammad Ashraf, 1943; 6th edn.,1960), pp.166-67.

66. V.P. Menon, n. 3, p. 72.

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(2) Congress acceptance of the formula that no legislative measure affecting Muslims would be passed by a Provincial Lower House of two-thirds, if the Muslim representatives in that House were opposed to it;

(3) An undertaking from the Congress not to fly their flag on public institutions;

(4) An understanding as regards the singing of Bande Matram;

(5) Congress undertaking to cease its hostile campaign against the Muslim League".

The above proposals did not bring any fruitful results and the gulf between the Congress and the League rather widened.

Jinnah, after the resignation of the Congress ministire felt "relief at the termination of the majority tyranny which was so ruthlessly exercised in the course of the last 27 months"[67]. Jinnah observed the 'Day of Deliverance' on December 22, 1939, and released the following statement, which was "vitriolic attack on the Congress Party"[68]:-

> "That the Congress Ministry both in the discharge of their duties of the administration and in the Legislature have done their best to flout the Muslim opinion, to destroy Muslim culture, and have interfered with their religious and social life, and trampled upon their economic and political rights; that in matter of differences and disputes the Congress Ministry invariably have sided with, supported and advanced the cause of the Hindus in total disregard and to the prejudice of the Muslim interest".

Expressing strong resentment, Jawaharlal Nehru wrote to Jinnah, in December, 1939[69]:-

> "It thus seems that politically we have no common ground and that our objectives are different. That in itself makes discussion difficult and fruitless".

Obviously, these communications marked the turning point of Jinnah's policy with his assertion that the British Government should revise the whole problem of India's future constitution de novo, as, according to him, "no new constitutional scheme for India could be evolved and implemented without the consent and approval of the Indian Muslim League"[70]. By the

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67. N.P.A. Smith to F.H. Puckle, n. 63, NAI, p. 8.

68. Jamil-ud-Din Ahmed, n. 65, pp. 118-19.

69. Ziauddin Ahmad Suleri, My Leader (Lahore: Lion Press, 1946), p. 147.

70. Khalid Bin Sayeed, Pakistan : The Formative Phase (Karachi: Pakistan Publishing House, 1960), p. 103.

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end of 1939, the Hindu-Muslim unity had almost completely evaporated in the air. Nehru had put his heart on the constituent assembly elected on the basis of adult franchise, and Jinnah's proposal for constituent assembly was utopian.[71]

Indifference of the Viceroy

The Viceroy, Lord Linlithgow, was, on the one hand, taking a sympathetic view of the activities and demands of the Muslim League, and, on the other, was becoming increasingly antagonistic towards the Congress for its resolution of conditional accord with regard to the War Aims. He became so resolute in his policy against the Congress that proposals of some well-wishers to bridge the gulf between the Congress and the Government were turned down by the Viceroy. For instance, G.D. Birla "laid stress on the fact that it was of vital importance to make some move, but the Viceroy was not disposed to take any action".[72]

The problem of constitutional development in India became a subject of discussion in England. Sir Stafford Cripps, in December, 1939, on his way to China, stayed for a few days in India and stated to the press that "some kind of Constituent Assembly (not necessarily quite in the form advocated by the Congress) should be set up after the war".[73] Cripps endorsed the conception of the British people that "when the next move was to be made India's constitution should, to the largest possible extent, be framed by Indians in India".[74]

Viceroy's Offer

In January, 1940, the Viceroy in Bombay offered "India "dominion status" of the "Statute of Westminster variety" at the end of the war, in which Gandhiji saw "germs of an honourable settlement"[75], but when the two met in February in Delhi and the Viceroy told Gandhiji "to examine

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71. B.R. Nanda, n. 4, p. 166.
72. V.P. Menon, n. 3, p. 72.
73. Ibid.
74. Ibid.
75. R.J. Moore, 'British Policy and the Indian Problem, 1936-40', in C.H. Philips and M.D. Wainwright, n.1, p. 423.

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the entire field of constitutional progress in consultation with the representatives of all parties and interests in India"[76], the Congress was again disillusioned. Tje British view was to enact the 1935 Act for: "(a) an immediate expansion of the executive council; and after the war (b) the revival of the federal scheme to expedite the achievement of dominion status"[77].

On February 3-6, 1940, the League Working Committee met in New Delhi, and Jinnah proclaimed that Western democracy was unsuited for India. To break the deadlock, Fazlul Haq, on February 4, suggested that a coalition government should be set up in provinces for the duration of war. The Viceroy, on February 5, met Gandhiji and pleaded to break political deadlock. The Viceroy also met Jinnah on February 6, Lord Zetland appealed on February 11, to the Congress leaders to "escape from the tyranny of phrases"[78].

Pakistan Resolution

However, in the course of political unsettlement, chaos and disturbances in the country, the Lahore resolution was adopted on March 23,1940, which "India's newspaper headlines next day pronounced" as 'Pakistan Resolution' and "so it remained"[79]. Jinnah replied hard opposition almost from all parties and Non-League Muslim organizations, but Jinnah, a born orator, distorted and silenced the drums being beaten against him. Consequently, a large number of Muslims, mostly aristocrates and high born, who sided with Jinnah on communal grounds, joined the League and along with them the Muslims of other sects also followed Jinnah's plank of 'Islam in Danger' or a 'Muslim Pak Homeland'. Jinnah had, by then, created a large number of his followers throughout India and had stood fast to his position and ambition for the creation of Pakistan. To vitalise this goal, he observed 'Pakistan Day' on April 19,1940, and thousands of League meetings were held in the country.

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76. Ibid.
77. Ibid.
78. Maurice and Taya Zinkin, 'Impressions, 1938-47', in C.H. Philips and M.D. Wainwright, n.1, p. 562.
79. Stanley Wolpert, Jinnah of Pakistan (Oxford: Oxford University Press, 1984), p. 185.

Sikander Hyat's Opposition

Sir Sikander Hyat Khan found the concept of partition of India "insupportable till the bitter end, for it was at once a repudiation of his Unionist Party's basic platform of Hindu-Muslim-Sikh coexistence, and his potential to win personal leadership over the League[80]". He became aware of the fact that "his days of aspiring to supreme leadership of the Muslims of India was numbered[81]". News of Sikander's rivalry at the League's Subject Committee on March 23, 1940, flashed out and an angry crowd of young Muslims shouted "Sikander Murdabad" (Death to Sikander), but when Jinnah came out of the pandal, they shouted "Quaid-i-Azam Zindabad[82]" (Long Life to Quaid-i-Azam).

Scheme Based on Anglo-Egyptian Agreement (1922)

The Hindu (Madras) in early March, 1940, published a scheme broadly based on the Anglo-Egyptian Agreement of 1922, which sought that India would be free to draft her own constitution at the end of the war with complete freedom subject to the condition[83]:

"(1) the constitution to be acceptable to the Muslims and other minorities;

(2) a prior agreement between the representatives of Britain and India 'in a spirit of friendly accommodation' - a phrase used in the Anglo-Egyptian agreement - on (a) defence, (b) British interests, and (c) the Indian states."

Such a declaration could be coupled with an offer from the Viceroy accepting the principle of a provisional national government at the centre, the details of which could be worked out by a conference of the premiers of the eleven provinces". Gandhiji accepted this formula, but response from the British side was negative.

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Congress Session, Ramgarh

The Congress at the Ramgarh session held on March 19-20, 1940,

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80. Ibid., p. 184.

81. Ibid.

82. Ibid.

83. B. Shiva Rao, 'India, 1935-47', in C.H. Philips and M.D. Wainwright, n. 1, p. 423.

presided over by Maulana Abul Kalam Azad, reiterating its demand for "complete independence" formally resolved: "nothing short of Complete Independence can be accepted by the people of India" and that no permanent solution was possible "except through a Constituent Assembly"[84]. This session reiterated the demands of September 14, 1939, for the declaration of British war aims[85]. However, the session felt that Civil Disobedience was "the only course left"[86] (emphasis added). The session did not take any extreme action when England was involved in a life-and-death struggle with the Germans, as Gandhiji, on April 6, 1940, wrote: "We do not seek our independence out of Britain's ruin"[87]. Nehru on May 20, 1940, stated: "Launching a Civil Disobedience campaign at a time when Britain is engaged in a life-and-death struggle would be an act derogatory to India's honour"[88]. He later observed: "Congress which had been on the verge of civil disobedience could not think in terms of any such movement while the very existence of free England hung in balance"[89].

When the Congress was engaged in deciding about launching a Civil Disobedience Movement, the Muslim leaders belonging to different non-League parties were thinking over the possibility of creation of Pakistan due to constitutional deadlock between the Congress and the League. They wanted true settlement between the two major parties. To evolve a common solution, they held meetings and conferences, such as the Azad Muslim Conference of April, 1940.

The White Paper

In view of the divergent claims of the Congress, the League, the Depressed Classes and the Princes, and particularly abrupt ending of conversation of Gandhiji with the Viceroy, on February 5, 1940, Linlithgow preferred to adopt a policy of "wait and see". On April 10, the Government

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84. V.P. Menon, n. 3, p. 79. See also R.J. Moore, 'British Policy and the Indian Problem, 1936-40', in C.H. Philips and M.D. Wainwright, n. 1, p. 93.

85. Deva Narayan Malik, n. 6, p. 19.

86. Jawaharlal Nehru, n. 9, p.442. See also A.K. Azad, India Wins Freedom (Calcutta: Orient Longmans, 1959), p. 32.

87. Harijan (Ahmedabad), June 1, 1940, Vol. VIII, p. 148.

88. Subhas Chandra Bose, The Indian Struggle, 1920-1942 (Bombay: Asian Publications, 1964), p. 344.

89. Jawaharlal Nehru, n. 9, p. 435.

published the White Paper on "India and the War", which described all the events of the period and concluded that "in view of the impasse, the Government had no option but to seek the approval of Parliament for the continuance of the Section 93 proclamations in the seven provinces", which was approved by the Parliament on April 18, 1940. Lord Zetland, the Secretary of State, spoke in the House of Lords:-[90]

> "But that does not mean that the future constitution of India is to be a constitution dictated by the Government and Parliament of this country against the wishes of the Indian people. The undertaking given by His Majesty's Government to examine the constitutional field in consultation with representatives of all parties and interests in India connotes not dictation but negotiation. Admittedly a substantial measure of agreement amongst the communities in India is essential if the vision of a united India which has inspired the labours of so many Indians and Englishmen is to become a reality, for I cannot believe that any Government or Parliament in this country would attempt to impose by force upon, for example 80 million Moslem subjects of His Majesty in India a form of constitution under which they would not live peacefully and contentedly".

The Viceroy underlining the above portion of speech sent it to Jinnah on April 19, 1940, assuring that "no declaration would be made and that no constitution would be enforced by His Majesty's Government, or enacted by Parliament without the approval and consent of the Musalmans of India"[91], which completed the deadlock of constitutional development.

All-India Azad Muslim Conference

More than one hundred Muslim leaders, belonging to "different non-league parties"[92], seriously felt the severity of the League's demand for Pakistan in view of the Congress refusal to make any concessions to the League. They condemned the Pakistan Resolution and realised that "the demand of Pakistan amounted to clear repudiation of the idea of the moint political life of the Hindus and Muslims"[93]. They anticipated

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90. V.P. Menon, n. 3, p. 85.

91. Ibid. Setland reaffirmed his conviction that "political unity of India was unattainable without a communal settlement", Times (London), April 19, 1940.

92. Subhas Chandra Bose, n. 88, p. 344.

93. Times of India (New Delhi), March 27, 1940, p.8.

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that establishment of such a state without the support of the common people was impossible. Further, they foresaw that their political influence would be lost and their loyalty would be divided between two states. Therefore, they supported the Congress demand for a constituent assembly and earnestly wanted to search out a formula to retain the Motherland united. Representatives of "various Muslim nationalist groups like the Ahrars, Jamiat-ul-Ulema and the Shia Policial Conference[94]" held a four-day conference in Delhi on April 27, 1940, under the Presidency of the Sind Premier, Allah Baksh Somru. The Conference, styled as the All-India Azad Muslim Conference, accepted Maulana Hafizur Rehman's resolution, which demanded[95]:

"(1) immediate convening of a Constituent Assembly elected on the basis of adult franchise; and

(2) exclusive right for the elected Muslim members of the proposed constituent Assembly to lay down the safeguards for the protection of rights and interests of the community".

At the same conference, Asaf Ali presented another resolution, according to which 27 member board was to be constituted to consider such issues as follows[96]:

"(i) protection of Muslim culture, personal law, and religious rights;

(ii) political rights of the Muslims and their protection;

(iii) non-unitary, federal constitution in which the federal government should have only limited powers;

(iv) safeguards for the economic, social and cultural rights of the M Muslims; and

(v) the Muslim share in the public services".

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The conference condemned the partition of India demanded by the Muslim League and did not agree to Jinnah's claim that the League was the only representative body of the Muslims. They called upon the "Muslims to fight shoulder to shoulder with their other countrymen for the attainment of complete independence[97]". The conference, however, could not make

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94. V.P. Menon, n. 3, p. 83.
95. Dr. J.J. Pal, Jinnah and the Creation of Pakistan (Delhi: Sidhuram Publications, 1983), p. 87.
96. Ibid.
97. V.P. Menon, n. 3, p. 83.

any impression on the general Muslim masses.

On May 14, the Viceroy to the Secretary of State, Lord Zetland, wrote:[98]

> "I attach no particular importance to the Delhi Conference of the Muslims which took place a few days ago. It has been well organised and the British press machine has written it up admirably ... We both are, of course, aware that there is a not unimportant Muslim element outside the Muslim League ... Indeed, I am sure that Jinnah remains the man to deal with on the Muslim side".

Disregarding the 100 representatives, the Viceroy wrote to the Secretary of State that "Jinnah is our man and we accept him as a representative of all Muslims" and that "the Khaksars have formally renewed their offer to me of 50,000 men to help in the war", but since Jinnah accepted "no responsibility for Khaksars of their activities", the Viceroy did not consider it advisable "to enter into any correspondence with them or their leaders"[99]. Further, the British made it clear "to every Indian Muslim that except Jinnah and the Muslim League, they were not ready to accept any other party"[100]. Thus, the Muslims were obliged to join the Muslim League. It is questionable when the British favoured Jinnah so much, why they did not accept Jinnah's Fourteen Points.

Congress Rejection of Two-Nation Theory

The Lahore Resolution of March, 1940, and Jinnah's elucidation of Two-Nation theory, perturbed the Congress. The Congress refused to accept the theory of Jinnah, who continued to insist that the Congress should first accede to the league demand for Pakistan. Till this time, Jinnah was not sure of getting a decisive verdict in favour of Pakistan, due to opposition of the nationalist Muslims, who "were denounced and condemned on absurd grounds in the most intemperate language"[101]. They were rebuked by the Leaguers for "accepting money as a price for their

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98. Wali Khan, Facts are Facts : The Untold Story of India's Partition (New Delhi: Vikas Publishing House Pvt.Ltd., 1987), pp. 30-31.

99. Ibid.

100. Ibid.

101. Moin Shakir, Khilafat to Partition (Delhi: Ajanta Publications, 1983), p. 196.

patriotism"[102]. Hence, the partition cannot be regarded as a result of intrigue of selfish leaders. If considered in the light of personal emotions, it is said that "Jinnah's consummate political skill lay in the manner in which he harnessed these forces under his personal direction for the achievement of personal glory and the establishment of the political identity for the community"[103].

However, following the Ramgarh policy, Nehru remarked: "He would be prepared to face all consequences of it but he would not be prepared to live with such people"[104]. "Many knots of the Hindu-Muslim problem", Nehru said, "had been merged into one knot, which could not be unravelled by ordinary methods, but would need an operation ... he would say one thing very frankly that he had begun to consider them (Muslim Leaguers) and people like himself, as separate nations"[105].

Gandhiji, in one of the series of articles in Harijan, wrote on May 4, 1940: "The British can retain their hold on India only by a policy of 'divide and rule'"[106]. He opined that "a true solution will come with the end of the (British) rule" and if the demand of Pakistan is a desirable goal, "why should it be prevented?"[107].

On May 6, 1940, Nehru at Poona said that neither the Hindu Mahasabha nor the Muslim League had positive programme and "characterized the Pakistan scheme as foolish and said that it "would not last 24 hours"[108].The Congress was, however, appalled that the "cry of Pakistan swept the Muslims off their feet"[109]. The extent of the delusion of Muslims that "Pakistan was good for them"[110] was a most astonishing phenomenon.

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102. Hoder Ali Dairkee, The Times of India, January 2, 1946, p. 4.
103. Moin Shakir, n. 101, p. 196.
104. The Leader (Allahabad), April 15, 1940.
105. Ibid., April 16, 1940.
106. Harijan (Ahmedabad), May 4, 1940.
107. Ibid.
108. C.H. Philips and M.D. Wainwright, n. 1 (Chronology, 1935-47),p.563.
109. S.R. Mehrotra, 'The Congress and the Partition of India', in C.H. Philips and M.D. Wainwright, n. 1, p. 212.
110. Ibid.

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Change in British Government

Meanwhile, on May 10, 1940, Winston Churchill replaced Neville Chamberlain as Prime Minister and on May 19, 1940, L.S. Amery took over from Lord Zetland as Secretary of State for India. Lord Linlithgow, however, remained the Viceroy of India. Amery,on May 23, 1940, in the House of Commons, declared that "attainment by India of full and equal partnership in Commonwealth was goal of British policy"[111].

ML Conference, Hubli

Jinnah, at the Bombay Presidency Provincial Muslim League Conference, held at Hubli on May 26, 1940, said[112]:

> "I am asked, will the British agree to the basic and fundamental principles of the Lahore Resolution, namely, to create independent Muslim states in North-Western and Eastern Zones of India? Whether they agree or whether they do not, we shall fight for it to the last ditch. I know that the British politicians, press and public are still holding on to the conception of unity and one India; but I am convinced that it is a self-deception and complete ignorance of reality. At the same time I am confident that we have successfully dispelled the false propaganda and removed the delusion under which the British public are suffering, they with their sense of sagacity, will not fail to meet us".

Jinnah remarked that he was astonished that men like Gandhi talked in such a manner that reflected their willingness to partition. Jinnah had never used the word 'vivisection'[113] in the Lahore Resolution, but Gandhi in reply to his statement of Nawabzada Liaquat Ali Khan. Gandhiji and Rajagopalachari talked about the partition as "cutting the baby into two halves"[114]. Jinnah, in the light of these statements, foresaw the division and partition of India, and did not doubt that"in near future Muslim India and Hindu India would exist on the physical map of India"[115]. Jinnah sarcastically said that he could not understand the reason why "there was so much hue and cry against the Lahore Resolution". Jinnah

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111. C.H. Philips and M.D. Wainwright, n. 1. (Chronology, 1935-47), p. 563.

112. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 162-63.

113. Harijan (Ahmedabad), April 13, 1940.

114. Dr. J.J. Pal, n. 95, p. 89.

115. Ibid.

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added that India was composed of nationalities and not only castes and that he "did not see in India any Central National Government whose authority was being smashed"[116].

By mid-June, 1940, there was a radical change in the attitude of Gandhiji. On June 15, 1940, he wrote[117]:

> "The Muslim League is frankly communal and wants to divide India into two parts ... Thus for the present purpose there are only two parties - the Congress and those who side with the Congress, and the parties who do not. Between the two there is no meeting ground without the one or the other surrendering its purpose".

This was Gandhiji's first such a harsh statement which aroused suspicions in the League's circle that the Congress Raj was really a danger to the future of Muslims as a distinct social identity. Consequently, Sikander Hyat Khan, leader of the Moderate Section, lost his all cards when the League's Subject Committee on June 15 and 16, 1940, endorsed Jinnah's policy and authorised him to proceed with his negotiations with the Viceroy and resolved[118]:

> "No other member of the Committee should negotiate with Congress leaders without Mr. Jinnah's permission. Nor should Moslems serve on War Committee pending further instructions from Mr. Jinnah".

Thus, the challenge of Gandhiji and Jinnah's response thereto ensured that "the two nation theory was to be fully applied in terms of constitutional arithmetic"[119].

CWC Meeting, Wardha, 1940

The Committee resolved that "the national struggle for India's independence must continue on its non-violent course; the war committees sponsored by Government should not be supported, and no Congressmen should contribute to the war funds or enlist in civil guards under official control"[120].

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116. Ibid.

117. Sir Reginald Coupland, n. 2, p. 242.

118. Ibid., p. 243. See also V.P. Menon, n. 3, p. 88.

119. Sir Reginald Coupland, n. 2, pp. 242-43.

120. V.P. Menon, n. 3, p. 89.

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After Germany occupied France, it began air raids on Great Britain on June 18, 1940. Premier Winston Churchill in the House of Commons said: "The battle of France is over; the battle of Britain is about to begin"[121]. The Secretary of State for India and the Viceroy appealed to the Indians "to realize the gravity of the military situation of the war and extend all possible cooperation and support".

By the end of June, 1940, Germany attacked massively and it was apprehended that Britain would also shortly follow suit. In view of the international situation, the Congress decided to extend conditional support to the Government in the war efforts. Gandhiji opposed India's participation in the war[122]. To him the issue was one of pacifism, and not of India's freedom, while the Congress President Maulana Azad, like many others, declared that "the Indian National Congress was not a Pacifist organization but one for achieving India's freedom"[123]. Gandhiji was opposed also on the question of Council entry as against the wishes of Gandhiji the CWC advised the Congressmen to accept the Ministry on certain conditions.

The Viceroy interviewed Jinnah on June 27, 1940. Jinnah expressed his readiness to cooperate with the Government on the basis of the offer of November, 1939, to expand the Executive Council and he hoped that the Hindu Mahasabha, the Sikhs and the Scheduled Castes would also agree to do so. Jinnah insisted that whatever constitution is declared by His Majesty's Government, it should not preclude "a fair and unprejudiced hearing of the Muslim League proposal for the creation of two Indias"[124].

The Viceroy interviewed Gandhiji two days after he had interviewed Jinnah on June 27, and explained the possible declaration "purporting to give India a status similar to that of the self-governing dominions within one year after the termination of the war ... subject to an agreed understanding with regard to British commercial interests, defence, external affairs, the rights of minorities and treaty obligations to the princes"[125], to which Gandhiji opposed because he believed that the

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121. D.C. Gupta, Indian National Movement (Delhi: Vikas, 1970), p. 195.
122. V.P. Menon, n. 3, pp. 88-89.
123. A.K. Azad, n. 86, pp. 33-34.
124. V.P. Menon, n. 3, p. 89.
125. Ibid., pp. 90-91.

'exploratory processes' were to "regard rather than to advance the progress"[126] of constitutional development, during the war.

The Viceroy also discussed with Savarkar, President of the Hindu Mahasabha, and with the Jam Saheb of Nawanagar, Chancellor of the Chamber of Princes.

On July 1, 1940, Jinnah wrote to the Viceroy demanding[127]:

"(i) the British government should not make any statement which would, in any way, antagonise the Lahore resolution about the partition of India;

(ii) the government should not frame and adopt any "interim or final constitution without the previous approval of the Muslim League";

(iii) the Muslims must be given equal partnership with the non-Muslims at the centre and in the provinces so that they might be able to secure "equal shares in the authority and control" of the Central and provincial governments;

(iv) if the Executive Council was to be expanded, the number of Muslim members must be equal to that of the Hindus, and if the Congress did not join, the Muslims must have a majority share;

(v) the Muslims should have the majority of the non-official advisers in the provinces ruled by the governors; and

(vi) sufficient representation should be given to the Indian princes in the proposed war advisory committee, and regarding representation from British India, representation of Muslim India must be equal to that of the Hindus if the Congress came in, otherwise they should have the majority".

Linlithgow, in reply to above, wrote to Jinnah on July 6, 1940, that "any Council so expanded would co-operate as a whole and as a single Government of India"[128], which would not strike a balance between interests or preserve the proportions between the important parties. However, he assured to keep in mind to secure adequate representation for Muslim interests in the event of any expansion.

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126. Ibid., p. 90.

127. Francis Low (ed.), The Indian Year-Book, 1941-42 (Bombay: Bennett, Coleman & Co.Ltd.), p. 916. See also L.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), p. 44.

128. Francis Low (ed.), Ibid., pp. 916-17. See also L.A. Sherwani, Ibid., p. 45.

On the one hand, the CWC at Delhi on July 7, 1940, pressed the British to declare complete independence and, at the first step, to create a provisional national government responsible to Central Legislative Assembly[129]. On the other side, Jinnah opposed it in strongest possible terms and charged that the demand for a so-called national government meant a Congress Raj and if the demand was conceded "it would mean a Hindu-majority government - a permanent Hindu majority government- a position which would never be acceptable to the Muslims"[130]. However, the Government did not accept the Congress demand and took it as a "price" demanded by the Congress for extending help to the British in the War[131]. Lord Linlithgow, considering the Congress help no more indispensable, turned his favour towards Jinnah, who had expressed desire to cooperate with the Government in the War efforts[132]. The AICC met in Poona on July 27, 1940, and ratified the CWC Delhi resolution of July 7.

The August Declaration, 1940

On the basis of interviews with the political leaders, the Secretary of State declared the aims and intensions of His Majesty's Government, to break the political deadlock. The Viceroy, Lord Linlinthgow, issued a statement on "India and the War" on August 8, 1940, that "Dominion Status was their objective for India" and instead of constituting a national Government, provided for the "expansion of the Governor-General's Council to include a certain number of representatives of political parties"[133], setting up a Consultative Committee and a War Advisory Council. The Declaration appeased the Muslim League ensuring that the British Government would not agree to "any system of Government whose authority is directly denied by large and powerful elements in India's national life, nor could be a party to the coercion of such elements into submission to such a government"[134]. Obviously, it meant that no constitutional scheme was acceptable to the Government unless and until the same was agreed to

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129. Sir Reginald Coupland, Part II, n. 2, pp.239-40.
130. A.C. Banerjee, The Making of the Indian Constitution (Documents), 1939-1947 (Calcutta: A. Mukherjee & Co., 1948), Vol.I, pp. 15-19.
131. Home Poll.4/17/1940, Fortnightly Reports, Government of India, NAI.
132. Linlithgow Collection, Microfilm No.16, Telegram No. 262, from Viceroy to Secretary of State, June 28, 1940, p.183, NAI. See also Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi: Sterling, 1984), p.69.
133. I.A. Sherwani, n. 127, p. 47.
134. B.R. Nanda, n. 4, pp. 167-68.

by the Muslim League. Thus, the Government had perfected its plan of a knock-out blow at the Congress declaring its "determination to crush that organization (Congress) as a whole[135]" due to its antipathy to the Khadi-clad, vegetarian, jail-going Congressmen who were the avowed enemies of the British raj[136]".

The Viceroy made it clear that (1) "full weight should be given to the views of the minorities" and (2) a representative body of principal elements of India's national life, after the conclusion of the war, would be set up "to devise the framework of the new constitution[137]". Meanwhile, the Viceroy said that the Indians should reach a friendly agreement, "firstly, on the form which the post-war representative body should take, and the methods by which it should arrive at its conclusions, and secondly, upon the principles and outlines of the constitution itself[138]". The Viceroy hoped that the Declaration would pave the way towards the attainment by India of that "free and equal partnership in the British Commonwealth which remains the proclaimed and accepted goal of the Imperial Crown and of the British Parliament[139]".

In fact, on the very day the Declaration was made, Jinnah had signed a "secret letter to the governors informing them of the plans[140]", which reveals that the Government had planned "for a knock-out blow at the Congress, a declared determination to crush that organization as a whole[141]". Some British officials "welcomed this (Pakistan) plan as a means of checkmating Congress demands[142]". The British Government hoped that Jinnah's partition proposal would not be accepted by other parties and, thus, a political deadlock will continue indefinitely and will perpetuate the British rule in India.

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135. B.R. Nanda, Mahatma Gandhi (London: George Allen & Unwin Ltd., 1965), pp. 91-92.

136. B.R. Nanda, n. 4, p. 168.

137. I.A. Sherwani, n. 127, p. 48.

138. Ibid.

139. Ibid., pp. 48-49.

140. B.R. Nanda, n. 4, p. 168.

141. B.R. Nanda, n. 135, p. 40.

142. B.R. Nanda, n. 4, p. 168. See also Hugh Tinker, Experiment With Freedom : India and Pakistan, 1947 (London: Oxford University Press, 1967), p. 24.

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Jinnah met the Viceroy on August 11 and 13, 1940, and asked for certain clarifications, but he did not commit himself. Gandhiji wrote to the Viceroy:[143]

> "I have very carefully read your pronouncement and slept over it. It has made me sad. Its implications frighten me. I cannot help feeling that a profound mistake has been made".

On August 13, 1942, Savarkar sent a letter to the Viceroy stating that "the expansion of the Executive Council was looked upon by the Hindu Mahasabha as a step in the right direction"[144]. With regard to Dominion Status, he was satisfied, but with regard to the minorities "he thought it a pity that the Government should deliberately have chosen terms too strong, too vague and too alarming to the Hindus. Any attempt to cut at the root of the indivisibility of India as a political unit, 'could not fail to evoke an undying opposition from Hindudom as a whole"[145]. The Sikhs, the Scheduled Castes and other organizations expressed their readiness to accept the August offer.[146]

The Secretary of State, Amery, also encouraged the Pakistan proposal in a speech in the House of Commons on April 14, 1940:[147]

> "... the foremost among these elements stands the great Muslim Community, 90 million strong and constituting a majority both in northwestern and northeastern India, but scattered as a minority over the whole subcontinent. In religious and social outlook, in historic tradition and culture; the difference between them and their Hindu fellow countrymen goes as deep, if not deeper, than any similar differences in Europe".

The two statements of August 8 and 14, were drafted very cleverly. On the one hand, they agreed to the demand for the 'partition' and the 'two-nation theory', and, on the other, they admiring the cultural unity

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143. V.P. Menon, n. 3, p. 94. See also M.K. Gandhi, Collected Works of Mahatma Gandhi (New Delhi: Government of India Publications Division, 1965), Vol. LXXII, p. 370.

144. V.P. Menon, n. 3, p. 94.

145. Ibid.

146. Ibid., p. 95.

147. V.V. Nagarkar, Genesis of Pakistan (Bombay: Allied, 1975), p.327. See also B.R. Nanda, n. 4, p. 168.

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of India emphasized the Britishers' contribution to India's political and administrative unity, which they hoped would be preserved with the help of the British.

Jinnah interpreted the Declaration as an acceptance of the 'Demand for Pakistan'. The Congress leaders also foresaw the partition of India in the light of the Declaration.

The Congress Working Committee recorded[148]:

> "The rejection of the Congress proposals is a proof of the British Government's determination to continue to hold India by the sword ..."

Maulana Azad, the Congress President, concluded[149]:

> "Now that British has rejected all the offers made by the Congress, we have only one thing left to do and that is to non-cooperate in every way with the war effort".

On August 14, 1940, Linlithgow, in a letter[150] to Jinnah, confirmed that, before issuing his statement, he had promised the League leader to safeguard the Muslim position and, in return, Jinnah had assured League's cooperation at the Centre. The Viceroy asked Jinnah to give a panel of four names of Muslims so as to select two for the expanded Council, which was likely to be in the neighbourhood of eleven; and a panel of names to select five Muslims for the War Advisory Council, whose representativeswere to be around twenty.

The League Working Committee expressed in a resolution on September 2, 1940, that the Viceroy's offer was unsatisfactory and requested him to reconsider the matter[151]. However, the League was satisfied that the offer

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148. Indian National Congress Report: March, 1940, to September, 1946 (Allahabad: AICC, 1946), pp. 79-82. See also D.G. Tendulkar, Mahatma : Life of Mohandas Karamchand Gandhi (Delhi: Government of India Publications Division, 1959),Vol.5, p. 318.

149. D.G. Tendulkar, Ibid., pp. 318-19.

150. Nripendra Nath Mitra (ed.), The Indian Annual Register, July - December, 1940 (Calcutta: The Annual Register Office),pp. 256-57; see also L.A. Sherwani, n. 127, p. 49.

151. Resolutions of the All-India Muslim League from April, 1940 to April, 1941, published by (Nawabzada) Liaquat Ali Khan, M.A.(Oxon.), M.L.A. (Central), Barrister-at Law, Honorary Secretary, All India Muslim League, Delhi, pp. 13-15; see also L.A. Sherwani, n. 127, p. 50.

had conceded to the Pakistan resolution. The Hindu Mahasabha adopted a conciliatory attitude and T.B. Sapru, representing the Liberation Federation, said that the Declaration opened "a new vista"[152] and urged its acceptance. Sir Sikandar of the Punjab Unionist Party, considered it "a substantial concession to Indian opinion" and suggested that the Congress and the League should "concentrate their attention on points of substance"[153], but to the Congress, the Declaration was nothing but disappointing. Therefore, the Congress President, Maulana Azad, refused an invitation from the Viceroy to discuss the matter with him, without consulting the CWC members.[154]

A day after the AICC met in Bombay on September 15, 1940. Rajagopalachari advocated a "sporting offer". Emphasising an agreement with the Muslim League, it said: "If His Majesty's Government agree to a provisional national government being formed at once, I will undertake to persuade my colleagues to agree to the Muslim League being invited to nominate the Prime Minister and to let him form a government as he would consider best".[155]

The League Working Committee in New Delhi on September 28, 1940, demanded 5 seats in the War Council and 3 seats in the proposed expansion of Governor-General's Executive Council, while the Hindu Mahasabha Working Committee meeting in Bombay in the third week of September, announced acceptance of the offer "on honourable terms of equity and justice" and demanded 6 seats in the Executive Council and 15 seats in the War Council.[156] However, the Hindu Mahasabha did not agree to the partition of India.

Civil Disobedience Movement

Disappointed by the Viceroy's statement, the Congress, on September 15, 1940, withdrew the offer of cooperation it had made on July 27, and Gandhiji decided to launch a resistance to the British war efforts and announced his plan for "direct action". Consequently, individual

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152. D.C. Gupta, n. 121, p. 198.
153. Ibid.
154. A.K. Azad, n. 86, p. 36.
155. V.P. Menon, n. 3, p. 95.
156. Ibid., p. 100.

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Satyagraha was started on November 7, 1940. In view of the Tripartite Agreement (between Germany, Italy and Japan), the Government, to control the situation, let loose repressive measures. On October 30, 1940, Nehru was arrested and in November all the Congress Ministers in eight provinces, who took part in the Movement, were put behind the bars. Maulana Azad, who had not yet offered individual Satyagraha, was arrested on January 3, 1941, and by March 3, as many as 4,749 Congressmen were arrested and 2,09,663 were fined. The Muslim League, on February 23, 1941, characterized the Congress move as an attempt to bring pressure on the British Government to concede its demand[157] and warned the Viceroy that if he conceded to the Congress demands, the League would resist with all their power.[158] During 1941, the Movement lost its sting as it failed to produce any significant favourable results. An Intelligence Report says: "In some areas it was limping along, in others, it was moribund and still in others, it seemed to be dead".[159] In the meanwhile, the position of the Allies became very critical and the War seemed to be going the Nazis and the Fascists way. In the East, there was every likelihood of Japanese attack on India, which could uproot the British from Indian soil. Therefore, the CWC met at Bardoli on December 30, 1941, and suspended the Movement advising the Congressmen to stick to their posts and to organise the country for an effective defence.

Jinnah, encouraged by Amery's and Linlithgow's statements and the arrest of the Congress leaders during the Civil Disobedience Movement, found a favourable climate to push the idea of Pakistan deep into the Muslim minds. He indefatigably kept pleading his demand for Pakistan. In a speech delivered in Delhi in November, 1940, he said:[160]

> "The whole effort of the Congress seems to me to be like that of a bat which has entered a room and flies round and round knocking against the walls but will not, cannot, see that the door is wide open. That is what the policy of the Congress is like. It is, therefore, not possible for us to view this movement with equanimity. We must view it with serious anxiety. I say to Musalmans, please don't get mixed up or involved in this terrible situations, for which the Congress alone is responsible. But if we find at any time that our interests are at stake we cannot remain as onlookers and spectators but we shall play our part and intervene, if necessary. Let that be understood" (Emphasis added)

157. Dr. J.J. Pal, n. 95, p. 100.
158. Ibid.
159. Home Poll. 18/10/1941, Fortnightly Report, U.P., NAI. See also File No. 4/8/1941, NAI.
160. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 173-74.

The above statement, on the one hand, expresses the fears of Jinnah towards the Congress, which he declared at the Muslim Students' Conference held at New Delhi in November, 1940, to be a Hindu body and its objective was to establish a Hindu Raj dominating over the Muslims and all the other minorities. He, in support of this statement, referred to the declarations of Dr. Moonje and Savarkar, that Muslims were like Jews in Germany and should be treated as such. The Jews were being brutally killed at a very large scale by the Germans during the then continuing Second World War. These declarations of the Hindu leaders, he thought will encourage the Hindus to massively massacre the Muslims, which apprehension became true during the riots in those days. Jinnah concluded that the Congress proclamation of 'nationalism' was a veil over the 'perverted nationalism' of the Congress, which actually meant the domination and destruction of Muslims, politically, economically, educationally, culturally, and in all ways. In view of the Congress attitude, he smelled these dangers and became sure that the Congress would never embrace the Muslims and, hence, he found refuge in the establishment of a separate Muslim homeland, that is, Pakistan. Jinnah's fears are pronounced in his speech delivered in the Legislative Assembly on November 19, 1940, when he addressed the British Government:-[161]

> "I want your help. I am in danger and so are you. We will not apportion the degree of danger between us both. We both are in danger. I am willing to throw into the pool all the resources that I can, and I say, 'I am ready, let us both sink or swim'. All right so far, but what about my having a voice in the use of the assets that I being into this pool, leave alone the share in the victory: Am I not to have some share, some voice, some day as to how it is going to be used, and how the joint venture is to be run".

Based on his fears, Jinnah became more and more determined to found Pakistan. In his birthday message on December 24, 1940, demanding Pakinstan, he said:-[162]

> "We have now to prove to the world that we are fit to govern and achieve our goal as laid down by the Lahore Resolution of the Muslim League, popularly known as Pakistan, our organisation, which is undoubtedly the only authoritative and representative body of the Muslims of India, has given us a flag, a platform, a programme, and a cherished goal, which we are determined to fight for and, if necessary, to die for. But we have yet to do many before we can achieve our political emancipation".

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161. Ibid., p. 185.

162. Ibid., pp. 202-203.

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Jinnah's demand for Pakistan became a subject of debate at all levels. The newspapers and national intelligentsia engaged in thinking about the pros and cons of Pakistan. However, the most important and thought-provoking document, which appeared on the issue of Pakistan in those days, was, at the end of 1940, Dr. Ambedkar's Thoughts on Pakistan, which putforth the following arguments relating to the creation of Pakistan:[163]

(i) The Hindu-Muslim relations were too slender to bridge the gulf of treating each a separate community, as the Hindus cherished the memory of the warriors who had fought the Muslim invaders, whom the Muslim consider as heroes of Islam.

(ii) The Muslims claim themselves a nation instead of a community and they were not agreeable to accept the position of the French-Canadian people in Canada.

(iii) Due to Congress refusal to accept the Muslim League as a sole representative of the Muslims, the gulf between the Congress and the League had widened.

(iv) The Congress did not agree to share power with the effective representative of the minorities and, thus, excluded the Muslims from political power.

(v) The League's charges and grievances were exaggerated, but these were manufactured to gain power.

(vi) The Congress argument regarding unity of India was wrong because India's unity was broken several times during the past eight centuries. The separation of Burma from India was not protested against.

(vii) The Army was predominantly Muslims recruited from the Hindu-majority provinces and it was doubtful how they would react in case of invasion from Afghanistan. Thus, the Congress faced the choice : "to have a safe army or a safe border". "To oppose Pakistan on this ground was to buy a sure weapon of their own destruction. A safe army was better than a safe border".

(viii) The creation of Pakistan would not solve the communal problem.

(ix) The league claim over the whole of Punjab and Bengal was totally unjustified and it was necessary to re-draw their boundaries.

(x) Political unity without social unity would prove precarious. If India got independence without partition, India would have a continuous struggle between the Congress and the League. It inferred that partition was better than unity.

(xi) The efforts of the All India Azad Muslim Conference held in April, 1940, to formulate a charter of Muslim demand, as an alternative to Pakistan, had failed to submit any report.

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163. Dr. J.J. Pal, n. 95, pp. 93-94.

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On January 2, 1941, in reply to the question asked by Professor Radhakumud Mukerjee of the Lucknow University, as to what would be the future constitution of India, Jinnah explained[164]:

> "So long as the Central Government was unitary it would be impossible to talk in terms of autonomy of units. The question is not merely cultural but of political, economic and social problems which can only be solved according to our genius in our homelands, provided that they are independent states and in no way under the control of any centre for all India. Safeguards, constitutional or otherwise, will be of no use. So long as there is communal Hindu majority at the centre, safeguards will remain on paper. Therefore, I think of nothing better or more suitable having regard to the condition and realities than separation of Muslims in my proposed homelands".

Prof. Mukerjee asked Jinnah whether Pakistan joined with some foreign power would not be a danger to India. Removing the misapprehension, Jinnah replied[165]:

> "The Muslims in such separate homelands in the first instance would be very foolish indeed to invite some other Muslim Power to rule over their homelands, government of which would be in their own hands. It is quite clear that tendency now is more towards territorial sovereignty as history and development of Muslim sovereign powers in the East and the Far East have recently shown. Therefore, on the contrary, I am sure that Hindu India will find Muslim India not only a friendly neighbour but will defend India against foreign invasion and in that case, so to say, Monroe Doctrine will come into action in the interests of both Hindu India and Muslim India. And in that sense I want to say that North-Western Muslim independent states should be counted as India's outposts on the Frontier".

Jinnah toured India for levelling the ground for creation of Pakistan reiterating everywhere the demand for Pakistan. On January 3, 1940, in an address to the Muslim Progress Society and the Muslim Youth Majlis, Jinnah said[166]:

> "Muslims were not out for dominating the whole of India and they had no desires and designs to rule over the Hindus. What the Muslim League wanted was the Muslims should have opportunity to have their own governments to grow freely and develop their own culture in the two zones which they considered as their homelands".

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164. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 207-208.

165. Ibid.

166. Dr. J.J. Pal, n. 95, p. 95.

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In plain words, Jinnah wanted the League domination in the east and west and the Congress over other parts of India, both developing their governments according to their own genius. Jinnah went ahead beyond acceptance without thinking it impossible to say at the annual meeting of the Muslim Educational Service League at Bombay on January 10, 1941, that all parties concerned should accept the scheme of Pakistan so as "to settle the Hindus and the Muslims in their respective nations"[167], which involved the suggestion for large-scale exchange and migration of population[168].

In February, 1941, Jinnah called upon the Muslims to observe March 23, 1941, as the 'Pakistan Day' and appealed to the Government, the Princes and the Hindus to accept the Pakistan scheme, on the plea that Pakistan had been existing for centuries and would exist till eternity. Jinnah, speaking at the meeting to observe the first Pakistan Day, emphasised to say that the Congress-League differences had entered such an orbit where Hindu-Muslim joint rule was quite impossible. This emphasis obviously rejected the possibility of a Congress-League coalition ministry in the centre. The thought echoing in Jinnah's mind burst out when he spoke addressing the first Conference of the Kanpur Muslim Students' Federation on March 30, 1941[169]:

> "... the last 30 years efforts had been made to bring about communal unity, but no settlement could be arrived at due to the fact that the basis with which the Hindus and their leaders started for the purpose of negotiations were totally different. The Hindus began with the truth that the Muslims were a minority and as such they might be given necessary safeguards, but the Muslims started on the basis that they were a separate entity, and as such they could come to no settlement. The Congress made this point clear when it came into power in seven provinces by treating the Muslims as a minority. The Muslim League had, therefore, to formulate its goal which was done on 23 March 1940 at Lahore by passing a resolution about Pakistan".

Jinnah also asserted that the Congress had been deceiving the Muslims by proclaiming that it was "fighting for the freedom of the country and that it was a national organisation"[170].

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167. Ibid., p. 96.

168. The Hindu (Madras), January 11, 1941.

169. Dr. J.J. Pal, n. 95, p. 96.

170. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 232-33.

Anti-Communal Conferences

While these developments regarding partition were taking place, the newspapers gave coloured versions of the developments for catering to the thrill and scandal seeking instincts of their readers which fueled communal hostilities and communal riots broke out more frequently throughout the whole subcontinent; the most severe ones occurred in Ahmedabad, Bombay, Bihar Sharif and Dacca. There was a great need to stop the great loss of life and property and it was only possible through launching campaign of Hindu-Muslim cooperation and friendship. Neither all the Muslims were the Leaguers nor all the Hindus were enemies of the Muslims. There was only an orthodox communal group which fomented the riots to achieve their own ends out of the blood and ashes of their own brethren. The innately traditional people were easy victims to the viles of communal leaders and as such they were exploited by those who took interest in playing with fire and tears. An earnest effort to check the situation came in the shape of an Anti-Communal Conference called in March, 1941, at Lahore, under the Presidentship of Khan Abdul Ghaffar Khan. The Conference denounced "the Pakistan scheme (as) extremely unpatriotic, anti-national and absolutely injurious to the interests of the country"[171]. Three months later, an Anti-Separation Conference at Kumbhakonam, under the Presidentship of Muhammed Yusuf Shareef and attended largely by the South Indian Muslims, totally opposed the "two-nation theory" and challenged the League's claim to represent the Muslim community[172].

Muslim League Session, 1941

The session held at Madras started on April 12, 1941. It is significant in the history of partition of India because it was attended by very eminent leaders like E.V. Ramaswami Naicker, the leader of the Justice Party; R.K.Shammukham Chetty, Dewan of Cochin; K.V. Reddy, A.P. Patro, Kumararajah, M.A. Muttiah Chettiar; C.R. Srinivasan, the editor of the Swadesi Mitran; and M.C. Rajah, besides N. Sivaraj and other non-Brahmin leaders and that it demanded another sovereign state

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171. Dr. J.J. Pal, n. 95, p. 100.

172. Ibid. See also Convocation Address by S. Sultan Ahmad at the Aligarh Muslim University, December, 1941. He ridiculed the notion that Hindu and Muslim cultures are entirely different.

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in the South (Hyderabad). In his Presidential speech, Jinnah forcefully said:[173]

> "In this subcontinent you have two different societies, the Muslim society and the Hindu society and particularly in this land, there is another nation, that is the Dravidian. This land is really Dravidistan, and imagine its three per cent of electioneering, three per cent of them should secure a majority. Is this democracy or is this a farce? Therefore, I have the fullest sympathy and give my fullest support to the non-Brahmins, and I say to them:"The only way for you to come into your own is to live your own life, according to your culture, according to your language, etc. etc.".

Defending the demand for Pakistan, Jinnah argued that:[174]

> "... the democracy for representative government was suitable only for a nation, harmonious and homogenous. But could not work in a country like India where there were more than two nations".

Jinnah, most bitterly, criticised the Congress position as absolutely communal, by saying that:[175]

> "the Hindu Mahasabha, the All India Hindu League, and the Liberal Federation were minor offshoots of the Congress which meant nothing else than the solid body of the Hindus. If Hindu India was represented by anything, it was by the Congress".

The most important feature of this session was that the League included the Lahore Resolution in its constitution. Moving this amendment for inclusion, Liaquat Ali Khan stated:[176]

> "Pakistan had become their article of faith and the amendment now before the House will be an effective reply to those who have alleged that it is merely a counter for bargaining".

The amendment also implied that "every Muslim who is to join the

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173. A.M. Zaidi (ed.), Evolution of Muslim Political Thought in India, Vol. 5, The Demand for Pakistan (New Delhi: S. Chand, 1978), p.290.

174. Dr. J.J. Pal, n. 95, p. 99.

175. Ibid.

176. A.M. Zaidi (ed.), n. 173, p. 306.

league from now onwards will have to taken an oath of allegiance to Pakistan"[177].

Referring to the Gandhiji's Civil Disobedience Movement, the session characterised it a pressure tactic on the Government to accede to the Congress demand. The participants asserted that the Congress aimed at nothing but to achieve sovereign power for the Hindus and to relegate the 100 million Muslims and other minorities to mere subjects of Hindu Raj. The League warned the Government that "any constitutional change, either interim or final, made without the approval of the League, would mean violation of the solemn pledges of August, 1940"[178], and also threatened that "if any attempt was made to depart, in any way, from the declarations of August, 1940, the Muslims would feel constrained to resort to any measure and method to resist it with all the powers they possessed"[179].

Inclusion of the protagonists of the demand of a 'Dravidistan' and the zealous support extended to them by Jinnah is clearly indicative of the liasion that existed between the Muslim League and the British and underlines the role of the League leaders as willing instruments of the policies of Imperial rulers.

On April 17, 1941, referring to the statement of Dr. Rajendra Prasad that he accepted the principles of partition, Jinnah said[180]:

> "Will it not be more logical course that the Congress should first make up their mind and accept the basic principles laid down in the Lahore Resolution of the All India Muslim League popularly known as Pakistan? Babu Rajendra Prasad with his judicial mind ought to know that first, the principle of partitioning India must be agreed upon then alone comes the question of what ways and means should be adopted to give effect to that decision. The question of details will arise then and with goodwill, understanding and statesmanship, we shall, let us hope, settle them among ourselves".

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177. Ibid.

178. Dr. J.J. Pal, n. 95, p. 100.

179. See for details Khalid Bin Sayeed, Pakistan: The Formative Phase (Karachi: Pakistan Publishing House, 1960), p. 124. See also Z.H. Zaidi, 'Aspects of the Development of Muslim League Policy, 1937-47', in C.H. Philips and M.D. Wainwright, n. 1, p. 264.

180. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 255-56.

On April 18, 1941, the Foreign Committee of the All India Muslim League published the details of the scheme for India's partition, which envisaged the formation of three sovereign Muslim states; one in the northwest extending up to Delhi; the second comprising Bengal and Assam; and the third in the south comprising Hyderabad and Berar.[181] Favouring this demand, Nawab Bahadur Yar Jung of Hyderabad, President of the All India States Muslim League, in a speech at Bangalore in April, supporting the demand for Pakistan, said that "India had never been a nation nor could she never be a single political unit".[182] This followed the formation of the Majlis Ittehad-ul-Muslimeen in Hyderabad State. At its foundation conference, it was declared that "the Muslims incarnated the sovereignty of Hyderabad State, and that the Nizam was the true representative of the Muslims".[183] The involvement of Hyderabad and Berar in the Pakistan scheme disturbed the Congressmen and they began to think seriously of a solution by way of a Congress-league settlement, but they found no way except to come to terms of the League by acceding the demand for Pakistan.

Amery's Statement

The authorities in England also had adopted a more reactionary attitude towards the Congress demand. On April 22, 1941, the Secretary of State for India, Leopold S. Amery, in a speech in the House of Commons, said:[184]

> "Anxious as we are to see the responsibility of Indian Government resting on Indian shoulders we can only transfer it to an authority that can assume it without immediately breaking down or breaking up. At this crisis of the war the basis of administrative and legislative power could not be changed, or the direction of India's war efforts given to an entirely new Executive ... Indian statesmen must first find the indispensable measure of agreement, freely reached, before Britain could contribute further towards her own task of joining with them in crowning peace and unity with freedom ...".

The phrase "indispensable measure of agreement" was highly objectionable to the Congress. Gandhiji called it "Amery's "callousness" and

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181. The Statesman (Calcutta), April 19, 1941.

182. Dr. J.J. Pal, n. 95, p. 97.

183. Ibid., p. 98.

184. Ibid., pp. 200-201.

"contemptuous disregard of the situation in India" and charged that "The Secretary of State had insulted Indian intelligence by reiterating ad nauseam that Indian political parties have but to agree among themselves and Britain will register the will of united India"[185]. Gandhiji also admitted that "the gap between the Congress and the Muslim League seemed unbridgeable, but if the British statesmen withdrew, recognizing that this was only a domestic quarrel, Congress, the League and all other parties would come together out of self-interest and devise a homemade scheme for the Government of India". T.B. Sapru described Amery's statement "indiscreet and unfortunate"[186] and V.N. Savarkar, President of the National Liberal Federation, observed that the speech had caused "depression and hopelessness among all who had worked for a better understanding between Britain and India"[187].

The Atlantic Charter

In December, 1940, the German attacks seemed to destroy England for ever. Prime Minister Winston Churchill wrote several letters to the U.S. President Franklin D. Roosevelt arguing that if the United States would not defend the United Kingdom, the U.S. own security would also be jeopardised, as a result Roosevelt, on January 6, 1941, enunciated the doctrine of "Four Freedoms" - freedom of speech and expression everywhere in the world, freedom of worship, freedom from want, and freedom from fear"[188]. On August 14, 1941, Roosevelt and Churchill met "somewhere at sea" and issued a joint declaration, known as the Atlantic Charter, stating that: "after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want"[189]. The Charter also embodied that: Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to

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185. Dr. J.J. Pal, n. 95, p.201.
186. Ibid.
187. Ibid.
188. Ibid., p. 202.
189. Everyman's United Nations: A Complete Handbook of the Activities of the United Nations During Its First Twenty Years, 1945-1965 (New York: United Nations, 8th edn., March, 1968), p. 5.

preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world"[190].

Gandhiji urged that the Atlantic Charter should be applied to India also. On September 9, 1941, Churchill replied that "those principles referred only to European countries and not to the evolution of self-government within the Empire"[191], which disappointed the Indians, who observed that the British Government was not willing to concede Congress demands for complete independence of India.

While Great Britain was involved in the War, the Congress was carrying on the Civil Disobedience Movement, the League's demand for Pakistan was gaining more and more strength, and the leaders had lost all interest in the war efforts. In view of the gravity of the war situation, the British, to gain their war ends, released many of the Congress leaders, including Azad and Nehru, on December 4, 1941. On January 16, 1942, the CWC passed a resolution offering cooperation in the war effort once again subject to the government changing its attitude[192], but the British made no immediate response.

Towards the end of February, 1942, Roosevelt emphasised "on the possibility of a settlement between the British Government and the Indian political leaders"[193]. Roosevelt after consulting Churchill, declared that the Atlantic Charter was applicable to the whole world. Similarly, Evatt, the Foreign Secretary of Australia, declared in the Australian Parliament that self-government should be conceded to India to enable her to participate in the War efforts effectively. On March 10, 1942, two days after the fall of Rangoon, Roosevelt sent a long cable to Churchill stating: "It is merely a thought of mine to suggest the setting up of a temporary government in India, headed by a small representative group - this group to be recognized as a temporary Dominion Government ... This representative group would be charged with the duty of considering

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190. Ibid., p. 6.

191. D.C. Gupta, n. 121, p. 202.

192. A.K. Azad, n. 86, p. 39.

193. Winston S. Churchill, The Second World War : The Hinge of Fate (London: Cassell and Co., Ltd., 1951), p. 185.

the structure of the permanent government in India. Perhaps some such method might cause the people of India to forget past hard feelings and to become more loyal to the British Empire[194] ..."

In view of the Congress attitude for cooperation, Roosevelt's suggestion and grave danger to India's defence, the War Cabinet-Churchill and his colleagues - felt it necessary to break the political deadlock in India "in the most impressive manner" and decided to send Sir Stafford Cripps to India "to conduct direct discussion on the spot with the leaders of all Indian parties and communities[195]". Consequently, Churchill, on March 11, announced the Cripps Mission to impress that the Americans and the British attach great importance to the solution of India's problem, but, in fact, he wanted to gain time for the problem to be calmly solved.

Cripps Mission, 1942

Sir Stafford Cripps was in close touch with Nehru and the Congress and had supported India's independence demand during his visit to India in 1939. Cripps arrived on March 23, 1942, and "dispelled somewhat the gloom that enveloped the Congress circles and roused great expectation[196]". Cripps, aiming to win confidence of the Indian leaders, stated to the press[197]:

> "I have come here because I am, as always have been, a great friend and admirer of India, and because I want to play my part as a member of War Cabinet in arriving at a final settlement of the political difficulties which have long vexed our relationships".

On March 24 and 25, Cripps met with the Viceroy, members of the Executive Council and other official advisers. On March 25, Cripps and

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194. Robert E. Sherwood, Roosevelt and Hopkins : An Intimate History (New York: Harper and Brothers, 1948), pp. 511-12; see also Churchill, Ibid., p. 189.

195. Winston S. Churchill, Ibid., p. 190.

196. AICC File No. 55/1940, Proceedings of the AICC, NMML.

197. Nicholas Mansergh (Editor-in-Chief) and E.W.R. Lymby (eds.), Constitutional Relations Between Britain and India : The Transfer of Power (11 Vols.), Vol. I: Cripps Mission, January-April, 1942 (London: Her Majesty's Stationery Office, 1970); Rep. (Delhi: Vikas Publications, 1970), Vol. I, pp. 462-63.

Jinnah met. Cripps explained that "in case a majority of less than 60 per cent of members of Provincial Assembly voted in favour of accession or non-accession, the minority legislators would have the right to demand a plebiscite of the adult population on the accession issue"[198]. Initially, Jinnah, agreeing with this plebiscite formula, responded to the proposal favourably though he was doubtful "whether 40 per cent was the right figure to apply to minority for deciding the question of accession"[199]. However, Jinnah wished for setting up a second dominion and said to place the proposal before the League Working Committee and to inform him of the outcome accordingly"[200].

Jinnah and Cripps again met on March 28, 1942, to seek certain clarifications and Cripps assessed that the proposals were already accepted by the Muslim League in principle[201]. Later, Sikandar Hyat Khan, the Punjab Premier, confirmed in a meeting that the League had accepted the scheme as a whole. Cripps met Nehru and other Congress leaders, whose refusal to accept the proposals gave an impression to him that it was due to the influence of Gandhiji[202], whose "policy was one of 'total pacifism', and who described"the declaration as a 'post-dated cheque' and decided to take no part in the discussion"[203]. On the same day, on the question of control of defence, Rajagopalachari requested Cripps to redraft the last paragraph of the proposals making a provision for the appointment of an Indian Defence Minister before presenting the scheme to the CWC for approval. Cripps did not agree to appoint an Indian called Defence Minister. He, however, agreed to create a Ministry of Defence Coordination under charge of the Commander-in-Chief as a member of the Government of India and enumerated a list of transferred subjects[204]. The The Congress rejected the proposal as the transferred subjects were unimportant and made the position of the Indian Defence Member ridiculous.

Cripps, between March 26 and 28, conferred with leaders of all

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198. Sandhya Chaudhri, n. 132, p. 74.
199. Nicholas Mansergh, Vol. I, n. 197, pp. 480-81.
200. Ibid.
201. Ibid., p. 512.
202. Ibid., pp. 551-58.
203. V.P. Menon, n. 3, p. 126.
204. Ibid., p. 127.

parties and representatives of communities, and on March 29, 1942,[205] addressing a gathering issued the 'Draft Declaration' (published on March 30, 1942) and said: "The Constituent Assembly can start with a declaration of Independence" and "It was completely free to decide whether the new Union of India should remain within the Empire or not".[206] He explained that the new Indian Union shall "constitute a Dominion associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect in no way subordinate in any respect of its domestic and external affairs".[207] Thus, the Declaration had conceded the basic demand of the Congress recognising India's right to frame a constitution through a constituent assembly after the War. The other clause laid down that "any province or provinces which did not acquiesce in the new constitution would be entitled to frame a constitution of their own giving them 'the same full status as the Indian Union'.[208] The non-acceding provinces could then form their own union with 'complete self-government'.[209]

On March 29, 1942, Cripps gave impression to Maulana Azad, the Congress President, that he agreed to consider the Executive Council as a National Government functioning like a Cabinet and the Viceroy to be a constitutional head, which he said might be done with the help of a convention.[210] But at the Viceroy's instance, Cripps changed his version and his interpretations became vague and ambiguous. He said to Azad that the legal position would remain unchanged and to this effect the Viceroy could be discussed.[211]

Cripps in a broadcast on March 30, 1942, appealed to the Indian people to accept these proposals, and said: "Let the dead past bury its dead, and let us march together side by side through the night of

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205. See for full text Appendix V.
206. V.P. Menon, n. 3, p. 123.
207. A.K. Azad, n. 86, 'Appendix', pp. 228-29.
208. B.R. Nanda, n. 4, p. 169.
209. M. Gwyer and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-1947 (London: Oxford University Press, 1957), Vol. II, pp. 435-37.
210. AICC File No. 26/1942, Part II, pp. 72-73, NMML.
211. Nicholas Mansergh, Vol. I, n. 197, p. 729.

high endeavour and courage to the already waking down of a new world of liberty for all the peoples".[212]

Cripps declared:[213]

"(a) Immediately upon cessation of hostilities, steps shall be taken to set up in India ... an elected body charged with the task of framing a new Constitution for India.

(b) Provision shall be made for participation of Indian States in the constitution-making body.

(c) His Majesty's Government undertake to accept and implement forthwith the constitution so framed subject only to (i) the right of any province of British India, that is not prepared to accept the new constitution, to retain its present constitutional position, provision being made for its subsequent accession if it so decides".

This transfer of power to the Indians was subject to the further reservation that Defence was to continue under the British control.

On the question of effectiveness of the proposal, Sardar Vallabhbhai Patel observed:[214]

"No more mischievous scheme had been conceived up-to-date. It was designed to keep the British authority firmly in India after the war. That scheme was, in fact, responsible for the decision of the Congress to ask the British to quit India ... If India was to effectively resist external aggression, her people should have the fullest freedom and independence. The British were not fighting for the protection of India but for maintaining their own authority permanently. If they had been fighting for Indian defence, they would have had no hesitation in accepting the Congress demands".

When asked to "Give India a National Government now and don't worry about post-war arrangements"[215], Cripps replied that Amery had a hand in shaping them with the consent of Churchill.

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212. V.P. Menon, n. 3, p. 125.

213. A.K. Azad, n. 86, pp. 228-29.

214. Narhari D. Parikh, Sardar Vallabhbhai Patel (Ahmedabad: Navajivan Publishing House, 1956), Vol. II, pp. 461-62 (Speeches in Gujarat); see also I.A. Sherwani, n. 127, p. 57.

215. B. Shiva Rao, 'India, 1935-47', n. 1, p. 428.

Azad and Nehru while conversing with Cripps demanded that there should be immediately a National Government without waiting for a constitutional change and that the new government should function as a free government whose members would act as members of a Cabinet in a constitutional government. Sapru and Jayakar in their Memorandum of April 5, 1942, transmitted by Lord Linlithgow to Amery in London, pointed out that "Indian opinion attaches the greatest importance to the transfer of real power in the Central Government at the present moment and it is for this reason that we emphasize the necessity of the complete non-officialization of Government without the reservation of any portfolio during the interim period".[216]

On this issue, the Muslim League adopted a conciliatry attitude but with firm and bold steps. Jinnah, at 'Pakistan Day' public meeting in Delhi, on March 23, 1942, said:[217]

> "It is true that Cripps is friend of Congress but we should not be afraid on that score ... If we have adopted attitude of non-embarrassment towards British Government, we know that if British Government are broken we are also in danger... We are prepared to face all consequences if any scheme detrimental to interests of Muslims is forced upon us. We shall resist it to utmost; if we have to die in attempt we shall die fighting. We have two opponents - Hindu leadership and British leadership. It is futile to attempt to create differences and disruption among Muslims and Muslim League is only authoritative organisation of Muslims. We cannot tolerate Muslims in camp of enemy. Non-League Muslims are traitors in enemy camp".

Jinnah's statement shows that he thought the continuance of British Raj in India as a safeguard to the rights of the Muslims.

Constitutional Settlement

Cripps on April 30, 1942, in his first broadcast said in New Delhi:[218]

> "I want to play my part as a member of the War Cabinet in reaching a final settlement of the political difficulties *which have long vexed our relationships. Once these questions*

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216. Telegram 214-S.C. of 18 April, MSS EUR.F. 125/22; in Nicholas Mansergh, Vol. I(The Cripps Mission, January-April, 1942),p. 644.

217. Telegram,MSS, EUR.F. 125/29; in Ibid., pp. 467-68.

218. B. Shiva Rao,'India, 1935-47', n. 1, p. 430.

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> are resolved, and I hope they may be quickly and satisfactorily resolved, the Indian peoples will be enabled to associate themselves fully and freely not only with Great Britain and other Dominions but with our great Allies, Russia, China and the United States of America so that together we can assert our determination to preserve the liberty of the peoples of the world".

Maulana Azad, on behalf of the Congress, observed[219]:

> "We did not ask for any legal changes, but we did ask for definite assurances and conventions which would indicate that the new Government would function as a free government, the members of which act as members of a Cabinet in a constitutional government".

In regard to the constituent assembly, Cripps' mind had also been working on the lines that the executive council could be converted into a cabinet enlarging the powers and even the size of the legislature and the Viceroy be made a normal constitutional head of the government.[220] Azad and Nehru emphasised that there should be definite assurance indicating that the new government would function as a free government whose members would act as members of a Cabinet in a constitutional government. Jinnah on March 25, 1942, had said, talking with Cripps that he would like to "treat the Executive as a Cabinet rather than as the Executive according to the constitution".[221]

With regard to the new constitution, Cripps, on March 25, 1942, explained to Jinnah that "all Provinces should formally accede to the New Constitution by vote of their Legislative Assemblies but that in cases where there was less than a three-fifths majority in favour of accession, the two-fifths minority should have the right to demand a plebiscite of the total adult male population of the province and that the plebiscite taken should then determine the question of accession or non-accession".[222] Jinnah said that "the only question was as to whether 40% was the right figure to apply to the minority".[223] Jinnah saw that Cripps proposal went to meet the Pakistan case[224], but side by side it

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219. Ibid.
220. Ibid., p. 428.
221. Nicholas Mansergh, Vol. I, n. 197, p. 480.
222. Ibid.
223. Ibid.
224. Ibid.

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offered the provision of the establishment of two or more independent unions in India.

Nonaccession Clause

The non-accession clause reflected the mischievous spirit of the Cripps Declaration. The CWC on April 2, 1942, rejected it and recorded that the Congress can not compel "the people of any territorial unit to remain in an Indian Union against their declared and established will"[225], which encouraged the Muslim League and gave boost to the Pakistan movement. Acceptance of this principle inevitably involved guarantee of territorial unit having "fullest possible autonomy within the Union, but all this should exist in consonance with a strong national state"[226]. Gandhiji, who met Cripps on his insistence, realised the danger of turning India into pieces and advised Cripps on April 4, to take the first plane home[227].

Nehru and Azad approached Cripps and proposed in lieu of the non-accession clause inclusion of a clause to give the right of secession after five or ten years of constitution-making, but Cripps, to their dejection, replied that the clause about non-accession was provided in the scheme to accommodate the demand of the Muslim League for Pakistan. They obviously foresaw the British vindictive motive of converting India into a political chequerboard. Jawaharlal Nehru expressed his fear of 'balkanization' of India in a telegram to Krishna Menon in England criticising "the whole conception (of) leading (to) break up (of) India with British forces guarding States interfering (with) freedom (of the) union, encouraging disruptive tendencies"[228] (emphasis added). Cripps defending the 'non-accession' of provinces in a broadcast said: "The door must be left open. If you want to persuade a number of people who are inclined to be antagonistic to enter the same room, it is unwise to tell them that once they go in, there is no way out"[229]. Maulana Azad remarked that "the main purpose of the Cripps mission should be the

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225. Dr. J.J. Pal, n. 95, p. 102.

226. M. Gwyer and A. Appadorai, Vol.II, n. 209, pp. 524-26.

227. B.R. Nanda, n. 4, p. 170.

228. Ibid.

229. M. Gwyer and A. Appadorai, Vol. II, n. 209, p. 522; also see B.R. Nanda, n. 4, p. 170.

settlement of political issues like the communal question, and the question of the states should not be relevant at that stage, for such matters should be settled by Indians themselves[230].

Jinnah welcomed the non-accession clause. It was a "veiled recognition"of Pakistan and not in unequivocal terms[231]. He demanded amendment to ensure the secession of the provinces he claimed for Pakistan. Cripps favoured the sentiments of partition because he believed that the British Government would readily concede to it. The Hindu Mahasabha on April 3, rejected the long-term plan on the ground that "the option given to provinces to stay out of the Union would destroy the unity of the country[232]". The Sikhs, on March 31, protested that they shall "resist by all possible means separation of the Punjab from the All-India Union[233]". The Depressed classes, on April 1, denounced them because they believed that the proposals were "calculated to do the greatest harm to the Depressed Classes" and were "sure to place them under an unmitigated system of Hindu rule[234]".

Defence Formula

Cripps in his proposals[235] had also said that during the War period, the British Government would inevitably retain the control and direction of the Defence of India as a part of their world war efforts and would also organise to the full the military, moral and material resources of India with the co-operation of the people of India.

In early April, 1942, Philips, Sapru, Rajagopalachari, Menon and B.N. Rau evolved a formula overnight and finalised it in the early hours of the morning as follows[236]:-

"(a) India shall in every possible respect be treated as a free member of the Commonwealth.

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230. The Statesman (Calcutta), April 30, 1942.

231. Jamil-ud-Din Ahmad, n. 65, Vol. I, pp. 418-20.

232. V.P. Menon, n. 3, p. 126.

233. Ibid.

234. Ibid.

235. See for details Appendix VI.

236. B. Shiva Rao, 'India, 1935-47', in C.H. Philips and M.D.Wainwright, n. 1, p. 431.

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His Majesty's Government therefore invite the leaders of the principal sections of the Indian people to undertake the governance of their country and to participate in the counsels of the Commonwealth and of the United Nations in the world war effort.

(b) The members of the Executive Council of the Governor-General will function on the principles of joint responsibility in the manner of a Council of Ministers.

(c) The policies and measures of the Government of India in respect to the prosecution of the war will be subject to the decisions of the British War Cabinet. There will be the closest association and co-operation between the Defence Member and the Commander-in-Chief; but this will not affect the authority or responsibility of each in his own sphere".

Meanwhile, Colonel Louis Johnson, President Roosevelt's Personal Envoy, arrived in Delhi, on April 3, 1942, as the head of the American Technical Mission. He, after consulting with Cripps and Nehru, found the matter more complicated. Cripps presented the following new formula,[237] on behalf of the British War Cabinet:

"(a) The Commander-in-Chief should retain a seat in the Viceroy's Executive Council as 'War Member' and should retain his full control over all the war activities of the armed forces in India, subject to the control of His Majesty's Government and the War Cabinet, upon which a representative Indian should sit with equal powers in all matters relating to the defence of India. Membership of the Pacific Council would likewise be offered to a representative of India.

(b) An Indian representative member would be added to the Viceroy's Executive, who would take over those sections of the Department of Defence which can organizationally be separated immediately from the Commander-in-Chief's War Department and which are specified under head (i) of the annexure. In addition, this member would take over the Defence Co-ordination Department which is at present directly under the Viceroy, and certain other important functions of the Government of India which do not fall under any of the other existing departments and which are specified under the head (ii) of the annexure".

Cripps assured that if the above formula would be accepted, the British Government would take up the task of forming the new National Government "in consultation with the leaders of Indian opinion".[238] However, the matter of defence became most important, which created a deadlock in the negotiations.

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237. Ibid., pp. 432-33.

238. B. Shiva Rao, 'India, 1935-47', in C.H.Philips and M.D. Wainwright, n. 1, p. 433.

Johnson produced the following formula:[239]

"In amplification of clause(e) of the draft Declaration His Majesty's Government make the following proposition upon the subject-matter of the Defence of India:

(a) The Defence Department shall be placed in the charge of a representative Indian member with the exception of functions to be exercised by the Commander-in-Chief as War Member of the Executive Council.

(b) A War Department will be constituted which will take over such functions of the Defence Department as are not retained by the Defence Member".

Apparently, this formula is a classic example of the old wine in a new bottle.

Jawaharlal Nehru wrote to Johnson on April 8, 1942, that Cripps new formula "were entirely unsatisfactory". He observed:[240]

> "Both the approach and the allocation of subjects were, in our opinion, wrong, and there was no real transfer of responsibility for Defence to representative Indians in the National Government. Such transfer is essential for the successful defence of the country, for on it depends the full mobilisation of the war potential of the country".

Nehru, in the same letter, found the Johnson formula somewhat "more healthy", on which further discussions could be made. However, he emphasised that "a very great deal depends on the allocation of subjects between the Defence Committee and the War Department, and until this is done, it is not possible to give a final opinion"[241]. With this in mind, he suggested the following formula to form the basis of discussion:[242]

"(a) The Defence Department shall be placed in the charge of a representative Indian member, but certain functions relating to the conduct of the war will be exercised for the duration of the war by the Commander-in-Chief, who will be in control of the war activities of the armed forces in India and who will be an extraordinary member of the National Cabinet for that purpose.

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239. Ibid.
240. Jawaharlal Nehru to Colonel Louis Johnson, April 8, 1942, Nehru Papers, NMML.
241. Ibid.
242. Ibid.

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(b) A War Department will be constituted under the Commander-in-Chief. This Department will take over such functions as are exercised by the C-in-C. A list of such functions has been prepared and is attached.

(c) The Defence Member shall be in charge of all other matters relating to Defence, including those now dealt with by the Defence Coordination Committee".

The Congress Working Committee amended the formula very much and proposed to consider the national Government responsible for the whole of administration, including defence, which was conceded by the Viceroy, Cripps and Johnson. However, Sir Stafford Cripps finalised the draft on April 8, 1942. By that time, there had emerged quite a few differences between Johnson and the Congress leadership, on the one hand, and between Cripps and the Viceroy, on the other. Cripps sent home his formula recommending its acceptance, but the Viceroy also sent his disapproval of it.

Cripps, on the question of Azad and Nehru as to what would be the position of the Governor-General in the proposed scheme, had replied, without consulting Viceroy Linlithgow and "presumably with the assistance of Louis Johnson"[243] that the Governor-General will "function as constitutional head like the King in the United Kingdom" and that "power would rest with the Council as it rests with the British Cabinet"[244]. This made the Viceroy feel offended and disregarded. The Viceroy wrote to Churchill that he and Cripps "could have got Nehru's agreement to the original proposal, had not Cripps and Johnson worked out this new arrangement"[245]. Churchill read the communication to John Hopkins and George C.Marshall[246] and expressed grave concern that India demanded self-government "at a time when the Japanese were dangerously close to her borders and destroying shipping in the Indian Ocean at an alarming rate"[247]. The same

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243. Robert E. Sherwood, n. 194, pp. 511-12. See also Winston S. Churchill, n. 193, p. 189.

244. A.K. Azad, n. 86, p. 49.

245. Robert E. Sherwood, n. 194, pp. 511-12.

246. Hopkins was the Administrative Assistant and a great confident of Roosevelt, and Marshall was the Chief of Staff of the U.S.Army, who were in London to discuss with Churchill on war plans.

247. Willian D. Hassett, Off the Record with FDR, 1942-1945 (New Jersey: Rutgers University Press, New Brunswick, 1958), p. 35.

day, Churchill wrote to Cripps that he would be repudiated if he "went too far"[248]. When Azad met again with Cripps he did not say categorically that the Executive Council would have "full and unfettered freedom of decision". He said to Azad that "the position now enjoyed by the Viceroy could not be changed without a change in the law"[249]. Cripps realised his inability to proceed further and the talks closed down. Consequently, no favourable amendments could be made in the proposals and all the parties rejected the Cripps proposal for one reason or the other.

The Congress, on April 10, 1942, rejected the proposal on the ground that the British Cabinet and the Viceroy were not agreeable to transfer the portfolio of Defence[250] to Indian hands; it was dissatisfied with the provision of non-accession and position of the Executive Council; the claims of princely States were disregarded[251] and the proposals could lead to the formation of Pakistan. The CWC reaffirmed these decisions on April 11, 1942[252]. Maulana Azad remarked that "the main purpose of the Cripps mission should be the settlement of political issues like the communal question, and the question of the States should not be relevant at that stage, for such matters should be settled by Indians themselves"[253].

The Muslim League rejected the plan on April 11, 1942[254], because Pakistan was not conceded equivocally and the right of Muslims' self-determination was denied, and there was no clear indication of two constituent assemblies - one for the Muslim majority provinces and the other for Hindu majority provinces. In fact, the proposals attempted to please every section of India but ended in pleasing none. As a result, Cripps flew back to England on April 12, 1942[255], leaving the impression

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248. Robert E. Sherwood, n. 194, p. 52.

249. Ibid.

250. V.P. Menon, n. 3, pp. 130 and 136.

251. Home Poll., File No. 49/8/1943, containing the book by C. Rajagopalachari, The Way Out, NAI.

252. I.A. Sherwani, n. 127, pp. 60-62.

253. The Statesman (Calcutta), April 30, 1942.

254. See Appendix VII : Resolution of the Muslim League Working Committee on the Draft Declaration, April 11, 1942.

255. D.C. Gupta, n. 121, p. 212; See also B. Shiva Rao, n. 215, p. 435. "On April 12, 1942" Cripps wired Churchill "There is no hope of agreement and I shall start home on Sunday", Stanley Wolpert, n.79, p. 202.

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that the Government actually did not want to extend any power to the Indians but meant only to pacify the international critics of British policy in India.

After the departure of the Cripps Mission, the political deadlock continued on communal problems and the Congress and the League came out blaming each other for the failure of the Cripps Mission. It was understood that Gandhiji had telephoned from Sevagram to the Congress leaders at Delhi to reject the proposals.[256] Maulana Azad, in a press statement, on April 11, 1942, said:[257]

> "It would be entirely untrue to suggest that the Working Committee's decision has in any way been influenced by Gandhi's views as he (Gandhi) made it clear to the Working Committee members that they were perfectly free to come to their own decisions on the merits of the proposals".

Rajagopalachari said:[258]

> "I can say authoritatively that Mahatmaji, who was absent from Delhi during the later stages was not responsible for anything that took place".

On June 16, 1942, Cripps in a press interview said:[259]

> "The assurance that the Congress Working Committee had accepted the proposals came through the press and other sources. Then further consultations took place in which, I understand, Mr. Gandhi was consulted and after some further delay, the Congress turned down the proposals".

Gandhiji, replying to Cripps's statement on June 28, 1942, said to the representative of the United Press of London:[260]

> "The delebrations, therefore, of the Working Committee at New Delhi, were carried on without any interference or guidance on my part. Therefore, the negotiations had nothing to do at any stage with the question of non-violence".

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256. Louis Fischer, The Life of Mahatma Gandhi (London: Jonathan Cape, 1957), p. 388; see also Alexander Horace, India Since Cripps (New York: Penguin Books, 1944), p. 20.

257. M. Subrahmanyam, Why Cripps Failed? (New Delhi: The Hindustan Times Press, 1943), p. 41; see also AICC File No. 55/1940, pp. 30-40, NMML.

258. M. Subrahmanyam, Ibid., pp. 41-42.

259. Home Poll. File No. 49/8/1943, n. 247, p. 9.

260. Harijan (Ahmedabad), June 28, 1942, Vol. IX, p. 208.

Nehru said: "No question of violence or non-violence arose in our talks ... We rejected the proposals purely on political grounds".[261]

In October, 1942, Cripps changed his view and said:[262]

> "I do not believe that Gandhi who was not present when the decision was taken was personally responsible for the rejection of the Government's proposal".

Opinion About the Mission

Gandhiji wrote that the negotiations failed due to differences with Cripps as to what powers the British Government wanted to part with during the war.[263] Nehru said that on the question of transfer of power the British Government was "determined to hold on to what it had. Behind them stood the imposing figure of Mr. Winston Churchill".[264] Dr. Rajendra Prasad commented that the tongue was that of Cripps, the language was that of Amery and no group in India was prepared to accept the Proposals in April, 1942, dressed in a different way".[265] Moonje said that the Proposals encouraged Jinnah to stick to a position that rapprochement was impossible without acceptance of Pakistan.[266] Mudaliar said that the purpose of the Mission was to convince the Labour Government that a constitutional settlement was impossible by the Indians.[267] Majumdar stated that Churchill stopped the negotiations between Cripps and the Congress.[268] Louis Fischer, the American journalist, wrote that Cripps was not allowed to make good his assurance about the National Government.[269] Harold Laski ascribed that some of the Cripps' colleagues

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261. S. Gopal (ed.), Selected Works of Jawaharlal Nehru (New Delhi: Orient Longmans, 1976), Vol.12, p. 243.
262. Home Poll., File No. 49/8/1943, containing clipping of Manchester Guardian, dated October 24, 1942, NAI.
263. Harijan (Ahmedabad), May 24, 1942, Vol. IX, p. 161.
264. Jawaharlal Nehru, n. 9, p. 464.
265. The Tribune (Lahore), April 19, 1942.
266. AICC File No. 65/1942, Press Statement, February 2, 1943, Moonje Papers, NMML.
267. Home Poll. File No. 727, Sr. No. 16, Jayakar Papers, NAI.
268. S.K. Majumdar, Jinnah and Gandhi (Calcutta: K.I. Mukhopadhaya, 1966), pp. 186-87.
269. Home Poll., File No. 37/16/1942, NAI. See also Ram Manohar Lohia, Mystery of Sir Stafford Cripps (Bombay: Padma Publications, 1942), p. 9.

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were jealous and afraid of his success.[270] The nationalist press opined that Cripps Mission was an unsuccessful drama to befool the world.[271] The Statesman wrote that Cripps was not strong enough to do his drafting and he succumbed to the influence of New Delhi.[272] However, the Mission recognised India's right of self-determination and independence, a Dominion Status and framing of their own constitution. It gave shape to the fancy of Pakistan and a new enthusiasm to the Muslim League to achieve their goal. Hodson rightly observes: "This was a hole in the dyke which Mr. Jinnah was determined to widen".[273]

Rajaji's Acceptance of Pakistan

After the departure of the Cripps Mission, Gandhiji became, in the summer of 1942, a great advocate of mass action to drive the British out of the Indian subcontinent, while the danger of Japanese attack on Calcutta was increasing as on April 6, Cocanada and Vizagapatam were already bombed by the Japanese and their warships were cruising in the Bay of Bengal. In view of all the disarray of political parties and war likely to be fought between Great Britain and Japan, Rajagopalachari (better known Rajaji) thought that the root of all these catastrophe and disaster was the Congress-League differences on the question of demand for Pakistan by the League. This issue had also created great disturbance and distrust among the Muslims and Hindus and riots were occurring. Rajaji thought that if the League demand was accepted, the Congress-League conflict would end and pave the way for establishment of a unity and a solid front against the British. He believed that Congress-League combined strength alone would make the country independent from foreign yoke, whether Great Britain or the Japs. As Nehru stated, India was in a "helpless and inert, bitter and sullen" condition,[274] the Madras Congress Legislature Party met on April 23, 1942, and recommended to the All-India Congress to "acknowledge the Muslim League's claim

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270. Dawn (Delhi), September 24, 1944.

271. Home Poll., 18/5/1942, Fortnightly Report of the First Half of May, 1942.

272. The Tribune (Lahore), April 13, 1942 (The Editorial commented on the news item which appeared in the Statesman).

273. H.V. Hodson, The Great Divide (London: Hutchinson and Co., 1969), p.105.

274. See for full details The Civil and Military Gazette, Lahore, April 25, 1942; see also I.A. Sherwani, n. 127, p. 65.

for separation[275]". Rajaji moved the resolution at the AICC met at Allahabad, on May 2, 1942, but it was rejected - 15 members voting for, and 120 members against[276] it. Pandit Jagat Narayan's resolution, disagreeing Rajaji's proposal, was adopted (92 members voting and 17 against[277] it). Gandhiji's view was that the "question of majority and minority is a creation of the British Government and would disappear on their withdrawal[278]".

Rajaji, disappointed at having lost his Pakistan resolution at Allahabad, campaigned in favour of the demand for Pakistan by the League and, in June, met several times with Jinnah to obtain a measure of Congress-League unity, but failed, and Jinnah, on June 22, 1942, said that Pakistan demand was "immutable" and warned again that if the Government surrendered to the Congress in any matter detrimental to Muslim interests[279] serious consequences would follow.

Quit India Movement

Gandhiji and Nehru had divergent views on the question of launching a direct resistance against the Government. Gandhiji suggested non-violent non-cooperation against the Japanese if they controlled India and demand of British withdrawal from India.Nehru and Azad were not convinced as to how Gandhiji would be able to drive Japanese. Gandhi-Nehru differences developed to the extent that Gandhiji asked Nehru and Azad "to resign from the Congress Working Committee if they were too sure of the efficacy of their stand[280]", but Patel intervened and the crisis was averted. T . The Wardha CWC held on July 14, 1942, adopted that the Congress proposal was "not only in the interest of India but also that of Britain and of the cause of freedom to which the United Nations proclaim their adherence[281]". The Wardha resolution also stated that if the Government did not heed to the Congress proposal, Gandhiji would be authorised to launch a

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275. The Indian Annual Register, January-June, 1942, pp. 294-95; see I.A. Sherwani, n. 127, p. 66.
276. Ibid.
277. The Civil and Military Gazette,(Lahore),May 3, 1942.
278. S.C. Bose, The Indian Struggle, 1920-1942 (Works of Subhas Chandra Bose; compiled by the Netaji Research Bureau, Calcutta); (New York: Asia Publishing House, 1964), pp. 443-44.
279. D.C. Gupta, n. 121, p. 221.
280. A.K. Azad, n. 86, p. 76.
281. D.C. Gupta, n. 121, p. 223.

non-violent and wide-spread struggle.[282] The resolution was to be ratified by the AICC on August 7, 1942, at Bombay.[283] Soon, the Viceroy, Lord Linlithgow, in New Delhi, ordered arrest of Gandhiji, Nehru and principal members of the CWC. However, the authorities in London and Washington anxiously began to wait the conclusions of the CWC on August 7. The CWC at Bombay on August 8, 1942, endorsed the 14th July resolution and resolved "in the event of continued British recalcitrance, to start "a mass struggle on non-violent lines" under the leadership of Gandhiji, if the British and the United Nations failed to respond to the call of reason and justice for an honourable settlement, and that "only after all attempts to bring about an agreement were frustrated by the British and Gandhiji gave the sanction".[284]

Churchill and Linlithgow had already planned to crush the "mass struggle", better known as "Quit India Movement". In the morning Gandhiji, Nehru, Azad, Patel, Rajendra Prasad, Kripalani, Asaf Ali, Mrs. Sarojini Naidu and about 148 Congress leaders were arrested and this was followed with the imprisonment of the rank and file of Congressmen all over the country. Nehru observed: "For the first time since the great revolt of 1857, vast numbers of people rose to challenge by force (but a force without arms!) the fabric of British rule in India".[285] The Provincial Governments were given discretionary powers for proscribing the movement. By the end of 1942, police and army resorted to firing 538 times, as a result 40 persons were killed, 1,630 injured, 26,000 convicted and 18,000 detained under the DIR. The Government collected Rs.25,000,000 as fines.[286]

Reactions to the Movement

There were a number of parties, organizations and eminent persons, who opposed the Quit India Movement, most probably due to its timing when the British Government was likely to fall. T.B. Sapru, the Liberal

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282. Ibid.

283. AICC, Indian National Congress, March, 1940 - September, 1946 (Allahabad: 1947), pp. 120-24; also see B. Pattabhi Sitaramayya, n. 129, Vol. II, pp. 340-42.

284. See for details AICC Resolution of August 8, 1942; also see Coril Henry Philips (ed.), The Evolution of India and Pakistan, 1858 to 1947 : Selected Documents (New York: Oxford University Press, 1962), p. 342.

285. D.C. Gupta, n. 121, p. 229.

286. B. Pattabhi Sitaramayya, n. 129, Vol. II, pp. 374-78.

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leaders called the Wardha resolution "ill-considered" and "ill-opportune"[287] and urged a concerted effort for setelement of internal conflict. Ambedkar, the leader of the Depressed Classes, described the Civil Disobedience Movement as "irresponsible and insane"[288] and wished that Gandhiji and Jinnah should both better quit politics. Savarkar, the spokesman of the Hindu Mahasabha, appealed to all Hindus not to lend any support "to the Congress move"[289]. The Sikhs, loyal to the Government, remained aloof from the Movement and decried it[290]. The British Labour Party leader, Clement Attlee, then Deputy Prime Minister, issued a statement on August 12, making "an earnest appeal to the Indian people" that the Movement would endanger "not merely Indian freedom but the freedom of the whole world"[291], whereas the United States expressed belief that "the establishment of a free India in the post-War world is secure and is not endangered by any possibility of evasion or procrastination by the British Government"[292]. In the United States, eminent authors like Pearl Buck and Lin Yu Tang, and publicmen like Wedell Wilkie[293] and Henry A. Wallace[294] "espoused the cause of dependent India"[295]. The newspapers like The New York Herald, Tribune, Washington Post, Washington Star, Washington Time Herald, Baltimore Sun, Christian Science Monitor held the Congress Party responsible for the "ugly situation", "violent activities" and "lawlessness" in India, in strong terms[296].

The Muslim League Working Committee on August 20, 1942, "deplored the decision arrived at by the All-India Congress Committee on August 8, 1942, to launch an 'open rebellion' by resorting to mass civil disobedience movement in pursuance of their objective of establishing Congress-Hindu domination in India, which has resulted in lawlessness and

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287. D.C. Gupta, n. 121, p. 230.
288. Ibid.
289. B. Pattabhi Sitaramayya, n. 129, Vol. II, p. 466.
290. D.C. Gupta, n. 121, p. 230.
291. Ibid.
292. B. Pattabhi Sitaramayya, n. 129, Vol. II, pp. 411-12.
293. A rival of Roosevelt in the Presidential election in 1940.
294. Then Vice-President of America.
295. D.C. Gupta, n. 121, p. 231.
296. Ibid.

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considerable destruction of life and property[297]". The League charged that the Congress had launched the movement to force the Government to hand over power to a Hindu oligarchy and to "force the Mussalmans to submit and surrender to the Congress terms and dictation[298]".Therefore, the League called upon the Muslims "to abstain from any participation in the movement initiated by the Congress and continue to pursue their normal peaceful life[299]". Jinnah "appealed to the Hindu public to "stop this internecine civil war before it was too late[300]". Jinnah declared the Quit India Movement a "reckless and thoughtless act[301]" and an attempt to dominate the Congress over the Muslim League[302].

Only Chiang Kai-shek sent a "columinous" protest against arrest of the Congress leaders to Roosevelt, who sent it to Churchill. The British Premier resented the "intervention" of the Chinese Premier and advised him to "mind his own business[303]". By the end of 1942, the Movement came to an end.

CONCLUSION

The Muslim and Non-Muslim organizations stood poles apart and failed to settle their differences. Jinnah at the Lahore Session, 1940, resolved for partition of India. The nationalist Muslims opposed the resolution, while the Muslim League massively propagated the demand. The British officials focussed upon the dangers and the consequences of the partition. Differences between Gandhiji and Jinnah became quite unreconciliable. The former offered assistance in the War aims subject to immediate transfer of power to the Congress,while the latter offered assistance unconditionally and demanded transfer of power to Hindu India and Muslim India. Cripps Mission failed as it satisfied neither to the Congress nor to the Muslim League. Quit India Movement failed

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297. For details see Appendix VIII: Resolution of the All-India Muslim League from April, 1942, to May, 1943 (published by (Nawabzada) Liaquat Ali Khan (Delhi: All-India Muslim League), pp. 9-15.

298. Ibid.

299. Ibid.

300. B. Pattabhi Sitaramayya, n. 129, Vol. II, p. 462.

301. Home Poll. File No. 3/101/42, NAI

302. Ibid. See also Dawn (Delhi), January 3, 1942.

303. D.C. Gupta, n.121, p.231.

due to opposition mainly of the Muslim League. The foreign and Indian statesmen and papers opposed the idea of partition, but the Muslim League, conscious of the prospects of its being conceded ultimately not only by the British but by the Congress leadership also - Gandhiji's personal objections notwithstanding - stuck to its demand of homeland for Muslims.



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CHAPTER V

DEMAND FOR CREATION OF PAKISTAN
(1942-1944)

During the course of Quit India movement, Jinnah proclaimed a new slogan for the Muslim League, "Divide and Quit". Viceroy Lord Linlithgow, who was once on friendly terms with the Congressmen, turned more cooperative towards the Muslim League, which helped Jinnah in strengthening the League's position. The Viceroy advised Sikandar Hyat Khan and Fazl-ul-Haq not to undermine Jinnah's position as the leader of the Muslim League and made him a "Crescent Card to neutralise the Congress challenge"[2]. Linlithgow wrote to Amery on October 12, 1942[3]:

> "It was particularly important not to antagonise Mr.Jinnah at a time when Muslim League were in fact unofficially cooperating in the war effort ... Any reconstruction would tend to bring Congress into power".

Encouraged by the Government, Jinnah revitalized the Muslim League and claimed[4]:

> "The Muslim India was never so well organised, nor so alive and politically conscious as today. The League has established a flag and a platform displaying and demonstrating the complete unity of the entire body of the Muslims and has defined its goal".

By 1941, the total number of League's membership rose in Madras to 1,12,978, in Central Provinces, to 33,541 (1943); in Bengal 5,50,000 (1944) and in Sind 3,30,000 (1944). The League with its divisions, sub-divisions, city branches and wards, became a 'revolutionary' and 'mass movement'[5], with a vast allegiance of the Muslims. To educate

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1. M.V. Pylee, Constitutional Development in India (New Delhi: Asia Publishing House, 3rd edn., 1977), p. 126.
2. Durga Das, India from Curzon to Nehru and After (Calcutta: Rupa and Company, 1973), pp. 204-05.
3. Linlithgow Collection, Microfilm No. 11, Letter No. 17-H.E./42, from Linlithgow to Amery, dated October 12, 1942, p. 290, NAI.
4. Jamil-ud-Din Ahmad (ed.), Some Recent Speeches and Writings of Mr. Jinnah (Lahore: Ashraf, 1960), Vol.I, pp. 249-53; also see Z.H. Zaidi, 'Aspects of the Development of Muslim League Policy, 1937-47', in C.H. Philips and M.D. Wainwright, The Partition of India: Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), p. 267.
5. Z.H. Zaidi, n. 4, p. 268.

Muslim opinion in favour of the League, District and Provincial Conferences widely publicised its aims through newspapers and leaflets and the League leaders extensively toured the country. A separate department of information, publicity and propaganda was created to collect information about the existing newspapers in various languages. News agencies were classified as 'Sympathetic', 'Neutral' and 'Opposition'. A number of propagandists, preachers and speakers were trained and audience were classified as 'educated', 'literate', 'urban', 'rural', 'industrial', 'trade' and 'tribal' groups. The publicizers were grouped as 'organizers', 'workers', 'followers', 'inactive sympathizers', 'neutrals', 'inactive oppositionists' and 'hostiles'. Paid propagandists were appointed and whole time workers lived at party houses. A Committee of Writers produced Pakistan Literature Series and Home Study Series, besides suitable literature on social, political, educational and other matters. Tracts and brochures were issued by the Central Office, reading rooms and libraries were set up and services of professional musicians were acquired for reciting the songs. The propaganda machinery was backed by the official press. The Muslims produced a few Urdu papers and Morning News and Star of India in English, from Calcutta. With the help of Isphani, a business magnate, Jinnah turned the Dawn Weekly(Delhi) into a daily to support the League's cause.[6]

Jinnah organized Muslim National Guards and provided them with uniforms. The League's Secretary explained: "The uniform was intended to give them a uniformity of dress and only the preliminaries of the military formation parade were sought to be taught to facilitate the regulation of their movements".[7] The purpose of the Guards was "to create in them a spirit of service and sacrifice and to shape them into a disciplined body of enthusiastic selfless workers for the social,economic and political uplift of the masses.[8] The District Leagues had to recruit

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6. Ibid., pp. 245-75. For details, literature may be consulted at the Quaid-i-Azam Library, M.A.O. College Library and the Panjab Archives in Lahore; Quaid-i-Azam University Library, the Allama Iqbal Open University Library, and the Pakistan Archives in Islamabad; and the University Library, Hamdard Library, the Freedom Movement Archives, the Pakistan Historical Society Library, and the National Liaquat Ali Khan Library in Karachi and privately owned Library of Shamsul Hasan and K.K. Aziz in Karachi.

7. Z.H. Zaidi, n. 4, p. 269.

8. Ibid., p. 270.

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young men and "to teach them a code of morals, to engage them in beneficial activities like the spread of literacy and keep them attached to the League by providing for them healthy sports and games ... The national guards on different occasions performed 'excellent services'[9]...".

After 1941, Jinnah started his 'Second Five Year Plan', which laid increased emphasis on the educational, social and economic uplift of the Muslims[10]. The object of the Second Plan though covered 'Muslim India' in the British India, but actually all the efforts and resources were directed towards the proposed area of Pakistan, which was mainly agricultural but industrially backward and wherein the Muslims lagged behind their sister community. Jinnah encouraged Muslim businessmen to establish heavy industries, which would open new vistas for workers and labourers and new prospects of employment to educated youth[11]. On July 4, 1943, Jinnah, addressing the Baluchistan Muslim League Conference, said: "So long as a nation is weak economically, it cannot hope to win the battle of life[12]". At the ML Karachi Session in December, 1943, Jinnah appointed a Planning Committee consisting of technicians, economists, men of commerce and practical businessmen "to examine the condition of India, particularly of the 'Pakistan area', with a view to preparing the Muslim 'to participate in the national developments in the directions of commercial and agricultural expansion, and industrialization, and be ready for a gigantic and co-ordinated drive in the field of economic reconstruction, and in the post-war reconstruction[13]".

In 1943, Jinnah decided to establish a Federation of Muslim Chambers of Commerce, and Nurur Rehman, the Secretary of the Calcutta Muslim Chamber of Commerce, was appointed its Organising Secretary. The Federation was established in 1944. The Federation held its first meeting on April 24, 1945. Jinnah wrote to Isphani on May 6, 1945[14]:

> "I hope that you people realize the urgency and the importance of Muslim India making every effort to make up the leeway. What we want is selfless workers and deeds and not mere words and thoughts and speeches".

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9. Ibid.
10. Jamil-ud-Din Ahmad (ed.), n. 4, Vol. I, pp. 249-53.
11. Ibid., Vol. II, pp. 7, 17, 28-29.
12. Ibid., Vol. I, p. 522.
13. Z.H. Zaidi, n. 4, p. 270.
14. Ibid., p. 271.

Jinnah encouraged the creation of the Muslim Commercial Bank, which was incorporated in Calcutta in July, 1947, with an authorized capital of three crores of rupees, and launched the Muhammadi Steamship Company with the help of the Habibs. In 1946, Jinnah, backing a project of Orient Airways owned and operated by Muslims, purchased shares for Rs. 25,000, while fixing the value of the share as low as Rs.5/- for the poor Muslims.[15]

In 1944, an Education Committee was appointed for the preservation, fostering and promotion of Islamic traditions, culture and ideals and general well-being of the Muslims. The Committee appointed various other sub-committees, the primary and secondary education committee, the Women's Education Committee, the Teachers' Training Committee, the higher education committee, and the science education committee.

Jinnah took up the task of revitalisation and popularisation of the Muslim League after the 1937 elections, with full determination to establish a Muslim Homeland. If Calcutta was a business centre in the east, Karachi was also a well-developed town in the west. Jinnah had in his mind that Pakistan would cover Bengal and Assam in the east and Baluchistan, Sind, NWFP and Punjab in the west. It is not understood as to why Jinnah emphasised establishment of industries in the West rather than in the East while the number of League members were also more in the East. If the western region was barren without any distinct commercial development, the neighbouring areas of Calcutta were yet in a very miserable condition and the economic condition of the Muslims was poorer than that of the Muslims in the west. The measures like Planning Committee Steamship Company and Airways benefitted the West utmost. Jinnah viewed the West as a very strategic region being nearer to the Muslim countries of Iran and Arabs. He had gone with his plan of Pakistan to such an extent that he did not agree to any proposal for achieving independence without partition of India. He wanted his own rule with his own history.

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Congress Policy Towards the League

The League's constant demand for creation of Pakistan and growing gulf between the Congress and the League forced Gandhiji to change his

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15. Ibid.

policy towards the League. On June 15, 1940, he wrote: "There are only two parties - the Congress and those who side with the Congress, and the parties who do not"[16], to which Jinnah had replied that the Muslim League was the third party. Gandhiji also wrote on the same date: "It is an illusion created by ourselves that we must come to an agreement with all parties before we can make any progress"[17]. Soon after the departure of Cripps in April, 1942, Gandhiji realized that "attairment of independence is an impossibility till we have solved the Communal tangle"[18] and concluded that the communal problem would not be solved unless and until the British leave India. Therefore, he began to demand independence and transfer of power to the Congress, being a majority party, and afterwards the Congress would solve the communal problem, to which the League expressed its strong opposition - and this stalemate continued until 1947. Gandhiji, however, laid down his policy on the Indian unity without brooking over the idea of partitioning. He wrote[19]:

> "If the vast majority of Muslims regard themselves as a separate nation having nothing in common with the Hindus or others, no power on earth can compel them to think otherwise. And if they want to partition India on that basis, they must have the partition, unless Hindus want to fight against such a division. So far as I can see, such a preparation is silently going on, on behalf of both parties. That way lies suicide".

To maintain the Indian unity, A.K. Azad stated on August 2, 1942, that "he had no objection to British handing over power to the Muslim League or any other party"[20] as, he believed, no single party could function without the cooperation of other parties. He had not supported the League's demand in 1937. Gandhiji clarified it in his letter written to a Muslim businessman in Bombay a few hours before his arrest[21]:

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16. Sir Reginald Coupland, Report on the Constitutional Problem in India (Madras: Oxford University Press, 1944), Indian Politics, Part II, 1936-1942, p. 242.
17. Ibid.
18. Harijan (Ahmedabad), April 18, 1942; see also Sir Reginald Coupland, n. 16, p. 298.
19. Harijan, Ibid.
20. R.C. Majumdar, History of the Freedom Movement in India, Vol. I (Calcutta: Firma K.L. Mukhopadhyay, 1972), p. 695.
21. Sir Reginald Coupland, n. 16, p. 299.

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> "Provided the Muslim League co-operated fully with the Congress demand for immediate independence without the slightest reservation, subject of course to the proviso that independent India will permit the operations of the Allied armies in order to check Axis aggression and thus help both China and Russia, the Congress will have no objection to the British Government transferring all the power it to-day exercises to he Muslim League on behalf of the whole of India. And the Congress will not only not obstruct any government that the Muslim League may form on behalf of the people, but will even join the Government in running the machinery of the Free State".

A British politician has also quoted Mahatma Gandhi as telling him that if Britain did not wish to hand over India to the Congress it could "hand it over to (Mohammed Ali) Jinnah and the Muslim League"[22]. But if the Government had really agreed and Gandhiji persuaded the Congressmen to serve under Jinnah, it would have created a great mess. There was also the likelihood that Jinnah could form the Government on principles purely in the interest of the Muslims, then there would have been riots and Jinnah would have been forced to mend his ways. Nevertheless, there is no doubt that Gandhiji "wanted India to remain intact"[23]. Gandhiji is reported to have said[24]:

> "We must quit India forthwith and not bother about what happened afterwards. If we did not want to give charge to the Congress, we must hand it over to Jinnah and the Muslim League. On no account was Britain to divide India. It must be handed over intact. If Britain had no thoughts of self-interest, she should gain from India's freedom. Her trade with India would increase because there was so much goodwill towards her".

Rajagopalachari, in the absence of the Congress leaders in jail, renewed his plea for acceptance of Pakistan but neither the press nor Jinnah nor Ambedkar supported him. The Hindu Mahasabha disapproved the idea of Rajagopalachari, Azad and Gandhiji, and opposed the scheme of Pakistan as strongly as possible. Savarkar, in the annual meeting of the Hindu Mahasabha held in December, 1942, at Kannur, spoke in bitter and and provocative language: "The Moslems' duty was allegiance to the nation.

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22. B.K. Tiwari (from London), 'Let Jinnah Govern an Undivided India', Indian Express (New Delhi), June 11, 1985.
23. Ibid.
24. Ibid.

Their rights and responsibilities were the same as those of other minorities, and they would be similarly represented on a democratic basis at the Centre, But the 'outrageous and treacherous' demand for Pakistan would not be tolerated[25]". The outburst of Hindu Mahasabha gave a clarion call to the Muslim League and they became more conscious of their position and demanded more strongly the creation of Pakistan.

Civil Disobedience Movement

Gandhiji believed in the peaceful demonstration through non-violent means and an harmless instrument for pressurising the British to come to terms. Woodrow Wyatt met Gandhiji and the members of the parliamentary delegation. He observed that Gandhiji was not as rigid about non-violence as was conceived. Gandhiji once said to him that if it were god's will that there be a civil war, there would be one[26]. Wyatt asked that if there will be a civil war, would he tell the Congress to adopt non-violence when the Muslims won't and, thus, "they will sweep through India with fire and sword[27]". Gandhiji said slowly[28]:

> "Yes, I would certainly tell the Congress to adopt non-violence. But I wouldn't expect them to. What I would expect them to do is to take one eye for one eye and one tooth for one tooth. Not like the British who take one hundred eyes for one eye and one hundred teeth for one tooth".

In Bombay on August 8, 1942, as the AICC, demanding immediate end of British rule, resolved to sanction "a mass struggle on nonviolent lines[29] on the widest possible scale' under Gandhiji's leadership and the Congress President proposed to address appeals to President Roosevelt, Marshal Chiang Kai-shek and Maisky, Russian Ambassador in Britain, the Government, in the morning of 9th of August, arrested Gandhiji and the members of the CWC and, gradually, all the important leaders in the country. The League utilising this vacuum, demanded in a resolution at Bombay on August 20, condemning the Congress Civil Disobedience movement, that the Government should immediately guarantee "to the Muslims the right of

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25. Sir Reginald Coupland, n. 16, p. 304.
26. B.K. Tiwari, n. 22,
27. Indian Express (New Delhi), June 11, 1985.
28. Ibid.
29. M.A.H. Ispahani, 'Factors Leading to the Partition of British India', in C.H. Philips and M.D. Wainwright, n. 4, p. 342.

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self-determination" and a pledge that"they will abide by the verdict of a plebiscite of Musalmans and give effect to the Pakistan scheme"[30]. The Hindu Mahasabha also "formulated demands which did not differ markedly from those of the Congress, except that they were more militant in tone and more openly antagonistic to the Muslim League"[31]. The Hindu Mahasabha, however, set up a committee under Shyama Prasad Mookerjee "to make a final effort for an Indo-British settlement on honourable terms"[32], but all talks between Mookerjee and Jinnah failed. Besides the Hindu Mahasabha, the Muslim leaders on the Congress side and some amongst the Muslim League also realised the necessity of an honourable settlement at any cost. They seriously began to think that the dream of Pakistan would take shape causing perpetual drift and differences between the Congress and the League, the Hindustan and Pakistan, and the Hindus and the Muslims. One such leader anxious to bridge the gulf between the two parties, was Sir Sikander Hyat Khan, who had formulated a scheme[33] to solve the communal problem.

Distrust of Jinnah for Hindus

Jinnah visited Kashmir in 1935 and exhorted the Muslim majority to carry the minorities along with them, while Sheikh Abdullah, sided with the Congress and said good-by to communal politics. Ghulam Abbas, joined by Mirwaiz Yusuf Shah, revived the Muslim Conference and invited the well known Ittahad-ul-Mussalmeen leader of Hyderabad Bahadur Yar Jung to a session of the Conference in Srinagar, but when he was about to address the session, he was asked to leave Srinagar within 24 hours. Sheikh Abdullah's statements against the League created a wedge of misunderstanding between the National Conference and the League. Sheikh Abdullah along with Bakshi Ghulam Mohammad met Jinnah in Delhi at his Aurangzeb Road residence, and said, that Jammu and Kashmir was a "Muslim majority area and our view could only be that of a majority. On the contrary, Mr. Jinnah was the leader of a minority in the country which had to seek some protection and guarantees ... I told Jinnah that he had

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30. V.P. Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 143.

31. Ibid.

32. Ibid.

33. See Appendix I, n. 16, Chapter III.

every right to plead on behalf of the Muslims and to ask for safeguards"[34]. Sheikh Abdullah said that there were other factors like geographical contiguity, language, culture etc. necessary for a separate State and "if religion were the only factor for nationhood, India could then be divided and sub-divided into several entities"[35]. Jinnah replied:

> "I am like your father and have grown old in politics. It is my experience that Hindus can not be relied upon. They can never be your friends. For years I have tried to own them but have not succeeded. A time will come when you will repent and appreciate my viewpoint".

Jinnah also said:

> "How can you trust a people who refuse to take water from your hand. There is no place for you in their society".

Congress Politics to Throw the League

After the arrest of Gandhiji and other Congress leaders, there was a great hue and cry in the country that the Congress "meant to be fair and honest with the Muslims" and wanted "to give them the type of independence they were seeking" and, therefore, it was the responsibility of the Muslim League "to join hands with the Congress to gain independence for the peoples of the sub-continent"[37]. The Muslim League at the Bombay, August, 1942 session considered the serious situation. Ispahani and other League leaders were convinced that the League "should not let slip the opportunity to achieve freedom from the British for both Hindus and Muslims"[38], which could be plainly considered also to be in the interest of the League. But they failed to anticipate the aftermath, when the Congress leaders would come out from jail and struggle for power and dominate being in majority. It was Jinnah only who anticipated the Congress designs and called the Muslims to avoid both the Congress and British traps[39]. The cause for Jinnah's view were the two articles - one written by Gandhiji in the Harijan and the other a statement by Nehru

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34. The Hindustan Times, Sunday Magazine (New Delhi), May 25, 1986, p.4.
35. Ibid.
36. Ibid.
37. M.A.H. Ispahani, n. 29, p.346.
38. Ibid.
39. Ibid.

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which appeared in the Bombay Chronicle of August 23, 1942, which proved that "all the inspired talk which had filled the air with the blessings of the Congress leaders outside prison and influential big Hindu business-men had no meaning and was a clever trap to throw the Muslim League off balance and to involve it in trouble similar to that of Congress, a ship that had lost its rudder and was caught in a storm in mid-ocean"[40]. The Congress, later, tried to entrap the League with the formula of second-line leader, Rajaji.

Sir Sikander Hyat's Formula[41]

"His scheme provided that, in the absence of a 75 per cent majority of members of the Punjab Legislative Assembly in favour of either accession or non-accession to the Indian Federation, the Muslim community should be given an opportunity of deciding on non-accession by means of a referendum; if they so decided, the non-Muslim portions of the Punjab should, by a similar referendum, be accorded the right to cut themselves adrift from the province. If it actually came to the point where non-Muslims decided to break adrift, it would mean (assuming the unit concerned to be a district) that the Ambala division and a large part of the Jullundur division, and also the Amritsar district, would cease to belong to the Punjab"[42]. Thus, in either case dismemberment of the Punjab was indispensable. The Viceroy, however, dissuaded Sikaner Hyat Khan "from publishing or proceeding with his scheme"[43].

Sir Sikander had resigned from the Muslim League soon after the League conference on May 29, 1942, and in spite of persuation and request made by Chaudhry Khaliquzzaman on behalf of Jinnah did not withdraw his resignation. Sir Sikander did not like the idea of partition of Punjab but he was confident that the way the League was going on it would become inevitable. Khaliquzzaman and other members of the League were reluctant at the Lahore Resolution and wanted to get rid of it by accepting the Cripps proposal, but due to Jinnah's opposition to this approach, the Cripps proposal could not be accepted by the League, while the Congress had totally rejected it.

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40. Ibid., p. 347.
41. See Appendix I, n. 16, Chapter III.
42. V.P. Menon, n. 30, p. 144.
43. Ibid.

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On the one hand, Jinnah had chalked out a well planned scheme for creation of Pakistan, and, on the other, he sought every opportunity to capture seats in Provincial Legislative Assemblies to make the Congress as much ineffective as possible and to mobilise the British favour towards the League's demand. In Assam, Sir Mohammad Saadullah had reconstituted a League Ministry supported by the European members in December, 1941. In Bengal, Sir John Herbert, the Governor, caused the downfall of Fazl-ul-Haq's ministry[44] and Nazim-ud-din, supported by the European members, formed the League ministry on April 24, 1943. In Sind, Sir Hugh Dow, Governor, forced Premier Umar Allah Baksh, who was later murdered in May, 1943, to resign and Sir Ghulam Hidayatullah formed the League ministry. In NWFP, Aurangzeb Khan, with the tacit approval of the Governor, Sir George Cunningham, formed the League ministry after May, 1943. In Punjab, there was the Government of the Unionist Party[45] composed of Muslims, Hindus and Sikhs under the leadership of Sir Sikander Hyat Khan, who pressed Jinnah "to abandon the provocative catchword of Pakistan"[46]. After the death of Sir Sikander in late December, 1942, Jinnah dominated the Punjab politics because Sikander's successor, Khizar Hyat Khan could not check the increasing support of the Muslim members of the Indian Civil Service to the Muslim League. Thus, the death of Sikaner Hyat Khan and Umar Allah Baksh in quick succession left the field open for Jinnah in west India. In the east, Fazl-ul-Haq, who was "fickle and changed sides easily"[47], and fought against the growing intransigence of the Muslim intelligentsia, lost popularity and his support declined as a result the Governor removed him from office, after which his weakness became public and he could not come back to the political stage. The British supported Jinnah and his prestige rapidly increased. The outright rejection of the August Offer and the Cripps proposal by the Congress were taken seriously by the Government but the League's rejection was

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44. Fazl-ul-Haq had broken away from the Muslim League and formed an alliance with the Krishak Praja Party (a section of the Congress) and the Hindu Mahasabha.

45. Unionist Party was established by Sir Mian Fazl-i-Husain and Chaudhuru Chhotu Ram as a joint front against the Congress.

46. Linlithgow Papers, Microfilm No. 128, No. 15, Extract from Quarterly Report (February 1, 1941 to April 30, 1941), prepared by the Office of Secretary to Governor-General, NAI. See also Bhim Sen Sachar, Oral History Transcript, No. 181 and K.K. Gauba, Ibid., No. 76, NMML.

47. Humayun Kabir, Muslim Politics, 1942-7', in C.H. Philips and M.D. Wainwright, n. 4, p. 391.

treated formal rather than substantial. The British authorities decided to curb the power and influence of the Congress at any cost and to encourage the League with a view to making it a rival of the Congress on the all-India scene.[48] Though the British authorities made no secret of their pro-League tendency, they could not help the League to substantially improve its position due to political resurgence in the country. Firstly, the Congress leaders were in jail and, Jinnah, whose policy was mainly against the Congress, was fighting in the air and, thus, the League was loosing its impact. Secondly, with the passage of time, the Muslims, who once criticised the Congress policies, began to come into fold of the Congress remembering the progressive measures they had taken. Thirdly, life became more difficult than earlier due to unemployment and supply of goods from India to warring Allies; and fourthly, October cyclone and floods destroyed stocks on a large scale which resulted in 1943-44 famine claiming the lives of about two million people. All this happened during the course of the League's ministry. Obviously, the people hoped that it was the Government's responsibility to save the masses from such calamities. Jinnah's exhortations that it was owing to the Hindu machination did not carry much conviction as a result the League ministry in Bengal was thrown out in spite of having the Governor's support.[49]

The question of division of Punjab had become a very burning question during the second half of 1942. Raja Maheshwar Dayal Seth, Secretary, Hindu Mahasabha, met Khaliquzzaman in the early October, 1942, and proposed to form a coalition when the Congress leaders were behind the bars, provided that Muslim League could agree on the partition of Punjab. The Raja said that he had met with Nawabzada Liaquat Ali Khan and he was agreed to leave the Ambala Division and if he (Khaliquzzaman) could agree to leave the Jullundur Division, there would be no problem to divide the country into India and Pakistan according to the Lahore Resolution. Khaliquzzaman replied that the Raja wanted to dismember the country. Khaliquzzaman wrote to Jinnah that the population of the Muslims in Punjab and Bengal was much more than the Hindus and there was no fear from the general elections as the Muslims had very much emancipated during the last five years (1937-1942). Khaliquzzaman pointed out that

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48. Ibid.
49. Ibid., p. 393.

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in case of rormation of a Muslim ministry in Bengal, the League would have the benefit of having Calcutta and the coal and iron mines from Calcutta to Bihar, but in case of partition, at the most the Sylhet Division would be obtained, but Calcutta and the mines would go off their hands. And if Punjab would be divided, India would get a way to Kashmir. Thus, the boundry, which was to be marked along the River Yamuna would shrink up to that of Lahore. Further, the Muslims and other minorities in U.P., Bihar, C.P., Bombay and Madras, would be like a bird in the net, which would be very disastrous for the Muslims of U.P. and Bihar. Therefore, Khaliquzzaman appealed to Jinnah not to accept a small Pakistan, which though he might get easily, but would sacrifice the life of crores of Muslims in India.

At the League Working Committee in November 8, 1942, in Delhi, Khaliquzzaman voiced his views against the partition of Punjab. Meanwhile, Husain Imam spoke that if the Ambala Division would be separated from the proposed boundary of Pakistan, there would be no harm. Khaliquzzaman, who had to accept the partition of Punjab and Bengal with a heavy heart, replied that on certain principles of partition, the Jullunder Division will also have to be separated there being non-Muslim majority. Jinnah said that he had "no idea of giving up of our claim"[50] for the division Punjab. The Congress was declared unlawful and the Hindu Mahasabha was the only party with which the League could negotiate for any settlement.

In December, 1942, the Muslim League resolved that Muslims were entitled to homelands in North-West and North-East of India where they were in majority.

Gandhiji's Fast

The Government accused the Congressmen for being mad after power and held them responsible for violence and bloodshed as the Bombay AICC session had expressed doubt that Jinnah might form the National Government, and that had much agitated the Hindus and the riots broke out. Gandhiji, on September 23, 1942, wrote to the Viceroy refuting the charges. The Viceroy suppressed the letter and violence and agitation continued. Gandhiji resented and wanted to be allowed to clear his position or to be tried in a court of law, but the Government wanted to release Gandhiji

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50. Ch. Khaliquzzaman, Pathway to Pakistan (Lahore: Longmans Green & Co., Ltd., 1961), p. 288.

only after he had withdrawn the Quit India Movement. Gandhiji replied:[51]

> "My answer is that the Government goaded the people to the point of madness. They started leonine violence ... on a scale so gigantic that it displaces the Mosaic law of tooth for tooth by that of ten thousand for one ... If then I cannot get soothing balm for my pain, I must resort to the law prescribed for Satyagrahis, namely, a fast according to capacity".

In jail Gandhiji had realised that the Civil Disobedience Movement was launched when time was not yet ripe and people were not properly trained. Gandhiji, in protest against the conduct of the Viceroy and also for self-purification sent notice to the Viceroy that he would begin his fast on February 9, continuing for 21 days, which actually started on February 10, 1943. The Government in New Delhi and London took it as a threat and pressure and an act to embarrass them in case of his death. Therefore, instead of persuading Gandhiji, the Government prepared for his cremation.[52] After 9-10 days, his condition very much deteriorated. On February 19, a conference of about 150 leaders of all parties (except Congress and Muslim League) was held in Delhi. The conference urged the Viceroy to release Gandhiji immediately, but Churchill and Linlithgow remained unmoved. Rajagopalachari and others saw him in jail and succeeded in getting the fast ended on March 3, 1943. Gandhiji's 21 day fast impressed the people about his "extraordinary strength and supernatural powers"[53]. However, Gandhiji still remained in jail and attitude of Gandhiji and the Government remained unchanged. The Congress leaders urged the Government to release Gandhiji and expressed hope that he would do his best to solve the "internal deadlock"[54]. The Viceroy pointed out that "the essential preliminary to such a government was that measure of agreement between parties, communities and interests which he had been so anxious to foster, but to which the excessive claims and the totalitarian ambitions of the Congress and its leaders had been so consistent an obstacle"[55]. The Muslim League applauded the

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51. Correspondence with Mr. Gandhi, August, 1942 - April, 1944 (New Delhi: Government of India, 1944), pp. 7-9.
52. A.K. Azad, India Wins Freedom: An Autobiographical Narrative (Bombay: Orient Longmans, 1959), p. 91.
53. D.C. Gupta, Indian National Movement (Delhi: Vikas, 1970), pp.234-35.
54. Ibid., p. 235.
55. V.P. Menon, n. 30, p. 148.

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decision of the Viceroy[56]. Rajagopalachari remarked that the Viceroy's reply was "revealing the Versailles spirit wishing to humiliate the Congress and others and was influenced by passion and prejudice[57]".

During the period of war, the breach between the Congress and the Government was skillfully exploited by the shrewd politician, Jinnah, for "consolidation of the Muslim Ieage in the Muslim majority provinces[58]", which he practised since the very outbreak of the War[59]. This assumption finds ground as Jinnah, in February, 1940, had asked Linlithgow for the Governor's support to teach "a salutary lesson to the Congress[60]" by forming a Ieague ministry in the NWFP, when the Congress ministry had resigned a few months earlier.

The Muslim League at its annual session held in Delhi on April 24, 1943, claimed that all the Muslim majority provinces (Assam, Sind,Bengal and NWFP and Punjab), which the League claimed for Pakistan, were then under the control of the League ministries due to fall of the Congress ministries and resignations tendered by three prominent Congressmen. Jinnah presented the demand for Pakistan in a forceful manner and in appreciable words. He reiterated his earlier contention that the Congress had not changed its policy and its suggestions for settlement contained the same ideas with change of words which meant to establish Congress rule, that is, Hindu Raj, which the League could never accept. He said that he would be happy if Gandhiji would like settlement on the basis of creation of Pakistan, for which he was ready. He complained that Gandhiji was writing letters to Lord Wavell but not to him directly, for which nobody was creating hindrence to him. Jinnah also said that there was no use of going to the Viceroy or sending deputation to him or writing to him. Jinnah saw no difference between political mentality of Gandhiji and the Congress and the Hindu leadership[61]. Jinnah proclaimed[62]:

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56. Ibid.
57. Ibid.
58. Hugh Tinker, Experiment with Freedom: India and Pakistan, 1947 (London: Oxford University Press, 1967), p. 30.
59. B.R. Nanda, 'Nehru, the Indian National Congress and the Partition of India, 1935-47', in C.H. Philips and M.D. Wainwright, n.4,p.173.
60. V.P. Menon, n. 30, p. 78.
61. Ch. Khaliq-uz-Zaman, n. 50, p. 310.
62. Matlubul Hasan, Saiyid, Mohammad Ali Jinnah: A Political Study (Lahore: Muhammad Ashraf, 1953, Ist edn.; 1945), p. 790.

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> "I say to the Hindus - and the Britishers know it better than anybody else - that the quickest way for the freedom of the peoples, both Hindus and Muslims, is Pakistan. It may come in my life-time or not, you will remember these words of mine. I say this with no ill-will or offence. Some nations have killed millions of each. That is not permanent. An enemy of today is a friend of tomorrow. That is life. That is history".

Jinnah further examined the various suggestions put forward by various organizations and individuals, analysed their various implications and concluded how they failed to meet the Muslim demand. Referring to the Phoenix-like rise and regeneration of Muslim India from the very ashes of its ruination after the destruction during the 18th and the 19th centuries, Jinnah said that the rise of the Muslim League and demand for Pakistan amounted to a 'miracle'.

The session regretted the Government's failure to guarantee Muslims' self-determination, warned the Government that the imposition of any kind of federal constitution would be forcibly resisted, and exhorted Muslims"to face the effort and sacrifice required to reach the cherished goal of Pakistan"[63]. On May 22, Sapru and a few Liberal leaders urged the Viceroy to appoint an impartial tribunal to investigate into the charges levelled against the Congress, but their appeal was rejected. On July 24, a non-Party conference appealed both to the government and Gandhiji to close the "present dismal chapter of strife and ill-feeling in the country"[64].

In February and April, 1943, William Philips, Roosevelt's Personal Representative, was not allowed to see Gandhiji and the CWC members in jail to break the impasse between the Congress and the government. He wrote to Roosevelt that it might "affect our conduct of the war in this part of the world, and our future relations with the coloured races"[65]. In early May, Philips met Churchill in Washington; the latter, on the question of constitutional development in India, became hot and blue and warned it "was only Britain's "business" and no American "interference" would be tolerated"[66].

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63. V.P. Menon, n. 30, p. 148.
64. D.C. Gupta, n. 53, p. 235.
65. Ibid.
66. Ibid.

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War Situation

London was fully absorned in the Second World War. In late January, the Allies entered into Tripoli (Libya). In May, the Axis Powers were driven out from Africa. On September 3, Italy surrendered and Mussolini was dismissed from Premiership. In Russia, German troops were pushed back 400 miles westward from Stalingrad. In the Far East, by November, New Guinea and Gilbert Islands were got vacated by the Japanese. There was no sign of end of the war. Rome and France were still under occupation of Germans and Hitler was still talking of world conquest. Japan still occupied a vast empire in Asia and the Pacific.

Congress August, 1943 Proposal

The political deadlock continued and Rajaji, to resolve it, continued to propagate for the acceptance of Pakistan. B. Siva Rao[67] opines that Rajagopalachari's suggestion was worthy of consideration[68]. The resolution passed in Bombay on August 8, 1943, as well as correspondence between Azad, Nehru and Abdul Latif, shows that the Congress and the AICC, whatever might be their attitude in the past, agreed to make the following concessions to the League[69]:

"(a) For the interim period, provided the British agree to the formation of a real National Government, the task for forming such a Government may be entrusted to Mr. Jinnah;

(b) In regard to the permanent constitution, the Congress is prepared to accept the largest measure of autonomy being conceded to the federating units and residuary powers vested in them. If, however, a territorial unit is not satisfied with the basic structure of the new constitution, and desires secession, the federation will not resort to coercion".

The proposal did not satisfy the League. On February 10, 1944, Philips[70] wrote to President Roosevelt in Washington[71]:

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67. Correspondent in Delhi from 1935 of The Hindu and The Manchester Guardian. Brother of the late Sir Benegal Rau had close contacts with Indian nationalist leaders.

68. B. Shiva Rao, 'India, 1935-47', in C.H. Philips and M.D.Wainwright, n. 4, p. 456.

69. Ibid., p. 458.

70. William Philips was Roosevelt's Special envoy in succession to Johnson.

71. B. Shiva Rao, n. 68, p. 458.

"The impression is widespread among Indians that the British Government is determined to preserve the status quo in spite of the promises given with regard to post-war independence and general assurances contained in the Atlantic Charter".

Arrival of Field-Marshal Viscount Sir Archibald Wavell

Wavell's selection for the Vicerolity of India came as a surprise to Lord Linlithgow. Amery, in the House of Commons, announced that his appointment "does not imply any change in the settled policy to which his Majesty's Government were pledged with regard to the development of Indian self-government[72]". On October 20, 1943, Lord Wavell took over charge of the Viceroyship of India from Lord Linlithgow. Wavell was the C-in-C of India before his appointment as Viceroy and had taken a prominent part in the negotiations between different parties and the Government during the Cripps Mission in India.

On August 2, 1943, Linlithgow had said that the Indian political parties were responsible for the constitutional deadlock and advised: "If there is to be any progress, Indian publicmen should, without delay, start to get together and to clear the way for it[73]". He did not refer to Jinnah's allegation made four months earlier that the British "were not willing to part with power[74]" and Azad's statement that "the National Government be placed in the hands of the Muslim League, and the Congress would extend full cooperation to such a government[75]". Lord Wavell was mindful that just after the War, the Indian people would demand transfer of power. This period was economically very disastrous and politically difficult. Before assuming charge, Lord Wavell's speeches revealed that he was keenly interested to resolve the Indian deadlock.

Amery's Policy Towards India

Amery, the Secretary of State for India, answering to a question by Sorenson, a Labour Member, on the floor of the House of Commons on October 28, 1943, said that the Congress had "embarked upon a policy of

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72. V.P. Menon, n. 30, p. 153.
73. D.C. Gupta, n. 53, p. 238.
74. Ibid.
75. Ibid.

irresponsible sabotage of the war effort" and, hence, no negotiations could be undertaken with the Congress leaders.[76] Amery also warned Wavell to be sufficiently careful in dealing with the Congress for constitutional advancement and that he should not "go beyond the Cripps proposals during the war".[77] With such instructions from home, Wavell was quite unable to rectify, as he stated, "mistakes" and "blunders" committed in the past. Therefore, he declared that Cripps offer still remained open, which neither satisfied the Congress, nor the League nor any non-party member and, consequently, the political deadlock continued to find roots in the communal differences. By that time, the League leaders had realized that they had committed a mistake by rejecting the Cripps proposal, but it is astonishing that Jinnah rejected the same proposal when reiterated by Lord Wavell. Had the Cripps proposal been accepted and the League agreeing to the Congress August, 1943 resolution, had cooperated with the Congress, it was quite possible that the history of India might be different. But, during the year 1943, Jinnah's position had become very much consolidated and he was quite sure of getting a Muslim homeland under his own leadership. He saw in the horizon the star of his fate making him the Father of the Nation of Pakistan.

Reaction to Amery's Policy

Lord Wavell anticipated that after the Allies victory in sight it would be difficult to deny or delay the transfer of power. Therefore, he hastened to prepare conditions for it, but communal settlement between the Congress and the League seemed impossible. The AIML Karachi session held on December 24-26, 1943, established an "Action Committee" and "Parliamentary Board".[78] The Committee and the Board were to supervise the working of the League in the State Assemblies and "to organise the Muslims all over India to resist the imposition of a unitary constitution and to prepare for the coming struggle for the achievement of Pakistan".[79] On

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76. B. Pattabhi Sitaramayya, History of the Indian National Congress (Delhi: S. Chand and Company, 1969), Vol. II, p. 558.

77. D.C. Gupta, n. 53, p. 239.

78. See Ch. Khaliq-uz-Zaman, n. 50, p. 311. Khaliq-uz-Zaman had proposed for the formation of a 'Supervision Committee', but on the advice of Jinnah, the Committee of Action and the Parliamentary Board were established.

79. V.P. Menon, n. 30, p. 153.

the other hand, the Hindu Mahasabha in a meeting in Amritsar demanded "the preservation of the integrity of India, the introduction of federation with a strong Centre, and the refusal to any province, community, or section, of the right to secede"[80].

Wavell's Declaration of United India

On February 13, 1944, Lord Wavell delivered his first important speech addressing the joint session of the Central Legislature. The important point in the speech was the emphasis on "united country enjoying complete and unqualified self-government as a willing partner of the British Commonwealth"[81]. He laid the responsibility of delaying the transfer of power on the Indians for not agreeing as to "how the two great communities and certain other important minorities, as well as the Indian States, should live within that unit and make the best use of its wealth and opportunities"[82].

Jinnah criticising Wavell's emphasis on 'United India' accused him of "fishing in Congress waters"[83]. Further, the Congress and the Liberals also condemned Wavell's refusal to release the Congress leaders. However, Sir Tej Bahadur Sapru agreed that formation of a national government at the Centre would need a whole-hearted support of the political parties, which was not forthcoming[84].

Release of Gandhiji

Shortly before the death of Kasturba Gandhi on February 22, 1944, Gandhiji had written a letter to Lord Wavell refuting the charges against him. He wrote[85]:

> "Promises for the future are valueless in the fact of the world struggle in which the fortune of all nations and therefore of the whole of humanity is involved. Present performance is the peremptory need of the moment if the war is to end in world peace ... Therefore a real war effort must mean satisfaction of India's demand. "Quit India" only gives vidid expression to that demand, and has not the sinister and poisonous meaning attributed to it without warrant by the Government of India".

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80. Ibid.
81. Ibid., p. 154.
82. Ibid.
83. Ibid.
84. Ibid., p. 159.
85. Ibid., p. 155.

Lord Wavell replied expressing sympathy with Gandhiji and also enclosed a copy of his statement made in the central legislature. Wavell complained that the Congress policy was "to hindering and not forwarding India's progress to self-government and development"[86] and hoped the Congress to abandon the policy of non-cooperation and join with the other political parties and the British for economic and political progress of India "not by any dramatic or spectacular stroke, but by hard steady work towards the goal ahead"[87]. Meanwhile, the Congress and the League, being dissatisfied by the Viceroy's address, made a common cause in the Central Legislative Assembly and the Government was defeated in a series of important divisions, in particular, the Finance Bill was thrown out. Further, the Liberal leaders continued their efforts to resolve the impasse. A Non-Party Conference held at Lucknow recognised the frustration caused by the "immobility of the Government" and authorised Sapru to prepare a memorandum for submission to the Viceroy. The memorandum pointed out that out of 18 advisers, only three were Indians and the Governors were acting in their discretion, and demanded the coalition ministries or ministries representing all the important elements in the legislature should be established in those provinces where Governor's autocratic rule is manifest. The Viceroy was of the view that though the British Government wanted India to progress towards self-government, but he did not know as to how His Majesty's Government or the Governor-General could help to produce a 'national government'. In his view, drastic constitutional change was impossible during wartime and that a body should be formed to suggest a scheme for political settlement and the means of a changeover after the war, to which Sapru agreed but said that such a body formed by the government without support or backing of political parties will have no effect on the people's mind. Wavell agreed to Sapru's views but did not agree to setting up provincial executive councils with hostile legislatures. While these negotiations were afoot, the Congress was demanding in resolutions for the release of Gandhiji to help in arriving at a permanent settlement between the Congress and the League. In the middle of April, 1944, Gandhiji suffered an attack of malaria and there were apprehensions of his dudden collapse.Therefore, the Government found it a favourable time to release Gandhiji for two purposes; firstly, to help in constitutional settlement[88], and secondly,

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86. Ibid.
87. Ibid., p. 156.
88. Ibid., p. 159.

for his recovery. Gandhiji, along with a few CWC members, was released on May 6, 1944, "solely on medical grounds"[89], and 'Quit India Movement' came to an end.

Gandhiji's release had no effect on the war situation, because the German divisions were destroyed in the Ukraine (USSR) in the spring of 1944, and German resistance was cracking in Crimea. In the Indian Ocean, the Allies forces were advancing to reconquer Burma and the Japanese were starving in Assam. On the other fronts in Africa, the German forces were being defeated. In this circumstance, when the British were foreseeing their victory, there was no need of having any help through releasing Gandhiji. However, it may be said that Great Britain released Gandhiji for maintaining internal peace in India and, if required, to have a favourable condition for recruiting more sepoys from India. The Congress and the Hindu Press had realised that the Nazi and Fascist forces in the West and Japanese in the East would soon come to terms and were afraid of severe action against them by the British as they had not cooperated with them in their war aims. Therefore, to minimize the severity of the impact of the Quit India Movement, which had caused riots and destruction they had begum to call it as a mere civil disobedience movement. Such statements were given by many a prominent Congressmen.

The release of Gandhiji cannot be looked at as a British plan to get assistance for winning the war. Had it been so the British Government would have released all the Congress leaders from jail ensuring their favour for this aim. The Government did not release the Congress leaders and even did not allow Gandhiji to interview them in order to discuss a fresh approach.

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Gelder's Interview of Gandhiji

A British journalist, Stewart Gelder[90], interviewed Gandhiji on July 9, and it was published[91] without Gandhiji's permission. In the interview, Gandhiji had said that he had no intention to hinder the Allied war efforts and offer civil disobedience. He wanted "a national Government

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89. D.C. Gupta, n. 53, p. 242.
90. Correspondent of the News Chronicle (London).
91. The Times of India (New Delhi), July 11, 1944.

in full control of civil administration"(Viceroy and C-in-C to have complete control of military operations), and to "advise the Congress to participate in such a government if formed"[92]. He wished it to be composed of persons chosen by the elected members of the Central Assembly. The ordinance rule would give place to normal administration in the presence of the Viceroy, who would be like the King of England, guided by responsible ministers, and popular government to be restored in all the provinces. He suggested that the Viceroy and the C-in-C would have complete control over the military operations, subject to advice and criticism from the national Government. Gandhiji aimed that the portfolio of defence should remain in the hand of the Indians, and had no objection to the Allied forces carrying on their operations on Indian soil, however, the expenses of the operations would be borne by Great Britain and not by India. The interview could serve one of the two purposes of Gandhiji, that is, either the Viceroy had to allow Gandhiji to see the Congress leaders in jail or he was to be granted interview with the Viceroy.

The Viceroy replied that he would be glad to consider Gandhiji's any constructive suggestion. On July 27, 1944, Gandhiji wrote to Wavell[93]:

> "I am prepared to advise the Working Committee to declare that ... mass civil disobedience envisaged by the resolution of August, 1942, cannot be offered and that full co-operation in war efforts should be given by the Congress if a declaration of immediate Indian independence is made and a national government responsible to the Central Assembly be formed subject to the proviso that during the pendency of the war, the military operations should continue as at present, but without involving any financial burden on India".

On July 28, the House of Commons noticed that Gandhiji's demand for immediate independence did not ensure the safeguarding of the constitutional position for minority elements and that this demand was not different from those putforth two years ago by the Congress President to Cripps in April, 1942, upon which the negotiations between the Congress and the Government had ceased. The Viceroy also made it clear that the "British offer to India of unqualified freedom after the war

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92. V.P. Menon, n. 30, p. 160.

93. D.G. Tendulkar, Mahatma, Vol. Six (Delhi: The Publication Division, Ministry of Information and Broadcasting, Government of India, June, 1962), p. 263. See also V.P. Menon, n.30, pp. 166-67.

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had been made conditional upon the framing of a constitution agreed to by the main elements of India's national life"[94] and the "object of these conditions was to ensure the fulfilment of their duty to safeguard the interests of the racial and religious minorities and of the Depressed Classes, and their treaty obligations to the Indian States"[95]. He also said that the constitution could not be altered during the period of the war and if the "leaders of the Hindus, the Muslims, and the important minorities were willing to co-operate in a transitional government established and working within the present constitution, I believe good progress might be made"[96]. The Viceroy opined this although he knew that it was not possible. He laid down the following measures for transfer of power[97]:

> "For such a transitional government to succeed, there must, before it is formed, be agreement in principle between Hindus and Muslims and all important elements as to the method by which the new constitution should be framed. This agreement is a matter for Indians themselves. Until Indian leaders have come closer together than they are now, I doubt if myself can do anything to help. Let me remind you too that the minority problems are not easy. They are real and can be solved only by mutual compromise and tolerance".

Wavell announcement, undoubtedly, was a clear plan for prolonging the British rule in India or, at least, until the war was over, as the communal tangle was not likely to be solved in near future. Gandhiji characterised the Viceroy as a conjurer and concluded: "It is as clear as crustal that the British Government do not propose to give up the power they possess over the 400 millions, unless the latter develop strength enough to wrest it for them. I shall never lose hope that India will do so by purely moral means"[98]. Thus, the negotiations between Gandhiji and Wavell closed and the former, after rebuff from the Government, helplessly turned towards Jinnah for a communal settlement and the latter awaited the outcome of their talks.

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94. V.P. Menon, n. 30, p. 161.
95. Sir Francis Low (ed.), The Indian Year-Book, 1947 (Bombay: Bennett, Coleman & Co. Ltd.), pp. 879-80.
96. Ibid.
97. Ibid.
98. D.G. Tendulkar, n. 93, p. 265.

Rajagopalachari's Formula

Rajaji, who openly proclaimed for acceptance of Pakistan, believed that only through Congress-League unity, independence could be achieved and peace could be maintained in future. With this view, Rajaji put forward a set of proposals, which he had discussed with Gandhiji in March, 1943,[99] and even before[100] in jail in February, and the latter had expressed his full approval of them.[101] In view of Government's refusal to relax any restrictions or to discuss or negotiate terms of any settlement with the Congress, Rajaji wrote to Jinnah on April 8, 1944, enclosing the draft formula on behalf of Gandhiji hoping that it would bring about a final settlement of the impasse. The proposals were publicised on July 10, 1944. Gandhiji on September 24, 1944, stated: "When he presented the formula at the Aga Khan Palace, I did not take even five minutes and said 'Yes' because I see in it concrete shape".[102]

The formula embodied the following six clauses,[103] which formed the basis for terms of settlement between the Indian National Congress and the All-India Muslim League, to which Gandhiji agreed and M.A. Jinnah was requested to agree:

"(1) Subject to the terms set out below as regards the constitution for free India, the Muslim League endorses the Indian demand for independence and will co-operate with the Congress in the formation of a provisional interim Government for the transitional period.

(2) After the termination of the war, a commission shall be appointed for demarcating contiguous districts in the north-west and east of India, wherein the Muslim population is in absolute majority. In the areas thus demarcated, a plebiscite of all the inhabitants, held on the basis of adult franchise or other practicable franchise, shall ultimately decide the issue of separation from Hindustan. If the majority decides in favour of the formation of a sovereign SState separate from Hindustan, such decisions shall be given effect to, without prejudice to the right of the districts on the border to choose to join either State.

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99. AICC File 6/1947, NMML. See also I.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), p. 44.

100. Bombay Chronicle (Bombay), October 31, 1942, Home Poll. File No.3/21/42, containing clipping of the paper, NAI.

101. B.N. Pandey, The Indian National Movement, 1885-1947: Select Documents (Delhi etc.: Macmillan, 1979), p. 144.

102. Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi: Sterling Publishers Pvt.Ltd., 1984), p. 51.

103. Gandhi-Jinnah Talks (New Delhi: The Hindustan Times, 1944), p. 36; see also N.N. Mitra (ed.), The Indian Annual Register (Calcutta: Annual Register Office, 1930-1947), 1944, Vol.II, pp. 129-30; see also Sir Francis Low (ed.), n. 95, pp. 871-72.

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(3) It will be open to all parties to advocate their points of view before the plebiscite is held.

(4) In the event of separation, a mutual agreement shall be entered into for safeguarding defence, commerce and communications and other essential purposes.

(5) Any transfer of population shall only be an absolutely voluntary basis.

(6) These terms shall be binding only in case of transfer by Britain of full power and responsibility for the governance of India".

As the proposal contained recognition of principles of partition of the country and, indirectly, creation of Pakistan, Jinnah took interest and observed that Gandhiji at last accepted the principle of Pakistan and only how and when this should be carried out remained to be settled.[104] He said also that the words "endorses the Indian demand for independence" (clause 1) implied that the Muslim League was against independence and in this sense was a cause of insinuation to the Muslim League.[105] Further, it gave the Congress a superior position and made the League a subordinate body.[106] He raised the question as to who would appoint the commission (clause 2), what would be its personnel and power and who would enforce its findings. He ridiculed the "contiguous districts" while the Lahore session had recommended "geographical contiguous units" where the Muslims were in majority. Jinnah also questioned as to who would safeguard the defence, commerce and communication in case of separation as there was no indication of the form, character and personnel of the provisional Government.[107] The most objectionable was clause 6, which, according to Jinnah, meant that all steps for partition would remain on paper pending transfer of power to the Congress by the British Government.[108] Further, independence to British India was also objected to by him and many League leaders as they held that independence for them meant liberation not only from foreign yoke but also from Hindu Raj. Therefore, Jinnah rejected the Rajagopalachari's formula saying "it offered a shadow and a husk, a maimed, mutilated and moth eaten Pakistan that torpedoed the Muslim League Resolution of 1940".[109]

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104. Dawn (Delhi), July 31, 1944.
105. Ibid.
106. Ibid.
107. Ibid. See also Gandhi-Jinnah Talks, n. 103, p. 5.
108. Khaliq-uz-Zaman, n. 50, p. 317.
109. Sandhya Chaudhri, n.102, p. 109; see also Dawn (Delhi), July 31, 1944; see also D.G.Tendulkar, n. 93, pp. 267-69.

Rajaji, being perturned having no response from Jinnah, wrote a letter followed by a telegram on June 30, 1944, asking whether the proposal had been accepted or rejected by the League. Jinnah did not consider Rajaji as a responsible representative capable of carrying out its acceptance by the Congress. Hence, earlier he did not reply and ignored it, but on receipt of the telegram, he replied on July 2, 1944, expressing surprise as to why Rajaji had presumed that the proposal had been rejected and that he would place the formula before the League, if it was offered by Gandhiji. Rajaji had earlier written and wrote again that it was conceded by Gandhiji and if he (Jinnah) could not approve of it, there was no sense in placing it before the League Working Committee. As Jinnah did not reply to it, Rajaji telegraphed him that the negotiations should be treated as closed and that he would release the correspondence. The release of the correspondence exchanged between Rajaji and Jinnah, though caused a great sensation and evoked very strong reaction from the Hindu Mahasabha, the Sikhs, and the Liberals, including V.S. Srinivasa Sastri, but it could not affect Jinnah's mind.

The MI Working Committee met at Lahore on July 29, 1944, to consider the offer of Rajaji-Gandhi formula. On July 30, Jinnah delivered a long historic speech at the meeting of the League Council. He discussed the formula clause by clause. His main observation was that neither Gandhiji nor Rajaji was authorised by the Congress to commence the negotiations on the formula with him. He said that the Lahore Resolution did not mention plebiscite of any type and, hence, declared the idea of a district-wise plebiscite as simply absurd. He said that the formula "was not conceived to lead to fruitful results, or a solution or settlement of the problem pertaining to the destiny of a nation of 100 millions of Muslims and their posterity"[110]. Evidently, Jinnah did not conceive Pakistan only in the east and the west for the Muslims there, but he talked about the problems of the Muslims living throughout the length and breadth of India. Jinnah maintained this contention until partition and left the Muslims of other parts of India to fight for their right and safety themselves after the creation of Pakistan.

Jinnah criticised the hasty release of the proposals, which, in his opinion, was deliberately done to put him down in the eyes of the

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110. Dr. J.J. Pal, Jinnah and the Creation of Pakistan (Delhi: Sidhuram Publications, 1983), p. 87.

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public in India and abroad. He did not find any harm if Gandhiji had communicated the proposals to him so that he could have placed the same before the ML Working Committee. As Gandhiji and Rajagopalachari had not consulted Jinnah regarding the proposals, he "interpreted them as pure and simple dictation without a sincere desire to negotiate".[111] He asked whether Gandhiji was associating with the proposals as a dictator of the Congress or in his personal capacity.[112] The whole argument of Jinnah was in the finest tradition of a brilliant lawyer who was the least concerned about the secular concept of an Indian nation and was keen to use it to further the basic goal of achieving Pakistan as a pre-condition of Indian independence.

If we take a close view on the proposal, we find: firstly, that the plebiscite was to be held after the power was transferred to the Congress majority government in the Centre and the League being in minority would have been powerless. Therefore, in the elections or referendum there was every likelihood that the Congress might use undue influence and power as had been experienced during the Congress ministries earlier. Secondly, we find that League's position was becoming weak due to internal differences with Fazlul Haq and Khizar Hyat Khan, as a result of which Jinnah's prestige was suffering a set-back and the League was loosing ground. But when Rajagopalachari sent the proposal, Jinnah, a clever lawyer, found therein a way to rise on the political horizon as the sole and single guiding torch of the Muslim League. Representing himself as the only benefactor of the Muslims, raised many questions to publicise his popularity and the important role of the League being played for the cause of the Muslims. The League made it a point for rejoicing throughout the country that the Congress Patriarch after all inclined to concede its demand. Thirdly, the League began to warn the Muslims that they should strengthen their unity as the Congress was laying trap after trap for them. Such type of proclamations made the position of Jinnah very strong.

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Critical Analysis

Abdul Halim Ghaznavi, MIA (Central) and President, National Mohammadan Association, said that the proposals were the shrewdest stroke

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111. Dawn (Delhi), July 31, 1944.

112. Ibid.

of policy, differed from the League's demand and aimed to destroy the League's scheme.[113] Jamil-ud-Din Ahmad opined that the motive of the formula was to put Jinnah and the Mussalmans of India in the wrong and bypass the League's demand for Pakistan.[114] Roshan Jaman Khan, President, District Muslim League, Gonda, said that the formula meant enslavement of Muslims through their cooperation with the Congress.[115] The Dawn characterized the formula a "Booby trap" to force the League to accept what the Congress offered after the British had been eliminated from the scene. The paper observed that like the Cripps' proposals, the formula also did not accept the principle of self-determination demanded by the Muslim League. Cripps "proposed a plebiscite province to province" and the formula suggested "plebiscite district by district".[116]

The Spectator commented that Jinnah "did not find it attractive as the whole formula "rests on the air as it talks of independence during war which will not be granted by the British".[117] Moonje, Jayakar and George S. Arundala opposed the formula as it surrendered to the League's claim of vivisection of India. Sir Chiman Lal Stalved, N.N. Sarkar, Sir P.S. Sivaswami, Sastry, Sir Homi Mehta and Sir Sultan Chenoy proclaimed that the division of India into two sovereign states without a Central control of subjects of vital issues and having separate armed forces was "fraught with dire consequences for the future and will imperil the very independence of the country ... Such partition will, instead of solving the problem of minorities, accentuate it and will not be in the interest of Muslims themselves".[118] The Sikhs, on August 20, 1944, opposed the formula because the Sikhs were to be divided into two sections to be held in perpetual bondage, and as Master Tara Singh said the divisions would put 17 districts in Pakistan and 12 districts in Hindustan.[119] The Tribune wrote that Jinnah had been treading the path leading "not to the heaven of peace and prosperity but to the jungles of civil strife and rancour".[120] Lord Wavell opined that the "Formula is a try out" and

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113. Dawn (Delhi), August 1, 1944; also see of July 12 and 13, 1944.
114. Ibid., July 13, 1944.
115. Ibid., July 23, 1944.
116. Ibid., July 12 and 30, 1944.
117. Spectator (London), July 13, 1944.
118. Virendra, Pakistan : A Myth or a Reality (Lahore: Minerva Book Shop, 1946), pp. 109-10.
119. The Tribune (Lahore), August 21, 1944.
120. Ibid., July 12, 1944.

Gandhiji aimed to "assess the strength of the Hindu feelings against Pakistan"[121]. Amery viewed the formula conditional to transfer of power by the British and partial because it did not include the whole of Punjab, Bengal and Assam[122], and believed that Gandhiji meant humiliation of Jinnah and his removal from all-India politics. However, the formula formed the basis for Gandhi-Jinnah talks.

Gandhi-Jinnah Talks

Gandhiji saw in the League's demand for Pakistan increasing pace of communal strife and, hence, desired on May 4, 1943, to have a face-to face talk with Jinnah[123]. He immediately blessed the Rajagopalachari's formula with an aim to take the wind out of the League's sails as he believed that Jinnah's demand for separation was merely a slogan. But he was disappointed by Jinnah's two-nation theory. Gandhiji did not agree to the creation of a Central Government, but he desired a Board of Representatives of both the States to solve the matters of common concern. According to Pyarelal this was not only to form part of the federal constitution but was to be brought into being by a treaty between the two states.

The ideological background and distrust between Gandhiji and Jinnah stood in the way of commencement of their talks. Unfortunately, the Congress and the League could not create a congenial atmosphere and sincere desire for 'give and take'. According to the Congress viewpoint, Rajaji's formula was to be implemented after transfer of power while the League wanted the settlement under the aegis of the British so that the Muslims might not be left at the mercy of the Hindus, who could forget all the commitments and agreements. This was the main difference which remained and Gandhi-Jinnah talks could not solve this issue.

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121. Nicholas Mansergh (Editor-in-Chief) and E.W.R. Lumby (ed.), Constitutional Relations Between Britain and India : The Transfer of Power (11 Vols.), Vol. IV: The Bengal Famine and the New Viceroyalty, 15 June - 31 August, 1944 (London: Her Majesty's Stationery Office, 1973), p. 1085.

122. Ibid., p. 1101.

123. The Tribune (Lahore), May 19, 1944. Also see Gandhi-Jinnah Talks, n. 103, p. 69. "It was a striking contrast to the high and mighty attitude displayed by Nehru in rejecting Jinnah's offer of coalition ministry in 1937", R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 712.

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As Gandhiji failed to reconcile with the Viceroy, he had written from Panchgani to Jinnah at Srinagar on July 17, 1944, expressing desire to meet him for talks on the question of Pakistan. He wrote: "Do not regard me as an enemy of Islam or of Indian Muslims. I have always been a servant and friend to you and to mankind. Do not disappoint me"[124]. Jinnah replied that he would be glad to receive him at his house in Bombay. The MI Working Committee met in Lahore on July 30, and fully authorised Jinnah to negotiate with Gandhiji. Jinnah having the pleasure of Gandhiji' acceptance of the principle of partition, dismissed Rajagopalachari's formula, as offering "a shadow and a husk, a maimed, mutilated and moth-eaten Pakistan".

Gandhiji and Jinnah met almost daily from September 9 to 27, 1944,[125] and had 14 sittings and initiated their talks on the basis of Rajagopala-chari's formula. On September 10, Jinnah wrote that he was doubtful about the representative character of Gandhiji, which was very shocking to the Congressmen as such objection was not raised even by the British Government, and which conduct was contrary to the content of the telegram to Rajaji, in which Jinnah had said that if Gandhiji would send his proposal directly to him, he would place it before the MI Working Committee[126]. Gandhiji assured that he would be able to get his agreement with him, if any, ratified by the AICC. Gandhiji laid down on September 11, the following conditions[127], to which the League was required to agree before taking up the question of Pakistan:

"(1) The immediate grant of independence to India as one single unit;

(2) The immediate formation of a provisional interim government responsible to the existing central assembly or a newly elected one (naturally with a 75 per cent Hindu majority);

(3) The provisional government to frame the constitution of India or to set up an authority to frame the constitution after withdrawal of British power;

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124. V.P. Menon, n. 30, p. 163.

125. Jinnah wrote that August 19 would be a suitable date for their meeting, but he fell ill. The matter was promptly conveyed to Sevagram and later September 9, was fixed for the first meeting. The matter of discussion was brought in writing for clarification and record. See I.A. Sherwani, n. 99, p. 83.

126. Ch. Khaliquz Zaman, n. 50, p. 316.

127. M.A.H. Ispahani, 'Factors Leading to the Partition of India', in C.H. Philips and M.D. Wainwright, n.4, p. 347.

(4) This government to draft the treaty and agreements as regards administration of matters of common concern such as foreign affairs, defence, communications, customs, commerce and the like which would be matters for efficient and satisfactory administration under a central authority;

(5) the provisional government to set up a commission to demarcate continuous districts having an absolute Muslim majority. After all these conditions had been complied with, the demarcated areas would be permitted to decide through a plebiscite of all their inhabitants whether they wished to form a separate state. But in any case all matters of vital importance were to be administered by a central authority with a Hindu majority.

Gandhiji called this scheme a partition or division between brothers, but Jinnah, who demanded sovereign Pakistan, declared: "This is not independence. It is a form of provincial autonomy subject always in the most vital matters to an overwhelmingly Hindu federal authority"[128].

Rajaji's formula also came under discussion. Clause 6 was not acceptable to Jinnah, as according to it the power was to be transferred to a Hindu Raj and the coming into existence of Pakistan had to depend on the mercy of Hindustan. Jinnah said that Rajaji had presented the Lahore resolution in the formula in a distorted way. Gandhiji said that he had given it a shape and life. The discussion continued up to September 15. Later, Gandhiji raised the question of Jinnah's two-nation theory and said that there was no indication of it in the Lahore resolution. Therefore, Gandhiji abandon the Rajaji formula and to find a solution in the light of the Lahore Resolution put forward his own formula.

Gandhiji's Proposals

On September 24, 1944, Gandhiji wrote to Jinnah[129]:-

"Differing from you on the general basis, I can yet recommend to the Congress and the country the acceptance of the claim for separation contained in the Muslim League Resolution of Lahore, 1940, on my basis and on the following terms:-

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128. Jinnah-Gandhi Talks (Central Office of the All-India Muslim League, 1944), p. 76.

129. M. Gwyer and A. Appadorai, Speeches and Documents of the Indian Constitution, 1921-1947 (London: Oxford University Press, 1957), Vol. II, pp. 549-50.

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"(a) The areas should be demarcated by a commission approved by the Congress and the League. The wishes of the inhabitants of the areas demarcated should be ascertained through the votes of the adult population of the areas or through some equivalent method.

(b) If the vote is in favour of separation, it shall be agreed that these areas shall form a separate State as soon as possible after India is free from foreign domination and can, therefore, be constituted into two sovereign independent States.

(c) There shall be a Treaty of Separation which should also provide for the efficient and satisfactory administration of Foreign Affairs, Defence, Internal Communications, Customs, Commerce and the like, which must necessarily continue to be matters of common interest between the contracting parties.

(d) The Treaty shall also contain terms for safeguarding the rights of minorities in the two States".

Jinnah rejected Gandhiji's proposal on September 25, as being 'fundamentally opposed to the Lahore Resolution'. Jinnah said:[130]

> "It is impossible to maintain that either of them satisfies any of the essentials embodied in the Lahore Resolution ... These terms are a veritable trap and a slough of death".

Gandhiji requested Jinnah to refer the matter to the League's Council instead of rejecting it at his own and to allow him to address the League's Council, but Jinnah did not agree as some prominent leaders were opposed to the move of Pakistan and wanted a settlement with the Congress. Jinnah insisted for acceptance by the Congress of the following principles:[131]

(1) The Muslims should be recognised as a nation with an inherent right of self-determination;

(2) Pakistan should comprise six provinces, that is, Sindh, Baluchistan, the NWFP, Punjab, Bengal and Assam, subject only to minor territorial adjustments;

(3) Important matters like foreign affairs, defence, internal communications, customs and commerce should not be delegated to the Central Government.

Jinnah's first demand could not be conceded by the Congress because it ran counter to its creed, could give Pakistan a right to interfere

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130. Dawn (Delhi), October 5, 1944.

131. M. Gwyer and A. Appadorai, n. 128, Vol. II, pp. 550-51.

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in the affairs of India, could undermine the basis of India's existence and could encourage the other groups and communities to emulate the Muslim League.

The second demand was unjustified and the Congress was determined that if Jinnah will have Pakistan it should not include those districts of Assam and Bengal and of Punjab which were predominantly non-Muslim. Jinnah's demand for inclusion of Punjab, Bengal and Assam in the boundaries of Pakistan was quite unjustified, because the Muslim majority in Punjab and Bengal was marginal and in Assam it was non-existent. "Jinnah did not see why non-Muslim populations in these provinces should have a voice in determining their own fate; if there was to be a plebiscite or referendum, it was to be confined to Muslims"[132].

As the Lahore Resolution of the Muslim League had admitted the necessity of "territorial readjustments" and the non-Muslim majority districts of Assam, Bengal and Punjab had strong feeling against their inclusion within Pakistan, the Congress was in a bargaining position vis-a-vis the Muslim League. After the breakdown of the talks with Jinnah, whom Gandhiji had started addressing as 'Qaid-e-Azam' (the great leader), Gandhiji proclaimed[133]:

> "Where there is an obvious Muslim majority they should have the fullest right to constitute themselves into a separate state. But if it means utterly independent sovereignty, so that there is nothing common between the two, I hold it to be an impossible proposition. Then it means a fight to the knife".

Gandhiji's threat to use knife against the Muslims had a very dangerous repercussion on the Hindu masses and they rose against the Muslims and riots broke out while the country was already in flame. On the other hand, the British Government only enjoyed the scene and were delighted in seeing the two major communities destroying each other and blaming the other for the killing.

With regard to the third demand of Jinnah - the total separation of Pakistan from the rest of India and the elimination of a common centre in any form, the Congress had gone a long way in opposing it. As Jinnah

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132. B.R. Nanda, n. 59, p. 174.

133. Jinnah-Gandhi Talks, n. 128, p. 61.

pressed the Congress to first accept complete partition and then to make agreements on Foreign Affairs etc., the Congress leaders felt no need to make further material concession in order to meet Jinnah's third demand. The Congress cherished the dream of a united India since its very existence, and its acceptance of the partition was the destruction of its dreams and the failure of its struggle. However, there was a universal desire outside the League circle for the unity of India.[134] Thus, if the partition of India was repugnant to the Hindus as they worshipped the map of India, it was also repugnant to those Muslims who did not like the vivisection of their community. Further, the League's demand for Pakistan had encouraged the forces of communal, cultural, linguistic and political separatism for there was also demand of separate homeland for the Sikhs (Khalistan) and Dravidians (Dravidistan) and creation of linguistic provinces, such as, Andhra and Maharashtra, and even the Princes were dreaming of independence. The Congress saw that the establishment of Pakistan would cause disintegration of India.

Further, notwithstanding the Lahore resolution, which envisaged two independent sovereign states with no connexion between them, except probably by treaty, Jinnah demanded only one Pakistan with two wings and he did not agree to the plebiscite and demanded self-determination as a nation the League being the only authority representing the Muslims and the Muslim nation. Gandhiji's argument that India was a big family and it was better if the Hindus and the Muslims of the north-west and the east could settle their problem amicably was instantly objected to by Jinnah, who replied:[135]

> "It seems to me that you are labouring under some misconception of the real meaning of the word, "Self-determination". Apart from the inconsistencies and contradictions of the various positions that you have adopted in the course of our correspondence, as indicated above, can you not appreciate our point of view that we claim the right of self-determination as a nation and not as a territorial unit, and that we are entitled to exercise our inherent right as a Muslim nation, which is our birth-right? Whereas you are labouring

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134. M. Gwyer and A. Appadorai, n. 128, p. 577.

135. Gandhi-Jinnah Talks: Text of Correspondence and Other Relevant Matters, n. 103, p. 121; also see M.K. Gandhi, To the Protagonists of Pakistan (ed. by Anand T. Hingorani), (Karachi: Anand T. Hingorani, 1947), pp. 126-27.

> under the wrong idea that "Self-determination" means only that of "a territorial unit", which, by the way, is neither demarcated nor defined yet, and there is no union or federal constitution of India in being, functioning as a sovereign Central government. Our is a case of division and carving out two independent sovereign States by way of settlement between two major nations, Hindus and Muslims, and not of severance or secession from any existing union, which is non est in India. The right of self-determination, which we claim, postulates that we are a nation, and as such it would be self-determination of the Muslims, and they alone are entitled to exercise that right".

Gandhiji stated that all the talks and correspondence seemed "to run in parallel lines and never touch one another". He said: "The breakdown is only so called. It is an adjournment sine die"[136]. Jinnah said: "We trust that this is not the final end of our efforts"[137].

Gandhiji wrote to Jinnah on September 26, 1944[138]:

> "I cannot accept the Lahore Resolution as you want me to, especially when it seeks to introduce in its interpretation theories and claims which I cannot hope to induce India to accept".

In the meanwhile, Jinnah's attitude hardened because he had received message from Feroz Khan Noon that Amery was thinking to grant 40 per cent representation each to the Hindus and the Muslims and 20 per cent to other communities at the Centre. The talk made crystal clear that Congress-League cooperation was not possible at all as the Congress, on the one hand, did not agree to yield to the League's demand for Pakistan, and, the League members, though in minority, were not prepared to live as second-class citizens on the mercy of the Hindu Raj and that for maintenance of their respect, dignity, rights, religion and culture, they were determined to fight to the last breath for creation of Pakistan, a Muslim homeland, under the leadership of Jinnah, while the very eztremism of the Muslim League annoyed and alienated many moderate groups and parties and made them closer to the Congress[139]. Despite this, a very sizable population of Muslims in India were swept with a revolutionary

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136. V.P. Menon, n. 30, p. 166.

137. Ibid.

138. Gandhi-Jinnah Talks, n. 103; Letter from Gandhi to Jinnah, September 6, 1944, p. 34.

139. S.R. Mehrotra, 'The Congress and the Partition of India', in C.H. Philips and M.D. Wainwright, n. 4, p. 217.

spirit created by speeches of Jinnah and they were almost mad after him. Having such a strong background, Jinnah on October 8, 1944, proclaimed:[140]

> "There is only one realistic way of resolving Hindu-Muslim differences. This is to divide India in two sovereign parts, Pakistan and Hindustan".

Jinnah, expressing friendly understanding with the Congress, told a London newspaper correspondent that "Pakistan would resist any aggression on India by a foreign power".[141]

Opinions on Gandhi-Jinnah Talks

Gandhiji's recognition of Jinnah as the only leader of the Muslims and his negotiations for settlement only with him made the Muslim League an important political organization and gave to Jinnah the highest rank of Muslim leadership. As a result all those, who were earlier vacilating in their loyalty, began to support Jinnah and placed him on a footing of virtual equality with Gandhiji.[142] Maulana Azad, the then Congress President, reluctantly commented: "I think Gandhiji's approach to Jinnah on this occasion was a great political blunder. It gave new and added importance to Jinnah which he later exploited to the full".[143] Sapru supported the stand taken by Gandhiji. B.I. Mitter, Advocate General of India, commented: "Jinnah played the part of Hitler and demanded acceptance of Lahore Resolution with no interpretation of it".[144] The Hindu-Mahasabha criticised Gandhiji's offer to Jinnah as it strengthened Jinnah's position. The Sikhs considered the Gandhiji's offer as a sword of Damocles hanging over their heads.[145] Humayun Kabir looked upon the offer as a Himalayan blunder.[146] Azad said it gave added importance to Jinnah.[147]

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140. D.C. Gupta, n. 53, p. 245.
141. B. Shiva Rao, n. 68, p. 465.
142. Michael Brecher, Nehru - A Political Biography (London: Oxford University Press, 1959), p. 294.
143. Maulana Abul Kalam Azad, n. 52, p. 93.
144. Jayakar Papers, File No. 727, letter No. 292, from B.I. Mitter to M.R. Jayakar, dated September 29, 1944, NAI.
145. The Tribune (Lahore), October 2, 1944.
146. Humayun Kabir, n. 47, p. 394.
147. A.K. Azad, n. 52, p. 109.

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Yugantar supported Gandhiji's stand[148] and Amrit Bazar Patrika criticised the ever increasing demands of the Muslim League. The Tribune and The Times of India commented that both Gandhiji and Jinnah were responsible for the failure of the talks. The Bombay Chronicle criticised uncooperative attitude of Jinnah[149]. However, it provoked the Hindu and Sikh minorities in Punjab and the Hindus in Bengal. The most bitter criticism came from the Hindu Mahasabha. Savarkar asserted that "the Indian provinces were not the private properties of Gandhiji and Rajaji so that they could make a gift of them to anyone they liked"[150].

Liaqat Ali Khan said that Gandhiji's offer was "a fraud calculated to thwart and frustrate the Muslim demand of Pakistan"[151]. Chaudhri Ghulam Abbas charged Gandhiji for his persistance in the spirit of Savarkar. As the majority of the Muslim league were in favour of compromise with Gandhiji, Jinnah was afraid of loosing their support, while the League position in Punjab, NWFP and Bengal was not sufficiently strong. Jinnah, however, rejected the Gandhiji's terms of plebiscite, which ensured deprivation to Pakistan of eleven districts in Punjab and twelve districts in Bengal including Amritsar and Calcutta[152].

Lord Wavell concluded that the talks failed as Gandhiji and Jinnah differed completely as to the nature and scope of Pakistan[153]. Bertrand Glancy, the Governor of Punjab, stated that claim for Pakistan was not a viable proposition[154]. Sir H. Twyman, the Governor of U.P. and Berar, said that the talks meant to trap Jinnah into an exhibition of unreasonableness. Gandhiji and Jinnah were poles apart[155]. However, undoubtedly, it proves extraordinary wisdom of Jinnah, who saw in the darkness of cloudy political strife a clear light of second silver spoon of poison administered by Gandhiji to kill the League. Jinnah saved the Muslim

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148. Home Poll. 18/10/1944, Press Reports, NAI
149. Ibid.
150. R.C. Majumdar, n. 123, p. 713.
151. Dawn (Delhi), October 31, 1944.
152. Nicholas Mansergh, Vol. IV, n. 121, p. 1085.
153. Ibid., Vol. V, pp. 63 and 75.
154. Ibid., Vol. IV, p. 1223.
155. Robert Payne, The Life and Death of Mahatma Gandhi (London: The Bodley Head, 1969), pp. 551-52; also see H.S.L. Polak, H.N. Braisfora and Pethick-Lawrence, Mahatma Gabdhi (London: Odhams Press Ltd., 1949), p. 257.

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league first from the acceptance of Rajaji's formula and second time from agreeing to Gandhiji's terms. Both the formula and the talk meant establishment of Congress rule after Independence and then a decision about the creation of Pakistan.

The talks had a great reaction on the public mind and they were keenly awaiting the practical outcome. The Congressmen had disapproved of Gandhiji's move but very few of them were in a position to criticize Gandhiji. On the other side, the Muslim Leaguers were jubilant as they had, at last, succeeded in making the Congress accept Jinnah as an equal to Gandhiji. B. Shiva Rao, a correspondent of The Hindu and The Manchester Guardian, and brother of Sir Benegal Rau, who had close contacts with the Indian nationalist leaders, wrote to Khurshed Ben, who was functioning as one of Gandhiji's Secretaries, on December 31, 1944, that the intended forty days fast of Gandhiji would do no good to the country and that he should rather apply his mind for a constitutional settlement.[156]

B. Shiva Rao's Proposal

Shiva Rao wrote also to Khurshed Ben in the letter of December 31, 1944, that Jinnah wants complete separation while Gandhiji was willing to give self-determination to Muslim majority areas and this issue should be settled at the forthcoming general elections and before the elections Gandjiji should set up a small Committee to work out the main principles of Federation Constitution for all India. Giving details of his proposal, Shiva Rao wrote:[157]

> "What I would suggest is that this small drafting committee with Sapru as the Chairman should draw up a new list of subjects, a very short federal list, say of six or seven subjects which must be federal (like Defence, Foreign Affairs, Currency, Tariffs etc.) and a concurrent list. There will be no Provincial List according to my plan, all unspecified subjects being left to the Provinces or federating units. Provinces and States will all have to federate in regard to this short list. In regard to the subjects in the concurrent list, it will be open to them to decide if they federate or keep the subjects to themselves. The advantage of this will be that some provinces where the Muslims are not in a majority will want a strong Federal Centre and can federate in regard to a large number of subjects. Muslim provinces can federate only in regard to the minimum federal list and thus enjoy the largest measure of autonomy. There will be provision in respect of the new subjects in course of time".

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156. B. Shiva Rao, n. 68, p. 465.

157. Ibid., pp. 465-66.

He wrote about the States:[158]

"So far as the States are concerned, the Drafting Committee should lay down certain minimum requirements of administration to which they should conform before being eligible for admission into the Federation. Gandhi has from time to time laid down some of these minimum. The elective principle must of course be recognized"

Regarding the elections, he said:[159]

"My own suggestion is that, when the Drafting Committee has completed its preliminary task, the principles of the new Constitution on these lines should be popularized. The next general elections for the Provinces and the Centre should not be fought by the Congress on party lines. The only question should be whether the candidate accepts Federation of the type proposed by the Committee (and later approved by Gandhi and a few other leaders) or prefers Pakistan of Jinnah's conception. Candidates should be set up for every constituency including Muslims. The question must be taken up whether Muslims want Federation of this type or Jinnah's Pakistan. All this work needs a great deal of planning and organization and Gandhi should think of those lines and not contemplate a fast".

Shiva Rao wanted Khurshed Ben to place the proposal before Gandhiji for his consideration.

Sapru's Formula

In a letter to Sir B.N. Rau, Sapru wrote about the attitude of Gandhiji. Sapru had long interviews with Gandhiji, who showed him his letter to the Viceroy and discussed the whole situation at length with him. About the establishment of national government, Sapru writes of his discussion with Gandhiji as follows:[160]

"I told him that it was hopeless to establish a national government responsible to the Legislature during the war and that therefore he might accept my formula of a national government consisting of representatives of all parties, who would not be liable to be dismissed by the Legislature during the interim period but would technically be responsible to the Crown, which meant that the power of Parliament and the Secretary of State would continue during the interim period".

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158. Ibid.

159. Ibid.

160. Ibid.

Gandhiji entertained this proposal at first sight, but in the evening he considered it far from meeting his demand. Gandhiji was prepared to agree to the principle of self-determination, but he was not agreeable to go beyond the Rajaji's formula. However, Gandhiji was in dead earnest to find a solution of the problems. Further, the Muslim League also rejected it as they recommended joint electorate but not Pakistan.

Desai-Liaquat Pact

On the one hand, Gandhiji was willing to continue his efforts for a peaceful settlement, and, on the other, the vast and varied sections of the public, party and non-party leaders, Liberals, Hindu Mahasabhites, Depressed Classes and the Non-League Muslim Majlis, particularly the newspapers, were urging steps for resolving the deadlock, which was not possible without the release of the Congress leaders, about whom Amery had declared in early January, 1945, in the House of Commons that there was no plan of releasing them. The Government's intention was to force the Congress and the League to settle their differences so that a central government could be established and the Japanese could be driven to their lands. Gandhiji was also convinced that the British Government would not grant independence to India unless and until the Congress and the League had reached some accord as to the country's future government and immediate formation of an interim National Government. Therefore, Gandhiji advised[161] Sapru and Bhulabhai J. Desai, a constitutional lawyers of great eminence, to continue the talks for settlement. Desai was the leader of the Congress Parliamentary Party in the Central Assembly and also a personal old friend of the Deputy Leader of the Muslim League, Nawabzada Liaquat Ali Khan, who was also the General-Secretary of the League since 1937. Desai and Liaquat Ali Khan held a series of discussions and drew the following[162] private and confidential proposals for cooperation between the Congress and the League so as to make the two parties agree to form a coalition government at the centre:

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161. B. Pattabhi Sitaramayya, Vol. II, n. 76, p. 649.

162. Sir Francis Low (ed.), The Indian Year-Book, 1945-46 (Bombay: Bennett, Coleman & Co.), pp. 876-77.

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Draft "Desai-Liaquat Pact"

"The Congress and the League agree that they will join in forming an Interim Government in the Centre. The composition of such Government will be on the following lines:-

(a) An equal number of persons nominated by the Congress and the League in the Central Executive (the persons nominated need not be members of the Central Legislature);

(b) Representatives of minorities (in particular the Scheduled Castes and the Sikhs);

(c) The Commander-in-Chief.

The Draft further explains:

"The Government will be formed and function within the framework of the existing Government of India Act. It is, however, understood that, if the Cabinet cannot get a particular measure passed by the Legislative Assembly, they will not enforce the same by resort to any of the reserve powers of the Governor-General or the Viceroy. This will make them sufficiently independent of the Governor-General.

"It is agreed between the Congress and the League that, if such Interim Government is formed, their first step would be to release the Working Committee members of the Congress.

"The steps by which efforts would be made to achieve this end are at present indicated to take the following course:

On the basis of the understanding, some way should be found to get the Governor-General to make a proposal or a suggestion that he desires an interim Government to be formed in the Centre on the agreement between the Congress and the League and when the Governor-General invites Mr. Jinnah and Mr. Desai either jointly or separately, the above proposals would be made declaring that they are prepared to join in forming the Government.

"The next step would be to get the withdrawal of Section 93 in the provinces and to form as soon as possible provincial Governments on the lines of a coalition".

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Desai showed this plan to Gandhiji and secured his consent and the Viceroy recommended its adoption to the Secretary of State. The Khan, the League's General Secretary, remained quiet for a considerable time, but when his reply came, it was surprisingly an outright rejection of the proposals. The Nawabzada said to Desai that the proposals can be made a basis for discussion and whatever he told was his "personal opinion"

However, the pact furnished a basis for Wavell's Offer. Later, the Pact was repudiated by the Congress leaders also as a result, Desai, like Rajaji, made an exit from the political stage.

Liaquat Ali Khan, however, had placed the proposals before Jinnah, who declared:[167]

> "We are willing and ready to sit down and come to a settlement with the Hindu Nation on the basis of a division of India. Otherwise it is not possible to make any progress. It is immaterial whether I do to Mr. Gandhi or he comes to me".

On the fifth anniversary of the Lahore resolution, Jinnah said:[168]

> "It is not possible to believe that any Musalman, who has got the slightest of self-respect and iota of pride left in him, can tolerate a Ministry in a Muslim majority province, which takes orders from and is subject to the control of Mr. Gandhi at Sevagram or the Congress who are deadly opponents to all Muslim aspirations and their national demands".

While Desai negotiated with Nawabzada Liaquat Ali Khan, Sapru called a Non-Party Conference in Delhi on November 19, 1944, and appointe a Non-Party Conciliation Committee to go through the various problems of the partition of India.[169] The Committee recommended a single union of India.[170] The report was closer to the Congress demand but did not find favourable response from the Muslim League[171] besides the Muslim press started its scathing criticism.[172]

The Congress-League conflict affected the League, which began to loose grounds in the States. In February, 1945, the League Ministry in Sind, led by Sir Ghulam Hussain Hidayatullah, was defeated. He formed new ministry on March 14. On March 12, League Ministry in NWFP was defeate

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167. Jamil-ud-Din Ahmad (ed.), n. 4, Vol. II, p. 166.
168. Ibid.
169. Constitutional Proposals of Sapru Committee (Bombay: Padma Publications, 1945), pp. 2-4.
170. N.N. Mitra, n. 103, 1945, Vol. II, pp. 176-80.
171. Ibid., 1944, Vol. II, p. 70.
172. Nicholas Mansergh, Vol. V, n. 165, pp. 824-25; see also Dawn (Delhi), April 14, 1945, and December 31, 1945.

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and Dr. Khan Sahib, leader of Congress Party, invited to form a new government. On March 28, Nazimuddin's ministry in Bengal was defeated and the Viceroy took over the administration under Section 93. In Assam Sir Mahomed Saadullah formed coalition cabinet with Gopinath Bardolai, the Congress leader.

Meanwhile, the War in Europe came to an end on May 7,1945, when the Germans laid down arms and the Indian and overseas politics moved in a different direction as a result the proposal was left over. Thus, an attempt to solve the constitutional deadlock died a premature death. It may be pointed out that the Desai-Liaquat Pact had made it an essential objective to get the Congressmen released immediately. The imprisonment of the Congress leaders and the harsh attitude of the British government against their release drew the attention of the world politicians, thinkers and philosophers. Bertrand Russel, the famous philosopher urged Britain to "Quit India" after the end of the Japanese war. Bernard Shaw, the noted novelist and writer, considered the VE-Day as a mockery of the victory celebration in Europe as millions of people were then subjected to tyranny, injustice and exploitation. Public opinion in the United States also was demanding that the Indian deadlock should be resolved, as the Japanese were still holding Singapore and Indonesia and Truman's advisers visualised that cooperation of India would make significant contribution to Allied operations against Japan from the Indian soil. There was every likelihood of revitalisation of Japan and even ninety days after surrender of Germany there was no certainty that the Allied forces would crush the Japanese up to their land. Thus, the international pressures, persuasions and appeals forced Churchill to reconsider his attitude towards India.

CONCLUSION

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The Congress-League antagonism grew more and more intense. Gandhiji did not care if there was a civil war. The Hindu-Muslim distrust turned into violent riots. The Congress attempted to reconcile with the League proposing the interim government to be entrusted to Jinnah and maximum powers to the federal provinces, but Jinnah disagreed. On the other hand, there was no sign of the end of the War in Europe and the British Government was willing for settlement of the communal problems for establishing an interim government. Wavell criticising the Quit India

Movement emphasised for the unity of India.Jinnah criticised the Wavell declaration. Gandhi-Jinnah talks involved the Rajagopalachari's formula, but no settlement could be reached. Besides other proposals, Desai-Liaquat formula also could not bring the two parties to a point of agreement. The Muslim League persisted for the creation of Pakistan.



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CHAPTER VI

WAVELL PLAN AND SIMLA CONFERENCE

(1945)

Round about 1944-45, Jinnah was vigorously supported by the intellectuals of the Aligarh Muslim University, who produced considerable literature and propaganda material in favour of Pakistan and to make the Hindu-dominated India weak at the centre "suggesting all sorts of divisions, cutting the country into various bits and pieces[1]". Secondly, the "generality of Muslims began to entertain the comforting feeling that the Hindus would now be cut down to size, in no position to lord it over them, compelled to share power on a basis of parity[2]". Thirdly, the Muslim officials "were secretly sympathizing with the Pakistan concept as they saw opportunities for wider employment in the highest offices without having to compete with the Hindus[3]". On the other hand, the Congress, which was fighting a war for democracy and self-determination, was confident that it could run the country themselves. On May 6, 1945, Germany surrendered. By the end of the War, the great majority of Indians wanted the British to leave the country. Thus, the League demanded for Pakistan and the Congress demand for immediate transfer of power to it, polarized their politics. The League, which in 1940, regarded Pakistan as anything but a pipe-dream, by 1942-43, was toying with the idea, but by 1945, many were in favour of it.

Lord Wavell Plan

Lord Wavell had realized that proper administration would be impossible without cooperation of the Indian people. Therefore, he had initiated an Indo-British settlement and wrote to Churchill to enlist India as a member of the British Commonwealth. On March 21, 1945, he left India and reached England on March 23, along with V.P. Menon and Sir Evan Jenkins. On March 26, the Cabinet Committee of India did not approve the Wavell's proposal. Churchill favoured "partition (of India) into

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1. C.S. Venkatachar, '1937-47 In Retrospect: A Civil Servant's View', in C.H. Philips and M.D. Wainwright, The Partition of India: Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), p. 486.
2. Ibid.
3. Ibid.

Pakistan, Hindustan and Princestan[4]".

The Russian Government pressurised the British Government for ending the deadlock and to transfer power into the hands of the Indians. Meanwhile, the coalition government of the United Kingdom, formed by Churchill on May 11, 1940, broke down and Churchill resigned on May 23, 1945, and general elections were proclaimed to be held on July 5,1945, but he was still the head of the "Caretaker Government", while his Conservative Party was loosing its influence and the Labour Party getting strengthened. While Churcill was being lauded for his achievement in winning the War, he was being severely criticised by the Labour Party for his wrong handling of the Indian problem and continuing the imprisonment of the CWC members. Therefore, Churchill changed his attitude towards India due to the forthcoming elections in England and, on May 31, 1945, made a strong appeal to the Cabinet meeting and got approved the Wavell's proposal. Wavell left London on June 6, and reached India on June 14, 1945. On the eve of Wavell's departure, Amery, in the House of Commons, announced that the Viceroy had been empowered to make proposals on the composition of an interim government in India, which created a good deal of expectation as political life in India was at a standstill. Lord Wavell broadcast his speech in India on June 14, 1945, and on the same day, Amery, in London, also made an announcement in Parliament. They declared a new solution to break the political deadlock as authorised by His Majesty's Government.

Wavell's Broadcast

Wavell on June 14, 1945, in a broadcast from Delhi said "to ease the present political situation and to advance India towards her goal of full self-government[5]" offered a plan of an interim arrangement, to end the communal deadlock, giving right to the Indians for framing their own constitution, which envisaged[6]:

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4. Penderel Moon (ed.), Wavell - The Viceroy's Journal (London: Oxford University Press, 1973), p. 106.

5. Sir Francis Low (ed.), The Indian Year Book, 1947 (Bombay: Bennett, Coleman & Co.,Ltd.), p. 882.

6. See for details Penderel Moon (ed.), n. 4, pp. 141-42; see also Nicholas Mansergh (Editor-in-Chief) and E.W.R. Lumby (ed.), Constitutional Relations Between Britain and India : The Transfer of Power (11 Vols.), Vol. V: The Simla Conference, Background and Proceedings, (Continued)

1. Executive Council of the Governor-General consisting of equal number of Caste Hindus and the Muslims.

2. All the members of the Executive Council were Indians except the Viceroy (who was also the Governor-General) and the Commander-in-Chief, who retained the responsibility for defence of India.

3. The war portfolio was retained by the Government.

4. A British High Commissioner was to be appointed to look after the Commercial interests on the lines of the Dominions.

5. The new Executive Council was to work within the framework of the 1935 Act, and the Governor-General retained the power of veto against a majority decision of the Councillors.

6. The interference of the Secretary of State was to be decreased to the minimum.

7. The portfolios of External Affairs, Finance and Home Affairs were placed in the charge of an Indian Members of Council. The Members were to be elected by the Governor-General after consultation with political leaders. They had to work under the Government of India Act, 1935.

8. The Interim Government would in no way prejudice the final constitutional settlement, and that the proposals intended to make a long-term solution easier.

To achieve the above objectives, he declared to hold a political conference at the Viceregal Lodge in Simla on June 25, 1945, and suggested to invite the following twenty-one[7] leaders of different shades of opinion, except the Hindu Mahasabha:

1. Premiers of Provincial Governments; or, for Provinces then under Section 93 Government.

2. Persons who last held the office of Premier in the provinces administered by Governors;

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Note 6 continued

1 September 1944 - 28 July 1945 (London: Her Majesty's Stationery Office, 1974), pp. 1122-23; also see Sir Francis Low, Ibid., pp. 882-84; also see Jagdish Saran Sharma, India's Struggle for Freedom : Select Documents and Sources, Vol.I (Delhi: S. Chand & Co., 1962), pp. 617-20; also see I.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), pp. 85-86 (Appendix).

7. See for details I.A. Sherwani, Ibid., pp. 86-87; see also V.P.Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 460.

3. The leader of the Congress Party and the Deputy Leader of the Muslim League in the Central Assembly.

4. The leaders of the Congress and the League in the Council of State.

5. The leader of the Nationalist Party and the European Group in the Central Legislative Assembly.

6. Gandhiji and Jinnah, as the recognized leaders of the two main political parties; and

7. A representative of the Sikhs; and

8. A representative of the Scheduled Castes.

Lord Wavell described three main tasks of the new proposed Executive Council: "first, to prosecute the war against Japan; secondly, to carry on the government of British India (with its manifold tasks of post-war development) until a new permanent constitution could be agreed upon and come into force; and thirdly, to consider (when the members of the Government thought it possible), the means by which such agreement could be achieved[8]". The third task was most important. Wavell said that neither the British Government nor he himself "had lost sight of the need for a long-term solution, and the present proposals were intended to make such solution easier[9]".

Amery's Declaration of Wavell Plan

The same plan was broadcast by L.S. Amery, the Secretary of State for India in England, on June 14, 1945. Amery said that the Viceroy had been empowered to make proposals on composition of interim government in India. The main features of Amery's speech[10] were the following:-

"1. The Executive Council would be reconstituted by the Viceroy, the nominated members would be selected from among the leaders of Indian political life giving a balanced representation to the main communities i.e. the Muslims and the Hindus.

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8. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 717; see also V.P. Menon, n. 7, p. 183.

9. R.C. Majumdar, Ibid.

10. See for details Jagdish Saran Sharma, n. 6, pp. 620-23; see also B.N. Pandey, The Indian Nationalist Movement, 1885-1947 : Selected Documents (London: Macmillan, 1979), p. 182.

2. The Viceroy would call a conference of leading Indian politicians to get a list of names from which he would make recommendations for appointments, but he would have unrestricted freedom of choice in doing so.

3. The members of the Executive Council would be Indians, with the exception of the Viceroy and the C-in-C; the latter would retain his present position as war Minister, which was essential so long as the defence of India was a British responsibility. External affairs would be in the charge of an Indian member.

4. The relations between the British Crown and the Indian Princes would not be affected, and the Viceroy of India would have the veto power although he would not use it unsparingly and would act on the advice of the Council".

The Secretary of State also stated that the Cripps Offer of 1942 still stood in its entirety, which contained two main principles;"first, that no limit was set to India's freedom to determine her own destiny, whether within the Commonwealth or outside it, and secondly that this destiny could only be achieved by a constitution or constitutions framed and agreed to by Indians[11]". He said that so long as there was no Indian constitution, the Governor-General's over-riding power over a majority decision was necessary to protect the minorities, to safeguard the Indian interests and the interests of the Indian States. With regard to the appointment of a British High Commissioner, he said that it was necessary for reasons of practical convenience. He further said that through the members of the then Executive Council rendered great service, but they could not cooperate for reconstruction; hence, there was no way better than their agreement to join the Executive Council. He acknowledged Wavell's "deep sympathy with India's aspirations and to his firm belief in India's future greatness[12]".

Referring to the new proposals of Amery and Wavell, the King in a speech in the British Parliament on June 15, 1945, expressed hope that "the invitation extended to the Indian political leaders would be accepted, so that the immediate tasks might be undertaken with the full co-operation of all sections of Indian public opinion[13]".

Release of the Congress Leaders

As the press and the public welcomed the proposals and there was

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11. V.P. Menon, n. 7, p. 184.
12. Ibid.
13. Ibid., pp. 184-85.

general acknowledgment of the Lord's sincerity and his earnest desire to end the political deadlock, the Viceroy on June 15, unconditionally released all the former Presidents of the Congress including Nehru, Patel and Azad from the jail, except the representatives of the Hindu Mahasabha, so that they could consider his proposal and participate in the proposed conference to be held at Simla on June 25.

Reaction of Gandhiji

The Viceroy, soon after the broadcast (between June 14 and 15) issued invitations to all political leaders and carried on correspondence with Gandhiji and Jinnah. Wavell did not invite Azad as he thought that Gandhiji would represent the Congress and also as Azad's inclusion could offend Jinnah. Gandhiji protested that he would be representing no institution and it was only the Congress President (A.K. Azad), who could represent the Congress. Therefore, Wavell issued invitation to Azad also. Azad informed the Viceroy that he would place the invitation before the CWC on June 21, and would send his reply thereafter.

Wavell wrote to Gandhiji that he needed his help and hoped that he would attend the Conference. Wavell invited Gandhiji for a preliminary talk on June 24, and expressed his hope that Gandhiji would participate in the proceedings of the Conference. Gandhiji assured that he, in his personal capacity, shall always be at his service during and even after the Conference.

In his letter of June 16, 1945, Gandhiji raised the objection relating to "India's goal of independence and the question of parity of representation between Caste Hindus and Muslims[14]". Regarding the 'goal of independence', Gandhiji pointed out that the broadcast seemed "rigorously to exclude the use of the word 'independence'[15]" and, therefore, demanded revision of the declaration to bring it in line with the Indian aspirations. The Viceroy, referring to Amery's statement of June 14, that "there was no limit set to India's freedom to decide her own destiny, whether as a free partner in the Commonwealth, or even outside it[16]", replied that any change in the terms of the broadcast was not practicable. On June 18,

14. Ibid., p. 185.
15. Ibid.
16. Ibid., p. 184.

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Gandhiji, in a press interview on the question of his satisfaction with the clarification offered by the Viceroy and the Secretary of State, said he did not want to express his opinion, which might influence the opinion of the Congress Working Committee.

Regarding the 'parity of representation between the Caste Hindus and Muslims', Gandhiji wrote to the Viceroy that it was untrue and offensive as the Congress represented all the Indians and even the Hindu Mahasabha, which was only representative of Hindus, would disclaim representing "Caste Hindus". The Viceroy replied that the term 'Caste Hindus' was used without any intention of being cause of offence but merely to express equality between the Hindus and the Muslims other than the members of the Scheduled Castes. The Viceroy also said that the exact number of members of the Scheduled Castes would be decided after discussion at the Conference. The Viceroy refused to effect any change in the draft of his broadcast to eliminate the term, 'Caste Hindus'[17], as requested by Gandhiji in a telegram expressing apprehension that "unless a change was made to meet the objection taken on the question of parity between Caste Hindus and Muslims, religious division would become officially stereotyped on the eve of independence"[18]. Gandhiji personally refused to subscribe to the explanation of the Viceroy, and stressed that by maintaining the parity between Caste Hindus and Muslims, the Viceroy would "surely defeat the purpose of Conference"[19]. He threatened to advise the Congress members not to participate in the Executive Council in case the principle of parity remained the same. The Viceroy expressed his inability to change his broadcast and desired not to discuss its details before the Conference as before it no party or person was expected to either accept or reject the plan. He only wanted an answer to the effect whether his proposal was worth discussing at the Conference. Gandhiji replied if change in the 'parity clause' was impossible, he would advise the Congress members not to participate in the formation of the new Executive Council. He wrote:[20]

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17. Mahatma Gandhi: Correspondence with the Government, 1944-47 (Ahmedabad: Navajivan Publishing House, 1959), Telegram from Viceroy to Gandhi, dated June 16, 1945, p. 21.
18. Ibid. Telegram from Gandhi to Viceroy, dated June 17, 1945, p. 22.
19. Ibid., p. 22.
20. V.P. Menon, n. 7, p. 187.

> "Congress has never identified itself with Caste or non-Caste Hindus and never can, even to gain independence, which will be one-sided, untrue and suicidal. Congress to justify its existence for winning the independence of India must remain for ever free to choose the best men and women from all classes and I hope always will. That it has for the sake of conciliating the minorities chosen men to represent them, though they have been less than best, redounds to its credit, but that can never be pleaded to justify or perpetuate distinctions based on caste or creed. The Hindu Mahasabha is the only body claiming to represent solely Hindu interests".

Expressing his views on the possibility of a settlement, Gandhiji, in a statement on June 15, approved the Desai-Liaquat Ali Pact, which could be useful if set in proper political setting. He said that in the light of Bhulabhai Desai-Liaquat Ali pact, he anticipated the forthcoming Viceregal Conference to be purposive.

On the question of omission of the Hindu Mahasabha, Gandhiji made it clear that if it meant treating the Congress as a sectional or Hindu body, the Congress would not take part in the Conference. Gandhiji was satisfied if the Viceroy had invited only political parties and avoided the parties based on religious distinctions. He assumed that due to this reason the Muslim Majlis and similar bodies were not invited to take part in the Simla Conference.

Reaction of Jinnah

On June 15, the Dawn, the League's official organ, protested that "with regard to the Muslim moiety , the Musalmans will tolerate no infiltration of non-League stooges to humour any party"[21]. On the same day, Jinnah telegraphed the Viceroy that he would like to seek some clarification, so that he could consult the MI Working Committee and decide about his participation in the Conference and requested that the Conference should be postponed for a fortnight for this purpose. The Viceroy advised Jinnah to arrange for his Working Committee to meet at Simla. Jinnah replied that without complete knowledge of the Viceroy's proposals, it would not be possible for the Working Committee to decide. The Viceroy said that Jinnah could consult his Working Committee when the proposals were fully known to him at the Conference. The Viceroy also said that long adjournment of the Conference would be very inconvenient and suggested

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21. Ibid., p. 188.

that the MI Working Committee should meet at Simla before the end of June. Jinnah replied that he would decide after discussing with the Viceroy on June 24, 1945.

Reaction of Hindu Mahasabha

The members of the Hindu Mahasabha were much aggrieved at their not having been called to participate in the Simla Conference. However, it vigorously opposed the proposal of parity between the Caste Hindus and the Muslims in the Executive Council. To express its resentment, it passed a strongly worded resolution, organised demonstrations and observed hartal on July 8, 1945.

CWC Meeting

Meanwhile, the Congress Working Committee held its meeting at Bombay on June 21 and 22, 1945, to consider the Viceroy's proposal and for attending the Simla Conference on June 25, and issued instructions to the party participants for their guidance. First, the Viceroy's suggested arrangements were to be considered on an interim and temporary basis, especially in regard to communal parity, which principle was not acceptable and applicable in the provinces and the arrangements had to be related to the Centre only. Secondly, if the communal parity was agreed upon, it should not mean that "all the Muslim members of the National Government will be nominated by the Muslim League" and that "names may be proposed for Hindus, Muslims, Scheduled Classes, etc., by all groups in the Conference and to be adopted by the Conference as a whole"[22]. Thirdly, the decisions taken were to be confirmed and ratified by the AICC (which was not possible as the AICC and other Congress Committees were still banned). Fourthly, they had to keep in mind the large number of detenus and Congress prisoners and they had to plead for their release; and finally, they had to seek clarification regarding External Affairs Department; financial implications of defence, nationalist character of the Indian army; discontinuation of Indian support for the imperialist control of any of the S.E. Asian countries depriving them of their freedom; removal of barriers between the States, peoples, the Princes and members of the National Government for their amalgamation with the Federal India; establishment of coalition government in the provinces; and nonacceptance of foreign recruitments.

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22. Jagdish Saran Sharma, n. 6, p. 624.

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Viceroy's Meetings

The Viceroy, on June 24, separately invited and had interviews with Azad, Gandhiji and Jinnah.

Azad, the Congress President, accompanied by Govind Ballabh Pant, former Congress Premier of the United Provinces, met with the Viceroy. Complaining about the unprincipled behaviour of the League, Azad asserted that 'they were under the impression that they had the support of the government and therefore they would not accept any reasonable terms[23]". The Viceroy assured him that the government would not support the members of the League and that the government would remain neutral.[24] He accepted the general principle of the Viceroy's proposals and agreed to cooperate with the Viceroy in the prosecution of the war against Japan and that the members of the Council should be first-class men having confidence of their party and able to take decision independently. Azad contended that the Conference was being held at a short notice and should be adjourned and all the Congress prisoners should be released. The Congress President said that he "was more interested in the end than in the means, and wanted to be clear that the proposals were intended to facilitate and not to obstruct a final settlement[25]". On the question of the Viceroy's overriding powers, Wavell said that "this was part of the chain of responsibility through him to the Secretary of State for India and to Parliament, and that the power must remain[26]". Regarding the defence portfolio, Azad said that he had no objection to the C-in-C retaining the portfolio, but he would like that the British army became a real national army. He urged that the countries liberated from Japan should not be subjugated. Finally, he emphasised that the Congress "would not fight on the principle of parity between Hindus other than Scheduled Castes and Muslims, but it would fight on the method of selection[27]" and the Congress "must have a say in the representation of communities other than the Hindu community, and would not agree to Muslim names being put forward by only one communal organization[28]".

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23. Maulana Abul Kalam Azad, India Wins Freedom (Calcutta: Orient Longmans, 1959), p. 106.
24. Ibid.
25. V.P. Menon, n. 7, p. 189.
26. Ibid.
27. Ibid., p. 190.
28. Ibid.

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Gandhiji also demanded release of all Congress political prisoners. He mainly objected to the term 'Caste Hindus' and preferred to call them 'Non-Scheduled Hindus'. About coalitions in provinces, he said that "the minorities should be represented in the provinces only by members of their body belonging to the Congress", to which the Viceroy replied that "the minorities should be represented by someone they trusted". On the question of the position of the Secretary of State's Services, the Viceroy said that "the Indian Civil Service could be trusted to carry out the instructions of the Executive"[29], and on the method of selecting the new Council members, he said that he would ask for panels of names. On the parity issue, the Viceroy reiterated its answer given to Azad.

As ccording to 1935 Act, the smaller minorities had to vote with the Hindus, Jinnah said that the Muslims would always be in a minority under the Viceroy's scheme. Therefore, he suggested "if the majority of the Muslims were opposed to any measure, it should not go by vote"[30] to which the Viceroy said that it would be undemocratic. Jinnah urged that the Muslim League had the right to nominate the Muslim members and expected that they would have a fair share of the key portfolios. He was opposed by the Punjab Unionists or Congress Muslims. He, like Azad, preferred the possibility of adjournment of the Conference as he had to consult his Working Committee.

On the basis of the discussions, Wavell formulated the following main problems likely to be discussed at the Conference:-

1. Congress opposition of parity between Muslims and Hindus other than Scheduled Castes in the new Executive Council.

2. League's demand for nominating the entire Muslim members of the Council.

3. Punjab Unionists apprehended that a Congress-League coalition at the Centre would lead to political instability in Punjab.

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Simla Conference Proceedings

The twenty-one[31] invitees assembled in the Viceregal Lodge, Simla, on June 25, 1945, at 11.00 A.M. There were equal number of Hindus and

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29. Ibid.
30. Ibid.
31. See for details Y.P. Menon, n. 7, p. 191.

Muslims, besides European, Scheduled Caste and Sikh representatives. The Viceroy said that what he proposed was not a final solution of India's constitutional settlement and that they could pave the way for a settlement. He said their wisdom, statesmanship and goodwill was on trial and they should rise above the old prejudices and enmities and think for the benefit of the four million people of India.

Lord Wavell said that the participants should believe him as a sincere friend of India and he would endeavour to guide the discussions to the best interest of the country. He announced himself and Sir Evan Jenkins as Secretaries to the Conference and said that the proceedings of the Conference should be kept confidential and a note approved by the Conference would be released to the press. He gave them copies of his statement and that made by Amery and placed the following two points for consideration:[32]

"(A) If we could reach agreement on the composition of the Council, were the general principles under which it would work - programme outlined in my broadcast, parity of Hindus and Muslims, present constitution etc. acceptable?

(B) if above principles were acceptable, could we reach an agreement on composition of Council and names to be recommended".

The Conference met on June 26, and discussed, point by point, the various issues relating to the proposed Executive Council of the Governor. The Viceroy explained the term, 'Caste Hindus' meaning Hindus not belonging to the Scheduled Castes, and said the phrase "so far as the interests of British India are concerned" meant that "relations with Indian States were a matter for the Crown Representative and that the Governor-General-in-Council had nothing to do with them[33]". The Viceroy observed that as the 1935 Act underlined that three members of the Executive Council must be persons who had been in the service of the Crown for at least ten years, it would not be possible for the new members to take office in the new Executive Council and, hence, it required amendment, which, due to dissolution of Parliament, was not possible before August. Kher proposal for amendment by an Order in Council was not accepted by Wavell. Wavell said that the purpose of appointment of a British High Commissioner was

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32. Penderel Moon (ed.), n. 4, pp. 146-47.

33. V.P. Menon, n. 7, p. 193.

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"to safeguard the British interests which impinged on Indian problems, it could only be done through the Governor-General, which meant a step forward on the road to Dominion Status or Independence. With regard to external affairs, the Viceroy said that this portfolio would be under charge of an Indian Member instead of the Governor-General. Regarding the overriding power of the Governor-General-in-Council, the Viceroy said that "this was part of the chain of responsibility to Parliament".[34] The Viceroy also said that instead of establishment of an interim government, they may consider any long-term solution also.

Lord Wavell described three main tasks of the new proposed Executive Council: first, to prosecute the war against Japan; secondly, to consider a future constitution of India (when the members of the Executive Council after some experience constitute a body to study the various constitutions of the world e.g., the USA and Canada); and thirdly, though his proposals did not affect the Indian States, but in case of a long-term solution, the Indian States would be associated in framing a new constitution. The Viceroy also explained that in the provinces where there were ministries, the holding of a fresh election would be at the discretion of the provincial governments. After this, the morning session on June 25, closed. The evening session started at 2.30 P.M. with discussion on general principles.

Maulana Azad, the Congress President, asserted that the Congress would not accept the interim settlement, that prejudice the national character of the Congress reducing it to the level of a communal body. He emphasised that the proposals meant attainment of Independence for India and sought explanation of the following points:[35]

"(1) the schope and functions of the proposed External Affairs Department;

(2) the giving of a national character to the Indian Army and the removing of barriers isolating it from the national Government and the people;

(3) the policy with regard to the liberated countries in South-East Asia after the war; and

(4) the relations between the national Government and the Indian States and States' people".

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34. Ibid., p. 194.

35. Ibid., p. 195.

Jinnah said that he could not understand Azad's view and desired the Viceroy to elucidate these points. The Viceroy said that the External Affairs Department comprised relations with foreign countries, the tribes on the north-west and on the north-east of India, the administration of British Baluchistan, and the affairs of certain frontier States, which would be transferred to the new Indian Member. He opposed that the Indian Army should be brought into politics, but agreed that it should be "a truly national army, efficient and contented"[36]. He expressed his inability to commit with regards to the future of the occupied territories in South-East Asia, in which several countries were interested. He said that the Indian States were not under jurisdiction of the Governor-General in Council and only a federal constitution, embracing both British-Indian provinces and States could enable the central government to exercise control over the States[37]. Regarding the Congress goal of independence, the Viceroy referred to Amery's statement of June 14, and assured that "there was nothing in the proposals to brand the Congress as a communal body"[38].

On the question of representation, Jinnah said that the Congress represented only Hindus. Dr. Khan Sahib, the Premier of the NWFP, objected to it. The Viceroy observed that the Congress represented its members, to which Jinnah agreed. The members of the Congress included both Hindus and Muslims and Jinnah could not deny it. P.N. Banerjee (Nationalist leader in the Central Assembly) deplored the absence of the Hindu Mahasabha, the Krishak Proja Party, Momins etc. and Madan Mohan Malaviya. He condemned the parity between Hindus, other than the Scheduled Castes and Muslims and urged immediate release of political prisoners. Sir Henry Richardson supported the proposals. Khizar Hyat Khan said that the short-term plan would affect the future. The Maharaja of Parlakimedi said that "the interests of person who had supported the war effort should not be neglected"[39]. Master Tara Singh approved the proposals but did not identify the Sikhs with the Congress though they were in sympathy with it. Sivaraj asked for safeguard and protection of his community i.e. Scheduled Castes.

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36. Ibid., p. 196.
37. Ibid.
38. Ibid.
39. Ibid., p. 197.

Sir Mahommed Saadullah opposed the inclusion of Hindu Mahasabha. The Viceroy said that he had made the Conference as representative as he could and sincerely wished to cooperate.

Jinnah said that the proposals envisaged a stop-gap arrangement and did not affect the Congress demand for independence here and now and the League's demand for Pakistan not immediately. He said the League would not agree to any constitution on any basis other than that of Pakistan, and recalled Government's proclamation that future constitution would be framed by agreement and would not be imposed on the country. Opposing the Congress demand for a common central Government, Jinnah read the resolution of ML Working Committee of August 20, 1942.[40] He conceded that the Congress represented 90 per cent of the Hindus and not many Muslims, Sikhs and Scheduled Castes, while the Muslim League represented 90 per cent of the Muslims; hence, it can not be concluded that the Congress represented all the communities. He, therefore, supported the proposals subject to decision taken on the basis of communal parity. The Viceroy split up the proposals for discussion under two heads:[41]

"(a) those primarily for agreement between the parties and the Viceroy; and

(b) those primarily for settlement between the parties themselves".

On June 26, the Viceroy gave the participants a copy of statement, which stated as follows:[42]

"(A) Subject to agreement under B, is the Conference prepared to agree to an Executive Council:

(i) publicly committed to the three tasks set out in the Viceroy's broadcast;

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40. The resolution declared that "the Muslim League has been, and is, ready and willing to consider any proposals and negotiate with any party on a footing of equality for the setting up of a provisional Government of India in order to mobilize the resources of the country for the purpose of the defence of India and the successful prosecution of the war" provided that the demand for Pakistan was conceded unequivocally.

41. V.P. Menon, n. 7, p. 198.

42. Ibid.

(ii) consisting of men of influence and ability recommended by the Conference, and prepared to take decisions and the responsibility for them;

(iii) with all portfolios (including external affairs) held by Indian Members, except the war portfolio which would be held by the Commander-in-Chief;

(iv) having within it an equal number of Muslims and Hindus other than Scheduled Castes; and

(v) working in all respects under the present constitution, including the constitutional provisions for control by the Secretary of State and the Governor-General.

(B) Subject to agreement under A, is further agreement possible on:

(i) the strength and composition of the Executive Council by parties and communities; and

(ii) the method by which panels of names will be submitted to the Viceroy to enable him to make his recommendations for appointment to the new Executive Council".

The Conference considering the items under group A, agreed to the clauses (i), (ii) and (iii), but differed on clause (iv) relating to communal parity. P.N. Banerjee opposed parity between Muslims and Caste Hindus and division of Hindus between two sections - Caste and non-Caste Hindus, which, he said, was illogical, absurd and antiquated. He accepted that the Scheduled Castes were not fairly treated and were likely to be squeezed out. He declared that the Executive Council "should be selected on the basis of ability and capacity"[43] either wholly consisting of Muslims or Scheduled Castes, 'if they had confidence of the people'. In other words, he meant to say that on this principle in every circumstance the Congress being a majority party would dominate the Executive Council having widest area of influence. However, the Viceroy justified that though communalism was deplorable, but then it was a standing fact and there was no escape.

Sivaraj objected to the grant of parity to Muslims with Caste Hindus neglecting the rights of other minorities and, disagreeing with Banerjee, demanded that the Scheduled Castes should also be considered separately from the main Hindu community as he thought that the system of parity in the Executive Council might lead to League's claim for parity also in

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43. Ibid., p. 200.

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services and the army and he wanted to share the benefit for his community.

G.B. Pant, opposing the communal parity, said that a "national government formed on a communal basis was really a contradiction in terms. The Congress did not worry much about the number of places in the Council assigned to one community or another, but was concerned with the parties to which the members belonged[44]". Rajagopalachari treated "the Hindus and Mualims as two electoral bodies rather than as two communities[45]". Dr. Khan Sahib said that "only a revolution would cure the communal problem[46]". The other members, more or less, agreed to the communal parity.

While discussing on item (v), Lord Wavell opposed the suggestion of Banerjee that from the very outset it should be ensured that the Viceroy would not overrule the decision of the Executive Council and would not use his veto power. The Viceroy referred to Amery's declaration of June 14, in this context, which emphasized protection of minorities. Sivaraj asked for making a law for protection of the position of the Depressed Classes. Pant hoped that the Viceroy would not use his veto as in the present Council. Kher did not like to reply on the Viceroy.

Referring to Part B, the Viceroy laid down three possible methods for reaching an agreement: (1) private discussion and, if necessary, discussions between the leaders and himself; (2) appointment of a committee by the Conference to suggest an agreement; and (3) adopting the two methods together[47]. At the suggestion of Rajagopalachari, supported by Jinnah and Azad, the Conference was adjourned and the next meeting held on June 27, 1945, which lasted for about an hour, in view of the conversations between Pant and Jinnah, which they had begun on June 26. He asked the Congress to submit names for selection to the Executive Council and then the Conference adjourned till June 29, 1945.

On June 27, Jinnah said to the Viceroy that though he did not agree to the appointment of the Executive Council of the Muslims not belonging

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44. Ibid., p. 201.
45. Ibid.
46. Ibid.
47. Ibid., p. 202.

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to the League, but he would place any formula, suggested by the Viceroy, before the WI Working Committee. On the same day, Jinnah told the Viceroy to constitute the Council of fourteen members - five Hindus, five Muslims, one Sikh and one Scheduled Caste and the rest others, and insisted to retain the right of nominating all the Muslim members of the Council from amongst the Muslim League. On the other hand, the Congress claimed to nominate members of all communities including Muslims. If Jinnah's proposal was accepted, even the Congress President, Maulana Abul Kalam Azad could not be a member of the Executive Council, and it had been the most derogatory position of the Congress, to which the Congress never agreed. If, in the light of the fact that it was not necessary that the Congress President would always be a Muslim, the Congress had agreed to Jinnah's terms, there could have been any possibility of agreement. However, the Viceroy felt that the Congress-League confrontation in the Council would not help to solve problems.[48]

The Conference met for the fourth time on June 28. As the Pant-Jinnah discussion produced no agreement, the Viceroy intervened. He proposed that all the interests should send him a specified date, lists of the persons containing more names than seats in the Council whom they would like to be included in the Executive Council and he would try, by adding some more names of his choice, to form a list of members acceptable to all. He desired the parties to send the lists of persons in the following manner: Azad (Congress) and Jinnah (League) - between 8 and 12 each; Shivaraj (Scheduled Caste - 3; Banerjee (Nationalist Party), the Maharaja of Parlakimedi, Khizar Hyat Khan and Master Tara Singh - 3 each.[49] Azad pressed for inclusion of members of all communities, particularly the Scheduled Castes and Christians, in their Congress list, although Shivaraj had objected to the Congress claim "to nominate representatives of the Scheduled Castes, and insisted that the number of its members should bear the same ratio to their population as the Muslim members bore to theirs".[50] He meant to say that if the Muslims were recognised on the basis of Jinnah's two-nation theory, they were also a separat element in the national life of India.

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48. Penderel Moon, n. 4, p. 149.
49. V.P. Menon, n. 7, p. 203.
50. R.C. Majumdar, n. 8, p. 718.

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Maulana Azad went so far to suggest that the League should accept in principle the Congress right to nominate whosoever it liked but in practice the Congress would not nominate a Muslim. Jinnah still refused to sit with him on the same table[51] to discuss the names unless the Congress explicitly declared that it had no right to nominate a Muslim. As desired by Khizar Hyat Khan and Maharaja of Parlakimedi, the Viceroy assured that the lists would be kept secret. Master Tara Singh suggested that if the final agreement could not be arrived, there should be general elections. Sivaraj objected to the Congress claim and insisted that the Scheduled Castes should have the representation in the Council bearing the same ratio as the Muslim members have to their population. He did not press for parity. Sivaraj and Jinnah said that they would send the list after consulting their Working Committees. The Viceroy assured that he would not impose the settlement but he would like to prevent the breakdown and adjourned the Conference till July 14, 1945.

Jinnah on June 30, insisted[52] that behind the disputes about representation lay the bigger question of "whether we are to have a constitution or constitutions" and that must "be settled first"[53]. Jinnah, explaining the representation in the Councils, said: "the combination consisting of Gandhi and Hindu Congress, who stand for India's Hindus national independence as one India" had been reinforced by the exponent of geographical unity, Lord Wavell[54]. Jinnah also said that Gandhiji had said, in 1940[55], that "Pakistan cannot be worse than the foreign domination". Jinnah replied, "But Hindustan could and would be worse". Therefore, Jinnah was prepared "to let independence wait upon division, while the

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51. S.K. Majumdar, Jinnah and Gandhi: Their Role in India's Quest for Freedom (Calcutta: Firma K.L. Mukhopadhyay, 1966), p. 213.

52. See for details of Nicholas Mansergh's view on Jinnah's stand, Surgery of British Commonwealth Affairs: Problems of Wartime Cooperation and Post-War Change, 1919-1952 (London: Oxford University Press, 1958), p. 209.

53. E.W.R. Lumby, Transfer of Power in India, 1945-1947 (London: George Allen and Unwin Ltd., 1954), p.54; see also for its background, H. Bolitho, Jinnah: Creator of Pakistan (London: John Murray, 1954), pp. 150-51.

54. D.G. Tendulkar, Mahatma (New Delhi: Government of India Publications Division, 1969), Vol. VII, p. 13.

55. Ibid., Vol. V, p. 338.

Congress was not prepared to let independence wait upon unity"[56]. Jinnah, further, criticising Gandhiji for having withdrawan from the negotiations[57] and advising the Congress President, demanded that the Congress should give up its national character and function as a communal organisation[58] and if Gandhiji accepted the demand of Pakistan in principle, there was no need of any Conference and they could hold another conference of their own. Jinnah also proclaimed that India's freedom cannot be resolved until the Congress agreed to the division of the country first.[59] Jinnah vehemently said: "Mr. Gandhi is an enigma ... How can we come to a settlement with him"[60].

The Congress Working Committee met on July 3 and selected a panel of the following names and submitted it to the Viceroy[61]:

"1.	Maulana Abul Kalam Azad	-	Congress Muslim
2.	Asaf Ali	-	Congress Muslim
3.	Pandit Jawaharlal Nehru	-	Congress Hindu
4.	Sardar Vallabhbhai Patel	-	Congress Hindu
5.	Dr. Rajendra Prasad	-	Congress Hindu
6.	M.A. Jinnah	-	Muslim League
7.	Nawab Mohammad Ismail Khan	-	Muslim League
8.	Nawabzada Liaquat Ali Khan	-	Muslim League
9.	Dr. Shyamaprasad Mookerji	-	Hindu Mahasabha
10.	Gaganvihari Mehta	-	Hindu
11.	Rajkumari Amrit Kaur	-	Woman, Indian Christian
12.	Muniswami Pillay	-	Scheduled Class
13.	Radhanath Das	-	Scheduled Class
14.	Sir Ardeshir Dalal	-	Parsi
15.	A Sikh member	-	name to be submitted later".

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56. L.A. Sherwani, n. 6, p. 91.
57. Pyarelal, Mahatma Gandhi: The Last Phase (Ahmedabad: Navajivan Publishing House, 1958), Vol. II, p. 131.
58. Maulana Abul Kalam Azad, n. 23, p. 112.
59. M.K. Gandhi, To the Protagonists of Pakistan (Karachi: Anand T. Hingorani; Ahmedabad: Navajivan Publishing House, 1949).
60. Jamil-ud-Din Ahmad, Some Recent Speeches and Writings of Mr. Jinnah (Lahore: Ashraf, 1952), Vol. II, p. 192.
61. Pyarelal, n. 57, Vol. II, p. 135.

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It may be observed that the most important leaders, like Sivaraj (Scheduled Caste) and Pandit Madan Mohan Malaviya (Hindu Mahasabha) were not nominated by the Congress due to their open opposition of some of the Congress policies. The other members were old associates of the Congress.

The ML Working Committee met on July 6, and the next day, Jinnah made three suggestions to the Viceroy: "first, that the Muslim League should not be asked to submit a panel, but that its representatives should be chosen on the basis of personal discussion between the Viceroy and himself; secondly, that all the Muslim members of the Council should be chosen from the League; and, thirdly, that some effective safeguard, other than the Viceroy's veto, should be provided to protect Muslim interests from majority decisions of the Council"[62]. On July 8, Jinnah had a prolonged discussion with the Viceroy and emphasised that "None except himself as head of the Muslim League could nominate the Muslims on the new Council"[63]. On July 9, the Viceroy regretted his inability to guarantee to the League that the Muslim members would be selected exclusively from the League's list. The Viceroy pleaded for a fair play between the parties, not only in the composition but also in the working of the Council[64]. Jinnah, on the same day, replied that as the required assurances were not forthcoming, he would not submit any list[65]. On the other hand, the Viceroy found the Congress list disappointing because a great proportion of them were stooges for Congress from the minorities[66]. Meanwhile, he received the lists from other delegates and made his provisional selection and intended to send it to His Majesty's Government for approval, provided it was approved by all the parties. For this purpose, the Viceroy met Jinnah on July 11, 1945. Meanwhile The Tribune commented[67]:

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62. V.P. Menon, n. 7, p. 205.
63. Penderel Moon, n. 4, p. 153.
64. Ibid.
65. Syed Sharifuddin Pirzada (ed.), Foundations of Pakistan: All-India Muslim League Documents, Vol. II (Karachi: National Publishing House Ltd., 1969), p. 502-03.
66. Wavell to Jinnah, July 9, 1945, Ibid., p. 503.
67. Diwan Ram Parkash, Story of Simla (Lahore: Diwan Publications, n.d.), p. 60.

"Ridicule and laughter are provoked everywhere by Jinnah's claim that the Muslim League is the sole representative of the Muslim community. It has been clearly demonstrated that it is false and comic. No political party in the world, however brazen faced it may be, can after getting 4 per cent or 6 per cent of the votes in a general election assert that it constitutes the exclusive mouthpiece of the electorate. But the Muslim League has done so".

Wavell-Jinnah Meeting

Wavell sent a list of provisional selection for approval to the Home Department, but, interestingly enough, the Home Department asked him again to persuade Jinnah and show him the list to confirm that it did not include the name of any Congress Muslim so that he could put forward the Muslims' names for selection. Therefore, Lord Wavell met Jinnah on the afternoon of July 11, 1945, and expressed his willingness to include in a 14-member Council[68], four members of the Muslim League and one member (Punjab Muslim of the Unionist Party) not belonging to the League[69] and giving him the four names desired Jinnah's suggestion, which he assured, would be based on parity not only between Hindus and Muslims but also between the Congress and the League. He said also in secrecy that he had not shown the list to the Congress, who might possibly raise objection to the arrangement. Jinnah, at once, said that it was impossible unless:[70]

"(a) all five Muslim members of the Council were taken from the League, and

(b) the Governor-General's power of veto was reinforced by a special safeguard for the Muslims within the Council e.g., a provision that no decision objected to by the Muslims should be taken except by a clear two-third majority, or something of the kind".

The Viceroy was puzzled for he could not neglect the Punjabi Muslims Unionist Party, which was a dominant body in Punjab, and which was broken away from the League. Further, the position of the Muslim League was at a low ebb in other provinces also. In the NWFP, the Congress under Dr.Khan

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68. Stanley Wolpert, Jinnah of Pakistan (New York: Oxford University Press, 1984), pp. 244-45.

69. Penderel Moon (ed.), n. 4, p. 154; see also Nicholas Mansergh, n. 6, pp. 1224-25.

70. V.P. Menon, n. 7, pp. 206-07.

Saheb had taken control. In Bengal, Nazimuddin was defeated in the Assembly and the province was being administered by the Governor. Only in Sind and Assam, the League ministries were in power. In spite of all these deficiencies, the Muslim League claimed that "it was the League and the League alone, that represented the Muslims"[71]. However, here Jinnah committed a mistake. He should have accepted the Wavell proposal for inclusion of one member of the Unionist Party. He could bring him in his favour in future. The Viceroy had included in his list the following:-

1.	Liaquat Ali Khan	- Muslim League
2.	Ch. Khaliquzzaman	- Muslim League
3.	Khwaja Nazimuddin	- Muslim League
4.	Essak Sait	- Muslim League
5.	Sir Muhammad Nawaz Khan (Landlord)	Unionist Party
6.	Jawaharlal Nehru	- Congress (Caste Hindu)
7.	Vallabhbhai Patel	- Congress (Caste Hindu)
8.	Dr.Rajendra Prasad	- Congress (Caste Hindu)
9.	Dr. M.S. Aney	- Congress (Caste Hindu)
10.	Sir B.N. Rau	- Congress (Caste Hindu)
11.	Master Tara Singh	- Sikh
12.	Dr. Ambedkar	- SC Untouchable.
13.	Muniswami Pilai	- SC Untouchable.
14.	Dr. John Matthai	- Christian
15.	Viceroy	-
16.	Commander-in-Chief	-

However, blatantly obstinate position taken by Jinnah despite League's weak electoral position and the support given to him by the Home Office and the Viceroy beyond all limits of reason can be directly related to the League's and Jinnah's posture of a dependable friend of the British in war as well as in peace. The Viceroy, however, expressed his inability to accept either of the two conditions of Jinnah, who, in turn, said that "if that were so, the Muslim League could not co-operate"[72]. Thereupon, the Viceroy reluctantly informed him that in the circumstances his efforts were evidently futile and that he would make his statement on July 14, accordingly.

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Wavell desired to carry out the interim arrangement including members of other Muslim organizations or independent Muslims, in place of the Muslim League, and sought Amery's opinion in this respect, but the

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71. Ibid., p. 205.

72. Ibid., p. 206.

Secretary of State directed that the proposals[73] should not be proceeded with. Wavell informed Sir Francis Mudie (the Home Member), Sir Evans Jenkins and Menon. Menon was terribly disappointed as he was pleading with the Viceroy that League's claim that it represented all the Muslims of India was untenable, that the Unionist Party could not be let down, and that no compromise should be made with the Ieague and he should go ahead with his plans, so that Jinnah's claim for Pakistan could be avoided. But as the decision of the Secretary of State was final, they had to act accordingly. On the same day (July 11), Wavell informed Gandhiji that due to Jinnah's terms, the Conference has failed.Gandhiji was not surprised and said, "as the Congress and the League, Hindus and Muslims, were irreconcilable, it would be necessary at some time for the British to decide between them"[74]. On July 12, Wavell explained the position to Khizar Hyat Khan, Maulana Azad and Pant, who expressed indignation at the League's attitude.

Maulana Azad made a long statement and said:[75]

> "The Muslim League claimed the right to nominate all Muslim members of the Executive Council. This was a position which the Congress could not accept. By accepting it, the Congress would have reduced itself to a sectarian and Hindu organization, and thrown away the work of half a century. This was the Congress view and, as a Muslim, he agreed with it wholeheartedly. As a Muslim he was convinced that the Congress must carry the Muslims of India with it ... The Viceroy was right in rejecting its (League's) claim as he had apparently done. There was no doubt where the responsibility lay ... The communal problem had become so acute that, in the opinion of the Congress, it could only be solved by some final and just decision".

There appears to be a lot of wisdom in Rajagopalachari's analysis who said that the failure of the Conference was an understandable policy. He doubted the sincerity of the British Government, which proved true in future. He thought that the League's demand should not be allowed to stand in the way of constitutional development and the Viceroy could have declared a short-term solution on a territorial or administrative

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73. Proposal regarding inclusion of one member of the Unionist Party (Malik Khizar Hyat Khan) in the group of five members claimed by the Muslim League.

74. V.P. Menon, n. 7, p. 207.

75. Ibid., p. 209.

basis. The League was adamant to apparently untenable demands, the inability of the Viceroy in all fairness to agree to them and the dictate of the Home Department to close down the talks all appear to be inter-related plots of drama produced and directed by the imperial masters. In the context of this intrigue sincere efforts and pleadings of the Congress were just irrelevant. For Jinnah the situation was quite happy and he exploited it to the fullest benefit.

As Azad and Rajagopalachari held the League responsible for the failure of the Conference, Jinnah stood to remind the Conference that the League and the Congress had entirely different angle of vision and in the Council every matter was taken up by them according to their own policies, which, according to Jinnah could create problems in the working of the Council. He made it clear that the League's demand for Pakistan and the Congress demand for a united India were quite contradictory and "Musalmans of India were determined to have Pakistan"[76], and, thus, any conciliation between them was impossible. In the circumstances, it was better that the British Government were to carry on the government. Jinnah repeatedly said that the League was determined to have Pakistan and could agree to any agreement for an interim provisional government subject to two conditions: "first, a declaration by His Majesty's Government giving Muslims the right of self-determination; and, secondly, the grant to Muslims of any equality with all other communities in the interim government"[77].

Banerjee deplored that the League had obstructed the progress and suggested that the Viceroy could go ahead without the League. Khizar Hyat Khan claimed one seat for himself on the basis that "there were different schools of thought among the Muslims and he did not think any party should have a political monopoly"[78]. Master Tara Singh considered Pakistan a danger to the Sikhs and suggested that "the differences between the Congress and the Muslim League should be put to arbitration" and agreed to Pakistan "if Jinnah on his part would agree to a separate State for the Sikhs"[79]. Sivaraj, referring to the number of his Scheduled

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76. Stanley Wolpert, n. 68, p. 245.
77. V.P. Menon, n. 7, p. 211.
78. Ibid., p. 212.
79. Ibid.

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Caste community as sixty million, claimed to be treated at par with the Muslim League and the Sikhs.

Wavell, having no way of settlement, however, declared the failure of the Conference in the last sitting of the Conference on July 14, 1945, accepting full responsibility of his own. The Conference, thus, came to an end.

Amery wrote to Wavell[80]:

> "So all our plans have for the moment broken down in the face of Jinna's intransigence ... that it is the Muslim League and not you or I who stand in the way of their aspirations ... They must now either acquiesce in Pakistan, or realise that they have somehow or other to win over Muslim support against Jinnah, and that a mere facade of tame Congress Muslims does not help them".

Amery also suggested to hold the elections that winter and argued that "It by no means follows that Jinnah will sweep the board in the Muslim Provinces ... On the other hand, if he really does, then this claim that the Muslim members should all be members of the League could not so well be resisted[81]".

In reply Wavell admitted[82]:

> "The immediate cause of the failure of the Conference was Jinnah's intransigence about Muslim representation and Muslim safeguards ...".

The leaders gave statements at a press conference on July 14, 1945, expressing their viewpoints.

Jinnah regretted that though the first issue had oblique reference in the statements made by Amery and Wavell, but it was not mentioned in the proposals. Regarding the second condition, Jinnah said, that the proposals reduced the Mudlim League's representation to one-third. He feared that the other minorities, which were unable to organize their own independent States, were helpless to join the Congress in the Council keeping it always in majority. He did not believe in the Viceroy's power of veto, which depended at his will and the League had no provision to

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80. Nicholas Mansergh, Vol. V, n. 6, pp. 1236-37.

81. Stanley Wolpert, n. 68, pp. 245-46.

82. Nicholas Mansergh, Vol. V, n. 6, p. 1263.

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force the Viceroy to take steps against any proceedings against the interest of Muslims. Therefore, he wanted that the League should have some form of power to veto the proceedings. Jinnah also referred that as the composition of the Council was based on communal basis, it was but natural that the Congress were to act prejudicially. Therefore, the League had to secure sufficient safeguard through membership of five League members selected by the Muslim League itself on the basis that the League was the only representative of all the Muslims in India. Jinnah calculated that the proposal envisaged representation of five Muslims, of them two were Congress Muslims and one from the Unionist Party of Punjab; thus, the League was left with two members only. Jinnah also objected strongly to the Viceroy's determination to select the Muslim members (League or Non-League) himself out of the panel suggested by the Muslim League and considered by himself. Rajagopalachari also advised the Viceroy that in any interim arrangement the Congress and the League would be in conflict due to their different angle of vision and the League's fear was undeniable that "the Congress would make use of any interim arrangement to consolidate its position and gradually to strangle Pakistan"[83].

Azad blamed both the Muslim and the League for the failure of the Conference[84]. Menon writes that "Azad said that the blame for failure rested mainly on the Muslim League, but he could not altogether absolve the British Government[85]". He blamed the Viceroy for giving the right of veto to the Muslim League and having failed to declare the members of the Council due to Jinnah's opposition to its composition. Azad meant to say that the Muslim League's claim was not proper as the League's position in the provinces was miserable and it was running its government in only two provinces, Assam and Sind, that too depended upon the Congress support[86].

Jinnah said that under the Wavell Plan the Pakistan issue was to be shelved indefinitely as the interim government could have lasted for an unlimited period with the assistance of the British, which had a strong

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83. V.P. Menon, n. 7, p. 212.

84. See for details A.C. Banerjee, The Making of the Indian Constitution, 1939-47, Vol. I (Calcutta: A. Mukerjee & Co., 1948), pp.101-02; see also Jagdish Saran Sharma, n. 6, p. 625.

85. V.P. Menon, n. 7, p. 212.

86. Ibid.

inclination for a united India. Further, the interim government could have been transformed into a permanent unitary government securing Hindu national independence of India. Jinnah expressed the fear that the other minorities ethnically and culturally very close to the Congress had to be associated with the Hindu society favouring the Hindu Raj and voting against them. Jinnah reiterated that since Wavell's proposal did not entitled the League to nominate all the Muslim representatives as its chosen spokesman, the League "would have emerged out of this conference minus everything and we would have entirely betrayed our people. It would have been an abject surrender on our part of all we stand for, and it would have been the death-knell of the Muslim League. This was the position which faced us and we found that it was impossible for us to accept this arrangement[87]". Jinnah later said[88]:

> "There was the combination consisting of Gandhi and the Hindu Congress, who stand for India's Hindu national independence as one India, and the latest exponent of geographical unity, Lord Wavell, and Glancy-Khizr who are bent upon creating disruption among the Muslims in the Punjab, and we were sought to be pushed into this arrangement, which, if we had agreed to, as proposed by Lord Wavell, we should have signed our death warrant".

Jawaharlal Nehru said that "Muslim League represented mediaeval conceptions and fear complexes[89]". Hossain Imam, who attended the Conference in his capacity as leader of the Muslim League Party in the Council, knew that Jinnah was being backed by the British for taking a firm stand. Just before the Viceroy declared his final decision, Hossain Imam said to V.P. Menon that "the Viceroy was not aware that a member of his own Executive Council was advising Jinnah to stand firm[90]". This view finds strength due to attitude of Liaquat Ali Khan. Menon discussed with Liaquat Ali Khan in the evening of July 13, for reaching an agreement. Liaquat Ali said that the "crucial issue with the League was the insufficiency of the Viceroy's veto to protect the Muslim interests" and stressed that "no decision objected to by the Muslim members should be taken by the

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87. Sir Francis Low (ed.), The Indian Year-Book, 1945-46 (Bombay: Bennett, Coleman & Co., Ltd.), p. 888.

88. V.P. Menon, n. 7, p. 213.

89. Ibid.

90. Ibid., p. 214.

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Executive Council except by a clear two-third majority". Menon proposed to devise a formula acceptable to all parties and Liaquat Ali Khan promised to inform him after discussion with Jinnah, but he never returned. It may be said that Jinnah and Liaquat Ali Khan considered further negotiations out of vein.

The statement of Menon that Hossain Imam "gave me the impression that the members of the Working Committee of the Muslim League were far from unanimous in rejecting the Viceroy's offer"[91], on way to Cecil Hotel, before the Viceroy communicated his final decision, on July 14, 1945, seems quite incorrect. Menon has used the word 'impression' and not a word carrying authenticity. If the matter was a fact he could have quoted directly. The doubt is confirmed in view of the statement of Choudhary Khaliquzzaman, who writes that in the meeting of July 14, of the Muslim League at the Cecil Hotel at 6.00 P.M., the whole correspondence of Jinnah with Wavell was reconsidered and, at last, it was decided that (1) the Muslim League would not send list of more than five names of Muslims and (2) of the 12 seats in the Executive Council, five should be reserved for the Muslim League and there would be no right to any Muslim Party to be included in it. On these two demands, there was no disagreement between the members of the Muslim League[92]. If no member of League had any objection to it, it is difficult to believe that Hossain Imam and Liaquat Ali Khan, the most trusted companions of Jinnah, had stated in confidence with Menon, as above. It is surprising that R.C. Majumdar has also interpreted it in more clear words: "According to V.P. Menon, Husain Imam, the leader of the Muslim party in the Council of State, and Liaquat Ali Khan did not endorse the views of Jinnah"[93].

However, the Congress and the League could not agree even though the Hindus in India constituted 70 per cent and the Muslims were only 30 per cent, and the Congress had accepted the equal number of representatives in the Executive Council only to come to terms with the Muslim League so as to win self-government for India at any cost. Their differences became severe because Jinnah objected to the Congress proposal to nominate one or two Muslims out of its quota of five. However, the

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91. Ibid.

92. Ch. Khaliquzzaman, Pathway to Pakistan (Lahore etc.: Longmans Green & Co.,Ltd., 1961), p. 328.

93. R.C. Majumdar, n. 8, p. 720.

Conference revealed that Jinnah would not be satisfied with anything less than Pakistan, as he was being encouraged by the British Government and his arrogance had reached the summit with the backing of the British imperialism.[94] Durgadas reported that Jinnah was assured by the British Government that if he "stepped out of the talks, he would be rewarded with Pakistan".[95]

Jinnah, like Ch. Khaliquzzaman, had also realized that the national government if formed with the ratio of representation of Hindus, Muslims and other minorities as 5+5+2, 5+5+3 or 5+5+4, in all cases the League had to remain in the Council and had to face all the consequences as feared by the Muslim League. With this view, the League should not have accepted to participate in the Simla Conference and they should have made it clear in the very beginning (1940 Lahore Resolution) that they would neither participate in any national government nor allow to form any such government and that they would agree only on the division of the country establishing Pakistan. If the League had adopted this policy and assisted the British war aims openly, they might be considered more favourably and had obtained the Pakistan along with Jamuna.

On the other hand, the Congress was determined to establish a unitary government and make the Jinnah's plan for Pakistan unsuccessful without giving any safe corner to the Muslim League. To settle the differences, the Viceroy, as directed by the Home Department, decided to call a conference of all parties while they were well aware of the fundamental differences between the Congress and the League viewpoints. The decision reveals the intention of the British Government to prolong the British rule in India and to make final decision later in the face of the war in the Far-East. The conference served this purpose well.Secondly, the Churchill government had viewed the Muslim League as a proper instrument for utilising it in the interest of the British Government and, hence, did not like the formation of the Executive Council which did not include the representatives of the Muslim League sufficiently. Wavell knew this British policy before summoning the conference. But when he was trying and was on the verge of reaching an agreement while talking with Jinnah

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94. Jayakar Papers, File No. 816-B, Letter No. 264 from Jayakar to Jagdish Prasad, dated July 6, 1945, NAI.

95. Durgadas, India from Curzon to Nehru and After (London: Collins, 1969), p. 216.

on July 11, making him agree to five seats for Muslims including one for Khizar Hyat Khan, the Secretary of State directed him not to go much ahead.[96] Thirdly, there was black sheep in Wavell's existing Cabinet, who excited Jinnah not to accept the proposal.[97] However, Wavell failed to adopt a firm attitude and allowed the AIML veto to prevail.

Choudhry Khaliquzzaman sarcastically says that the Congress several times opposed the inclusion of Hindus (Non-Congress) chosen by the British Government, because the Congress could not depend on them. Similarly, the League could not depend on the Non-League Muslims. But when the Maulana was proud of supposed seven Muslim members in the Council, had he not in his mind that he would leave the Congress and join the Muslim League and, thus, he was inflicted with communal mentality.[98]

In the light of these facts, it may be admitted that the Simla Conference "was a fraud upon the public as well as upon its members".[99] Its impact was also not good. It gave strength to the demand of creation of Pakistan and confirmed a power of veto on Jinnah in deciding any future constitutional development in India. Jinnah fully exploited this situation created by Wavell and it was apprehended that the League's claim that it was the sole representative of Muslims of India would be conceded in fact or in theory in the near future. Therefore, the "wavering and middle-of-the-road Muslim politicians tended to gravitate to the Muslim League".[100] Jinnah welcomed this development.

Later, Maulana Azad, maintaining that the Conference was a turning point in the history of national movement, wrote:[101]

> "The Simla conference marks a breakwater in Indian political history. This was the first time that negotiations failed, not on the basic political issue between India and Britain, but on the communal issue dividing different Indian groups".

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96. AICC File No. 6/1947, NMML.
97. AICC File No. G-58/1945, containing letter from Azad to Wavell, dated July 14, 1945, NMML.
98. S.S. Pirzada, Foundations of Pakistan, Vol.II(1924-47), n.65, p.954.
99. R.C. Majumdar, n. 8, p. 719.
100. Ibid., p. 720.
101. Dr. J.J. Pal, Jinnah and the Creation of Pakistan (Delhi: Sidhuram Publications, 1983), p. 118.

Political Change in England

After the Simla Conference, two important events took place, First, the general elections in England, which results came out on July 20, 1945, returned the Labour Party to power securing a clear majority in the House of Commons and Churchill's 'Caretaker Government' was replaced by the Labour Government, with Element R. Attlee as Prime Minister and as Amery, the Secretary of State for India under the Conservative Government, lost the election, Penthick Lawrence became the Secretary of State for India. Secondly, as Japan was not surrendering unconditionally, atom bomb was dropped by the United States on August 6, 1945, on Hiroshima and the other on August 9, on Nagasaki, as a result the Japanese unconditionally surrendered. The Congress President cabled to Attlee:[102]

> "Hearty congratulations to the people of Great Britain on the results of the election which demonstrates their abandonment of the old ideas and acceptance of new world".

King's Declarations

The Congress expressed jubiliation as Churchill had given veto power to the Muslim League while the ML members feared that Attlee would not accept the demand of Pakistan. Sir stafford Cripps, who had opined after the failure of the Simla Conference for granting free self-government to India, emphasised to expedite permanent settlement giving place to the question of Pakistan as a major issue. He also urged to hold new elections and to form a constituent assembly with the representatives so elected "to work out a new free self-governing constitution for British India, or such part of it as was ready to consent to such a constitution".[103] The last elections to the Central Assembly were held in 1934 and to the Provincial Legislatures in 1936. The elections were postponed due to war and there seemed no justification for putting off the elections any longer. The Congress, the Muslim League and all the parties favoured the general elections. The Viceroy was also in favour of it. In the first week of August, 1945, he held a meeting of the Provincial Governors, who also agreed for holding the elections as early as possible.

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102. V.P. Menon, n. 7, p.216.

103. Ibid., p. 217.

In the opening session of the Parliament, the King declared:[104]

> "In accordance with the promises already made to my Indian peoples, my Government will do their utmost to promote in conjunction with leaders of Indian opinion early realization of full self-government in India".

The Government invited Wavell to London in order to consult with him the whole situation. Wavell, on August 21, announced that the elections would be held in the cold weather. Wavell left India for London on August 24, accompanied by Sir Evan Jenkins and Menon, and reached there on August 25, 1945.

Azad's Proposal for Communal Settlement

While Wavell was in England and a number of Congressmen were in jails and all hopes of communal settlement between the Congress and the League had failed, Abul Kalam Azad produced his own plan before Gandhiji for settlement. Menon writes about Azad:[105]

> "It was useless to enter into the causes of the communal problem or to apportion blame for it. Muslim fears could only be removed by devising a scheme under which they would feel secure. Any attempt to form a unitary government at the Centre would fail. Partition was against the interests of the Muslims themselves. As an Indian Muslim, he regarded partition as a defeatist policy and could not accept it. He suggested to the Congress that the future constitution of India must be federal with fully autonomous units; that the central subjects must only be of an all-India nature and agreed upon by the constituent units, and that the units must be given the right of secession. There must be joint electorates both at the Centre and in the provinces, with reservation of seats and such differential franchise as might be needed to make electorates reflect the strength of population of the communities. There must be parity of Hindus and Muslims in the central legislature and the central executive till such time as communal suspicion disappeared and parties were formed on economic and political lines. There should also be a convention by which the head of the Indian federation would, in the initial period, be Hindu and Muslim by turn. Hindu friends were exhorted to leave entirely to the Muslims the questions of their status in the future constitution of India. If Muslims were satisfied that the decision was not being imposed on them by a non-Muslim agency, they would drop the idea of partition and realize that their interests would be best served by a federated and united India".

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104. D.C. Gupta, Indian National Movement (Delhi: Vikas, 1970), p. 251.

105. V.P. Menon, n. 7, p. 221.

Wylie's Proposals

Sir Francis Wylie, the Governor of the United Provinces (1945-47), who was against the partition of the country, proposed the following solution to break the constitutional deadlock. He writes:[106]

> "I circulated a paper arguing that means simply must be found to avoid the carving up of the country. A complete rearrangement of the map of India was necessary I wrote to create federal units based on linguistic, cultural and religious affinities. The federal concept was still capable of all sort of extensions. Why should not the Muslim units, once their limits had been established, be allowed to maintain their separate armed forces, fly the flag of the union with some added emblem that would satisfy their susceptibilities etc., etc. Always provided that the federal government had effective control at least of defence, foreign affairs and, if possible, communications. The Indian states should, I suggested, be left alone for the time being, but should be told straight away that their future lay with the Indian union and that, when this was established, their special relationship with the British Crown would be terminated. The rearrangement of provincial boundaries should, I wrote, be entrusted to a Royal Commission consisting exclusively of Indian members. It will not be forgotten that the creation of linguistic provinces was an old demand of the Indian National Congress".

Though the intention of Francis Wylie was fair enough, Jawaharlal Nehru, with whom Wylie discussed the idea of a Royal Commission, was very cold about it because he thought it to be a means for delaying the transfer of power and "he boggled particularly at the notion of a separate flag for a federal unit"[107]. Wylie met with many prominent Muslims, who were not so many in the twilight of the raj, and expressed his opposition to the partition of the country. They all agreed, but it did not mean that "they enjoyed the prospect of living under a perpetual Hindu majority but that, if Jinnah had his way, their community, in what was left of the country, would be so weakened that in the end it might be completely submerged"[108].

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Declarations of Wavell and Attlee

In England, the Labour Party leader and Prime Minister Clement Attlee

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106. Sir Francis Wylie, 'Federal Negotiations in India, 1935-39' and After', in C.H. Philips and M.D. Wainwright, The Partition of India: Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), pp. 525-26.
107. Ibid.
108. Ibid.

carried out far-reaching reforms and took revolutionary decisions in respect of overseas British territories. He had often declared that he would work for the liberation of India[109] and when Wavell was called by him to England it was expected that some useful solution would come out. During the long discussions with the Secretary of State and the India Committee of the Cabinet (which included Clement R. Attlee, the Prime Minister, and Sir Stafford Cripps, then President of the Board of Trade also, and which was chaired by Attlee), Wavell explained that "Jinnah spoke for 99 per cent of the Muslim population of India in their apprehension of Hindu domination ... The real strength of Mr. Jinnah's position was the widespread and genuine fear among Indian Muslims of Hindu domination and Hindu raj[110]". He was inclined favourably towards the Muslim League, which, he anticipated, "might prove to be his only allies in the coming struggle for power[111]". It was decided that the Cripps proposals for 'provincial option' should be retained and the question of framing the future constitution of India would best be left to be taken up after consulting the Indian leaders returned at the conclusion of the elections. Lord Wavell returned to India on September 16, and made an announcement on 19th on behalf of His Majesty's Government[112]:

> "As stated in the gracious speech from the Throne at the opening of Parliament, His Majesty's Government are determined to do their utmost to promote in conjunction with the leaders of Indian opinion the early realisation of full self-government in India. During my visit to London they have discussed with me the steps to be taken.
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> "An announcement has already been made that elections to the central and provincial legislatures, so long postponed owing to the war, are to be held during the coming cold weather. Thereafter His Majesty's Government earnestly hope that ministerial responsibility will be accepted by political leaders in all provinces.
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> "It is the intention of His Majesty's Government to convene as soon as possible a constitution-making body, and as a preliminary step they have authorised me to undertake, immediately after the elections, discussions with the representatives of

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109. Humayun Kabir, 'Muslim Politics, 1942-7', in C.H. Philips and M.D. Wainwright, Ibid., p. 396.

110. Stanley Wolpert, n. 76, p. 250.

111. Ibid.

112. V.P. Menon, n. 7, pp. 218-19.

> the Legislative Assemblies in the provinces, to ascertain whether the proposals contained in the 1942 declaration are acceptable or whether some alternative or modified scheme is preferable. Discussions will also be undertaken with the representatives of the Indian States with a view to ascertaining in what way they can best take their part in the constitution-making body.
>
> "His Majesty's Government are proceeding to the consideration of the content of the treaty which will require to be concluded between Great Britain and India.
>
> "During these preparatory stages, the Government of India must be carried on, and urgent economic and social problems must be dealt with. Furthermore, India has to play her full part in working out the new World Order. His Majesty's Government have therefore further authorised me, as soon as the results of the provincial elections are published, to take steps to bring into being an Executive Council which will have the support of the main Indian parties".

Lord Wavell, in a personal message, emphasised the importance of the announcement, which conveyed the Government's decision to go ahead, and that the new Government in Britain took up the issue of India at its first opportunity. He said that after the elections the Indian leaders and the representatives of the States would be consulted to determine the form of constitution and for this purpose a constitution-making body would be set up.

On the same day (September 19), Attlee, in his broadcast reiterated the Wavell declaration adding that the 1942 Declaration (Cripps Proposals) still "stands in all its fullness and purpose" and that the Declaration "envisaged the negotiation of a treaty between the British Government and the constitution-making body". The British Government was considering the contents of such a treaty, and in that treaty nothing would be provided which would be "incompatible with the interests of India"[113]. He appealed to all the Indians to make a united effort to help evolve a constitution which would be accepted by all parties and interests in India.

Reaction of the Congress

The statements of the Viceroy and the Secretary of State were not favourably received by the main Indian parties. The AICC, meeting in Bombay

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113. For text of Attlee's statement see B. Pattabhi Sitaramayya, History of the Indian National Congress (Delhi: S. Chand & Co., 1969), Vol. II, pp. 669-70.

on September 21, characterised Wavell's proposals as "vague and inadequate and unsatisfactory"[114] and pointed out that there was no reference of immediate change at the Centre or independence, and that the Declarations only spoke of "alterations" and "modifications" in the Cripps scheme and did not clarify whether those "representatives of the Indian States" would represent the princes or they would be the spokesmen of the people. They demanded release of political prisoners but decided to contest the elections to demonstrate the will of the people on the issue of immediate transfer of power. The AICC passed a resolution reiterating the Congress policy of independence and unity in the following terms:[115]

> "Nevertheless, the Committee declares also that it cannot think in terms of compelling the people in any territorial unit to remain in an Indian Union against their declared and established will. While recognising this principle, every effort should be made to create conditions which would help the different units in developing a common and co-operative national life. Acceptance of the principle inevitably involves that no changes should be made which result in fresh problems being created and compulsion being exercised on other substantial groups within that area. Each territorial unit should have the fullest possible autonomy within the union, consistently with a strong National State".

Though this resolution was put aside, but on the right of secession, very strong speeches were made and it was declared that the Congress would not make more approaches to the League but "would contact the Muslim masses direct and would try to reassure them by appropriate means through the election manifesto.[116]

Reaction of the Muslim League and Nationalist Muslims

Jinnah and Liaquat Ali Khan reiterated their earlier statements that no solution would be acceptable to the Muslim League except on the basis of Pakistan and acceptance of the Muslim League as the sole representative of all the Muslims in India. The Muslim League, which had by then created a strong press and had become a people's party, claiming the loyalty of almost every Muslim, demanded that the provinces of the

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114. V.P. Menon, n. 7, p. 220.

115. Ibid., p. 222.

116. Ibid.

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Punjab, Sind, the NWFP, Baluchistan, Bengal and Assam in their entirety should be formed into a separate sovereign State of Pakistan. The Muslims had realised that their interests lie only with Jinnah and the League as a result many Muslims, who were earlier in the Congress, joined the League and Jinnah "welcomed them like lost sheep"[117]. For instance, Abdul Qaiyum Khan of NWFP, the Deputy Leader of the Congress Party in the Central Assembly, changed his allegiance to the Muslim League. However, the nationalist Muslims found themselves in a difficult position because they knew that the Muslims would not vote for them until and unless they were assured of some protection from the Congress.

I.N.A. Trials

The Indian military personnel, who, while warring on the British side, were captured by the Japanese, were turned into the Indian National Army founded by Subhas Chandra Bose. At the conclusion of the war, over 20,000 of them were rounded up, repatriated to India and charged for waging war against the King and inducing the fellow prisoners to join them. The first batch of three accused officers included a Hindu, a Muslim and a Sikh to be tried by a Military Tribunal in the Red Fort, Delhi. Desai, Sapru and Nehru set up a panel of defence. The trial evoked a strong enthusiasm and when the League joined them, the agitation spread throughout the whole India. These trials provided much material for an anti-British propaganda. "Wild demonstrations were held over a wide area, from Calcutta to Lahore and Bombay, and from Lakhnau to Madura, occasionally accompanied by popular violence and firing by the police"[118]. The British Government realized that if they would attempt to prolong their rule in India, the people would be more restive and violent as they had become conscious of their country's plight and backwardness due to century-old British exploitation of their land and resources. Therefore, the British Government, which had become weak, economically and politically after the war and was unable to manage its distant territories, thought it proper to transfer power to the Indians in a respectable manner at the earliest.

Attlee, on September 23, 1945, made a statement, which clarified

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117. Ibid., p. 221.

118. See for day-to-day account, AIR, 1946, Part I, pp. 269-84.

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some "misunderstanding" created by Wavell's statement, and assured that a constitution-making body would be urgently set up, by which the Indians will decide their own future. On November 8, Jinnah said that the "Government was groping in the dark" and asserted that the constitution-making body should be formed only after the question of Pakistan was settled and suggested that, to solve this issue, "there should be two separate constitution-making bodies for the two parts into which India should be divided".[119]

Meanwhile, a million or more Indian soldiers, recruited during the war, began to return to India with a new political consciousness. They had fought for democracy and it was but natural that they wished to see democracy in India as well. Further, the sepoys had become accustomed to somewhat good standard of life and disliked to live in a miserable condition in the villages, to which they mostly belonged. They also resented the discrimination in emoluments, treatment and standard of life between themselves and the British soldiers. They had proved themselves as good soldiers as the British and had realised that the British were not superior to them; hence, they argued that "there should be equality of treatment among soldiers of the Commonwealth without regard to their country of origin, complexion or creed".[120]

The Congress threat for another struggle, the trials of the INA soldiers, widespread demonstrations, demand of British Indian soldiers returning home and severe strains on British economy created a very dangerous and tense situation compelling the British Government to re-state their policy. Consequently, Attlee, on December 4, 1945, declared in the House of Commons that a Parliamentary Delegation would shortly visit India to meet leading political leaders, to learn their views and to convey that "India should speedily attain her full and rightful position as an independent partner State in the British Commonwealth".[121] It was the first announcement of the British Government with respect to India's independence, which was widely appreciated.

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119. V.P. Menon, n. 7, p. 224.

120. Humayun Kabir, n. 109, pp. 396-97.

121. See for details N.N. Mitra (ed.), The Indian Annual Register, Vol.II, (Calcutta: Annual Register Office, 1930-1947), p. 150; also see Sir Maurice Gwyer and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-1947, Vol. II (London: Oxford University Press, 1957), pp. 568-69.

The CWC at its Calcutta session held on December 7, 1945, reaffirming its faith in non-violence, asserted that it does not include "burning of public property, cutting of telegraph wires, derailing trains and intimidation"[122].

Wavell found support and felt relief from the long drawn resolution of Gandhiji on December 7, and addressing the Associated Chambers of Commerce on December 10, 1945, in Calcutta, he assured the Indian people of "political freedom and a government or governments, of their own choice" and unless some reasonable settlement was reached between the Congress, the minorities, "of whom the Muslims are the most numerous and most important", and the rulers of Indian States, the British could not abandon their responsibility of governing India. He said that India's problem was difficult and "would not be solved by repeating a password or formula. 'Quit India' would not act as the magic 'sesame' which opened Ali Baba's cave. It could not, and would not, be solved by violence. Disorder and violence were the very things that might check the peace of India's progress"[123]. He further said[124]:

> "We are going through a very difficult and testing time, and it will need coolness and wisdom if we are to avoid calamity. In so far as I can help by personal contact, I am always prepared to do so".

Wavell announced that the life of the Assembly would expire on October 1, 1945, and the new members would take their seats at the budget session of 1946. As the electoral rolls were not ready, the life of that Chamber was extended up to May 1, 1946, and elections were required to be held as early as possible.

The Punjab Governor, Glancy, on August 1, 1945, had argued: Unless the Muslim League could be steered away from the crude version of Pakistan, there would be civil war in the Punjab; and immediate Central elections might consolidate the Muslim League position"[125]. Casey thought that Jinnah

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122. V.P. Menon, n. 7, p. 224.
123. Ibid., p. 225.
124. Ibid.
125. Nicholas Mansergh (Editor-in-Chief) and E.W.R. Lumby (ed.), Constitutional Relations Between Britain and India : The Transfer of power (11 Vols.), Vol. VI: The Post-War Phase: New Moves by the Labour Government, 1 August 1945 - 22 March 1946 (London: Her Majesty's Stationery Office, 1976), p. 6.

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had no real successor and the "Pakistan idea might go to pieces without him.

The Viceroy had announced that the elections to the central legislature would be held first; then would follow the elections to the provincial legislatures where ministries were functioning, and the legislatures in provinces where ministries were not functioning. However, the Congress and the Muslim League announced to contest the elections and began preparation for it. The Akali Sikh Congress, the Working Committee of the All-India Scheduled Castes, the National Liberation Federation, and the Communist Party of India also announced to contest the elections.

Jinnah, to establish the firm position of the League, began to oppose Gandhiji strongly. On August 6, in his first public speech at Bombay, Jinnah had restated: "There are only two major parties in this country. Invitations issued to Mr. Gandhi and myself were on the basis that Mr. Gandhi was the recognised leader of one of the parties and myself the leader of the other. The British called them parties, but in fact they are two major nations".[126]

At one occasion, Jinnah argued that 'every vote in favour of the Muslim League candidate meant Pakistan, and every vote against the Muslim League candidate meant Hindu Raj'. At another meeting, he said:[127]

> "The Hindus and Muslims are different in everything. We differ in our religion, our civilization and culture, our language, our architecture, music, jurisprudence and law, our food, society, dress - in every way we are different. We cannot get together only in the ballot box. The Hindus want the Unitary Government because in that case they have a perennial majority of three to one and thus they rule over the Muslim nation because the Muslims would be in a minority always".

On November 1, 1945, Jinnah predicted that the Muslim League would 'sweep' at the polls and informed a reporter from the Associated Press that he did not care about the critics of his Pakistan plan.[128]

Jinnah charged the nationalist Muslims that they were neither

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126. Jamil-ud-Din Ahmad, n. 60, Vol. II, p. 387.

127. Ibid., p. 235.

128. Ibid., pp. 426-28.

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nationalists nor true Muslims because if they were honest Muslims and felt that the League was doing against the interest of Muslims, they would have joined the League and guided it.

Addressing the ML Conference, Jinnah, expressing his feeling towards the Government and the Congress, said:[129]

> "We have no friends ... Neither the British, nor the Hindus are our friends. We are clear in our minds that we have to fight against both of them. If both (being Banias) are combined against us, we shall not be afraid of them. We shall fight their united might and, Inshallah, win in the end".

When Jinnah asked the crowd, whether they wanted Pakistan or not, he was loudly and repeatedly cheered by the slogan, "Allah-o-Akbar" (God is Great). He said that to win Pakistan, they had only to "vote for the League candidates". Jinnah became defensive, sarcastic and irate towards Gandhiji, when he said:[130]

> "They (Hindus) ask: 'What are the sacrifices of Mr. Jinnah and the Muslim League?' It is true that I have not been to jail. Never mind, I am a bad person. But I ask you, 'Who made sacrifices in 1920-21?'. Mr. Gandhi ascends the gaddi (throne) of leadership on our skulls".

The above statement reveals that Jinnah felt Gandhiji's ascendency to the throne of Congress leadership as his step on his 'skull' as the former did not tolerate the latter's inclination towards Congress domination over the Muslims reducing them to the status of an ignorable citizen without having any power of 'check' on the working of the Congress government and thus amending the constitution against the interest of the Muslims. Thus, Jinnah's uncompromising attitude was a measure of safeguard of Muslim interests.

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Jinnah's hectic propaganda, the position accorded by the British to the Muslims at Simla and the British acceptance of the League's demand for Pakistan made the people realize that the communal voting would clear the way for success of the League.

On December 3, 1945, Casey, the Bengal Governor, told Gandhiji that what was "standing in the way of self-government for India" was not the

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129. Ibid., pp. 438-39.
130. Ibid.

British but the Muslim League, which was "suffering from Hinduphobia" and urged that the Congress should announce "a substantial list of safeguards" for Muslims for inclusion in the new constitution to "blunt the edge" of League's fears and suspicions. Gandhiji replied that he had "conceded safeguard after safeguard", but Jinnah "constantly raised his price" until he demanded Pakistan. Gandhiji also said:[131]

> "... he believed Jinnah to be a very ambitious man and that he had visions of linking up the Moslems of India with the Moslems in the Middle East and elsewhere and that he did not believe that he could be ridden off his dreams".

The uncanny accuracy of Gandhiji's assessment of the position of Jinnah and his party is amazing.

Attlee's Declaration

On December 4, 1945, Attlee declared in the House of Commons that a Parliamentary Delegation would shortly visit India to envisage means for solving communal problem so that independence could be granted.[132] Wavell, on December 10, 1945, had made clear that independence would be granted only after settlement reached between the Congress and the Muslim League, that is, the Muslims.[133] However, according to Wavell's statement of September 19, 1945, on elections and his plans for summoning constitution-making body, elections held in December, 1945.

Elections to the Central Legislative Assembly

The elections to the Central Legislative Assembly were held and the results were announced on December 31, 1945 - January 1, 1946,[134] which showed the elected members as follows:[135]

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131. Nicholas Mansergh, n. 125, pp. 590-91.
132. V.P. Menon, n. 7, p. 226.
133. D.C. Gupta, n. 104, p. 253.
134. V.P. Menon, n. 7, p. 226.
135. R.C. Majumdar, n. 8, p. 724; V.P. Menon, n. 7, p. 226.

S.No.	Party		Elected	Previous members of dissolved Assembly
1.	Congress		56(57)	36
2.	Muslim League		30	25
3.	European Group		8	8
4.	Independents		5	21
5.	Akali Sikhs (represented for the first time)		2	10 (Nationalists)
Nominated on January 4, 1946				
1.	Official	26	-	-
2.	Non-official	14	-	-
	Total	40	101(102)	100

The results confirmed that the "Congress won an overwhelming success in the General constituencies, the Hindu Mahasabha and other opposing candidates preferring in most cases to withdraw rather than risk defeat. The Muslim League won every Muslim seat, the Nationalist Muslims forfeiting their deposits in many instances. The Congress secured 91.3% of the votes cast in non-Muhammadan constituencies and the Muslim League 96.6 per cent of the total votes cast in Muhammadan constituencies[136]". The results proved that the Congress and the Muslim League were the only major parties that counted in the Indian politics. The Congress Central Election Board in its bulletin issued on January 6, 1946, declared that "the Congress stood vindicated; it was the biggest, strongest and most representative organization in the country[137]", while the Muslim League also celebrated its victory on January 11, 1946, and Jinnah on that occasion "congratulated the League on winning all the Muslim seats in the Central Assembly[138]".

Elections to the Provincial Legislatures

Elections to the eleven Provincial Legislatures lasted for three and a half months, commencing on January 9, 1946, in Assam and ending in various provinces up to the middle of April. The results are given below:

136. V.P. Menon, n. 7, p. 226.
137. Ibid.
138. Ibid.

Results of Elections of Provincial Legislatures - 1946[139]

Provinces	Seats won by Congress	Seats won by Muslim League
Assam	58 out of 108	35 (All Muslim seats)
Sindh	21 (joined by 7 others)	27 (joined by 1 independent) 35* (All Muslim seats)
NWFP	30 (plus 19 Nationalist Muslims)	17 out of 38
Punjab	51 (joined by 22 Akali Sikhs, Unionists 20)	75 (79 out of 86*) 7 Independents
Bengal	87 out of 250	113 out of 119 (116 out of 119 Muslim seats*)
Bombay	Absolute majority	All Muslim seats (30 out of 30*)
Madras	Absolute majority	All Muslim seats (Similar results*)
Orissa	Absolute majority	All Muslim seats
U.P.	Absolute majority	54 out of 66.
Bihar	Absolute majority	34 out of 40 (43 out of 50*)
C.P.	Absolute majority	13 out of 14

(* Ch. Khaliquzzaman, Pathway to Pakistan (Urdu), pp. 970-72)

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139. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 725.

The results of the elections showed that in Assam the Congress won all the General seats and the League almost all the Muslim seats. The Congress formed the ministry. In Sind, though the Congress coalition had the "majority of one over the Muslim League, the leader of the League was asked to form a ministry by the Governor"[140], which was severely criticised as being unconstitutional. In the NWFP, the Congress having absolute majority formed the ministry. In the Punjab, the Congress, forming a coalition with the Akali Sikhs and the Unionists, formed the ministry. In Bengal, the Muslim League being in absolute majority formed the ministry. In Bombay, Madras, U.P., Bihar, Orissa and C.P., the Congress won absolute majority and formed the ministry. The Congress offered two seats to the Muslim League in Assam in the ministry, but the League rejected the offer because of inclusion of one Nationalist Muslim[141]. In Punjab, the Congress invited the Muslim League to form ministry, but the latter did not agree to the alliance. In Bombay, Madras, U.P., Bihar, Orissa and C.P., the Congress invited the League to join the Congress ministry, but the negotiations failed. It may be noticed that, first, the Congress and the League emerged as the two important parties. Secondly, the Muslim League had claimed to form Pakistan including Assam, Bengal, Sind, NWFP, Punjab and Baluchistan, but it could come into power in only two - Bengal and Sind, where the League formed the ministry and, that too, in Sind with the favour of the Governor. Thirdly, majority of the Scheduled Castes supported the Congress[142]. In total, the Congress won 930 seats with absolute majority in eight provinces and in three provinces the Congress became the second largest party. The Congress failure in winning the majority in these provinces was due to the League propaganda fomenting religious sentiments and communal passions. However, the League's capture of 428 seats indicated its increasing influence in Indian politics. It also showed an emergence of the Panthic Akalis in Punjab, the disappearance of the Hindu Mahasabha and Justice Party in Madras and decline of the Unionist Party in Punjab, which won only 20 seats. The following figures of the votes cast shows that the Congress polled 80 per cent of the General votes and the League 74 per cent of the Muslim votes cast:

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140. R.C. Majumdar, Ibid.,

141. V.P. Menon, n. 7, p. 229.

142. R.C. Majumdar, n. 8, p. 726.

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Final figures of the total votes cast[143]

1.	Congress Party	11,683,053
2.	Muslim League	4,530,538
3.	Communists	653,489
4.	Scheduled Castes Federation	509,217
5.	Punjab Unionists	413,815
6.	Hindu Mahasabha	285,567
7.	Akali Sikhs (mainly Punjab)	178,509
8.	Krishak Praja Party (mainly Bengal)	132,581
9.	Jamiat-ul-Ulema (non-League Muslims)	132,190
10.	Nationalist Muslims (mainly U.P)	125,434
11.	Radical Democratic Party	118,661
12.	Ahrars	67,461
13.	Momins (Bihar)	29,168
14.	Khaksars	21,100

The success of the Muslim League, on the one hand, "loaded the dice heavily in favour of Pakistan", while that of the Congress, on the other, "held out a fair hope that the Congress would be able to hold together the rest of India even after the creation of Pakistan and to thwart the Muslim League's design to include the predominantly non-Muslim areas of Assam and Bengal and of the Punjab within Pakistan"[144].

Parliamentary Delegation

The Secretary of State, on November 8, 1945, had cabled the Viceroy to ask: "But can Jinnah be induced to accept a modified form of it (Pakistan) which it might be possible to concede?"[145]. On November 19, 1945, Cripps had advised the Cabinet Committee to send a parliamentary delegation to India and to urge the Viceroy to meet Gandhiji, whom he understood was "willing to influence Indian opinion towards moderation"[146]. Wavell, in depression, wired an "immediate, top secret reply: "I do not think it advisable that I should invite Gandhi to see me"[147].

To assess the depth of the Congress-League confrontation on the communal problem - constitutional development and independence, the

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143. D.C. Gupta, n. 104, p. 256.

144. S.R. Mehrotra, 'The Congress and the Partition of India', in C.H. Philips and M.D. Wainwright, n. 106, p. 217.

145. Pethick-Lawrence to Wavell, November 8, 1945, see Nicholas Mansergh and E.W.R. Lumby, n. 125, Vol. VI, p. 463.

146. Cabinet Minutes, November 19, 1945, Ibid., p. 501.

147. Wavell to Pethick-Lawrence, November 23, 1945, Ibid., p. 524.

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British Government decided to send a parliamentary delegation to India. Pethick-Lawrence, on December 21, 1945, wrote to Jinnah and Azad asking whether they would like to meet the delegation to "discuss matters with him".[148] Having elicited a positive response, the Parliamentary Delegation, consisting of ten members - eight from the House of Commons and two from the House of Lords, headed by Professor Robert Richards[149], arrived in India on January 5, 1946. The Secretary of State wrote to the Congress and the League Presidents that the basic purpose of the Delegation was "to make personal contacts".

The political leaders received the Delegation - which toured the country for about a month - with cordiality and friendliness. Jinnah, on January 10, 1946, reiterated that "he would take no part in an interim Government without a prior declaration accepting the principle of Pakistan and 'parity' with all other parties" and also insisted "on two constitution-making bodies" leaving India and Pakistan to settle their boundary through negotiations without envisaging predominantly non-Muslim areas. Jinnah made it clear:[150]

> "Any attempt to impose a unified constitution , or to accept a majority decision by a single constitution-making body, would be resisted, if necessary by force. ... that Pakistan would remain within the Empire with a British Governor-General. Relations with Hindustan would be purely diplomatic; there would be no common currency, transport system, army etc.".

Jawaharlal Nehru, during talks with the Delegation, conceded that the Government "might have to declare for Pakistan, but that there would have to be a plebiscite in border districts to confirm it". He thought that the results to the Central Assembly were insufficient to ascertain the consensus of the people as the Muslims, according to him, "did not know what they were voting for".[151] Miss Muriel Nichol, one of the members of the Delegation said: "Without rancour or bitterness, and in a clear yet firm way, Pandit Nehru stated the Congress case for India's freedom. ... I have really met a great man".[152] Richards, the leader of the Delegation

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148. Pethick-Lawrence to Jinnah, December 21, 1945; Ibid., pp.672-73.
149. V.P. Menon, n. 7, p. 227.
150. Ibid.
151. Ibid.
152. Ibid., p. 228.

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at a press conference, stated:[153]

> "There are deep divisions among you, but those divisions disappear in the unity with which you, in my opinion, very rightly demand a measure of self-government at this time. There are several views on that particular question, but I do say that we are all conscious of the fact that India has at last attained political manhood; and it will be the privilege of the Government in England, I hope, to extend and further that confidence which India has in herself and in her ability to take her place among the free nations of the world".

On January 28, 1946, the Viceroy, addressing the newly elected central legislature in a seven-minute speech, said that the British Government was determined to establish a new Executive Council and to set up a constitution-making body as soon as possible. Patel, welcoming the speech, said: "The ship has reached the shore ... The freedom of India is near at hand"[154], but Jinnah, opposing the speech, reiterated that "the Muslim League was not prepared to consider anything short of immediate recognition of the Pakistan demand".

Parliamentary Delegation Report

The Parliamentary Delegation returned to 10 Downing Street in the middle of February and reported that Pakistan would have to be conceded - and the sooner the better. Mrs. Muriel Nichol, on February 13, 1946, maintained that she found the Punjab 'explosive' as the Muslim population there was "all worked up in favour of Pakistan"; hence, Pakistan must be conceded. She believed that Jinnah would agree to modify his demand, if it was acceded "at an early stage"[155]. Brigadier Austin Low felt that the HMG should not make a declaration in favour of Pakistan as he feared that "Pakistan is not a viable proposition". M.P. Reginald Sorensen regarded "Pakistan as wholly irrational - he was not sure that Mr.Jinnah could be regarded as a rational person - but, in his view, necessary". Arthur Bottomley "did not like Pakistan but thought it would be necessary" ... (a) to avoid widespread bloodshed, (b) to preserve our own trade interests, for whereas the strong tendency in the Congress majority provinces was to boycott trade with the United Kingdom, the Muslims were

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153. Ibid.

154. Ibid.

155. Nicholas Mansergh and E.W.R. Lumby, n. 125, Vol. VI, p. 948.

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eager to do business with us"[156].

Francis Turnbull, the Private Secretary of Pethick-Lawrence stated in his note of February 13, 1946, on the "viability of Pakistan": "There is bound to be an economic price to pay for the satisfaction of the Moslem demand for political independence"[157] and warned[158]:

> "The division of India will be born in bitter antagonism and it will certainly be rash to assume that this will not be reflected in the efforts necessary to regulate the machinery of communications and of economic intercourse between the Pakistan States and the rest of India ... It is hard to resist the conclusion that taking all these considerations into account the splitting up of India will be the reverse of beneficial so far as the livelihood of the people is concerned".

Jinnah reiterated that the League would not be prepared to co-operate in any interim arrangements until this principle had been accepted beyond all doubts that there would be two constitution-making bodies -"one for the Pakistan areas and the other for the rest of India"[159]. In a press interview, Jinnah also said that if the Government would call a single constitution-making body, the Muslims would revolt throughout India.

Wavell, sensing a country-wide disturbance, wrote to the Secretary of State regarding the future programme and communicated his two important observations: "First, that if Jinnah refused to participate in the interim Government, the Government should go ahead without him. Secondly, though Pakistan had to be conceded, the large non-Muslim populations (in the East Punjab and West Bengal) could not be forced to remain in Pakistan against their will"[160]. Meanwhile, the provincial election campaign and the "poisonous propaganda" had caused Hindu-Muslim riots, especially in the Punjab. Therefore, Pethick-Lawrence, in consultation with the British Cabinet, concluded that it would be useless to leave another round of political negotiations to the Viceroy alone, and a Cabinet Mission

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156. Ibid., pp. 949-50.
157. "Viability of Pakistan", Ibid., pp. 951-55.
158. Ibid., p. 955.
159. V.P. Menon, n. 7, p. 228.
160. R.C. Majumdar, n. 8, p. 726.

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could only break the Hindu-Muslim "deadlock". Therefore, the Cabinet on February 19, 1946, decided to send in March a three-member Mission to conduct, in association with the Viceroy, negotiations with the leaders. The announcement came as follows:[161]

> "In view of the paramount importance, not only to India and to the British Commonwealth but to the peace of the world, of a successful outcome of discussion with leaders of Indian opinion, the British Government have decided with the approval of His Majesty the King to send out to India a special mission of Cabinet Ministers consisting of the Secretary of State for India (Lord Pethick-Lawrence), the President of the Board of Trade (Sir Stafford Cripps) and the First Lord of the Admiralty (Mr. A.V. Alexander) to act in association with the Viceroy in this matter".

The Cabinet thought the mission as its "final card in the game of British India spinning so swiftly to its tragic finale".[162] The Cabinet realised that if the negotiations failed, civil disobedience and disobedience of the army would follow. Further, by that time the total number of Europeans in all official services was rapidly dwindling as they had opted for retirement on their pensions back home and there was precious little time left to break the deadlock for transferring the power.

Bombay Sailors' Revolt

Another significant occurrence which highlighted the compulsive situation for the British was the sailors' revolt on February 18, 1946. The sailors in the Royal Indian Navy in Bombay harbour demanded higher wages and on February 19, 3000 of them marched around the Bombay calling themselves members of the Indian National Navy in emulation of Bose's I.N.A. Later, they captured the ship and threatened fire. On the persuation of Vallabhbhai Patel, they surrendered unconditionally, while the elections continued.

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Attlee's Declaration

On March 15, 1946, the Prime Minister Attlee, in the House of Commons, declared that to solve "the problem of the development of India

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161. N.N. Mitra (ed.), The Indian Annual Register, n. 121, p. 129; see also Sir Maurice Gwyer and A. Appadorai, n. 121, p. 571.

162. Stanley Wolpert, n. 68, p. 254.

into a completely self-governing nation" has been very difficult and "it would be a great mistake to stake out the claims of rival communities". In the rather fluid position, he did not like "to tie down those who are going out too rigidly". He said that the Cabinet Mission was being sent to help India to attain her freedom "as speedily and fully as possible" and the form of Government had to be decided by the Indians. He also said: "India herself must choose what will be her future constitution: what will be her position in the world" and hoped that Indian people would like to remain within the British Commonwealth. He desired an Interim Government to be set up and assured that he "would not like to fetter the Viceroy's discretion in any way with regard to the allocation of portfolios"[163]. He also hoped that "the statesmen of British India and of princely India will be liable to work out a solution of the problem of bringing together, in one great policy, these desparate constituent parts". Referring to the protection of Minorities, he said: "we cannot make Indians responsible for governing themselves and, at the same time, retain over here responsibility for the treatment of Minorities and the power to intervene in their behalf". He was sure that "everyone will wish them (Cabinet Ministers) Good-Speed"[164].

The announcement of the Prime Minister made the Indians to believe that Independence of India was certain and it would not be delayed after making necessary preliminary arrangements. This belief was further strengthened in the light of the Prime Minister's statement reading - "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of the majority"[165], which "served as 'open sesame' to the closed doors of the solution of Indian problem"[166]. Had this principle been adopted by Churchill, the problem of constitutional deadlock could have been solved long ago, and, perhaps, without partition of India. However, this statement did not please Jinnah, who demurred to the declaration and reasserted that the Muslims were not a 'minority' but a 'nation' and repeated his usual threat that

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163. See for details A.C. Banerjee, n. 84, pp. 104-10.
164. Ibid., p. 110.
165. V.P. Menon, n. 7, pp. 234-35.
166. R.C. Majumdar, n. 8, p. 728.

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if only a single constitution-making body be set up, the Muslim League would not cooperate with it. However, all the other political leaders welcomed Attlee's declaration to send the Cabinet Mission.

CONCLUSION

Wavell on June 14, 1945, declared a plan to end communal deadlock giving right to the Indians for framing their own constitution. Gandhiji objected the parity between the Caste Hindus and the Muslims, to which the Hindu Mahasabha supported. The leaders met at Simla Conference but they could not reach a settlement. Azad's and Wylie's proposals also could not be accepted by the Congress and the League. On September 19, 1945, Wavell declared for an early realisation of full self-government and to hold elections for the Central and Provincial legislatures. The Congress and the League won majority of seats. The Parliamentary delegation recommended creation of Pakistan in February, 1946, while some opposed. In consequence, Attlee declared to send Cabinet Mission to institute India's freedom as early as possible. He asserted that the minority would not be allowed to veto on the advance of the majority. The leaders of all parties, except Jinnah, welcomed the declaration.

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CHAPTER VII

CABINET MISSION PLAN AND INTERIM GOVERNMENT (1946)

As declared by Attlee on February 19, 1946, the special mission of Cabinet Ministers, including Pathick Lawrence, the Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade, and A.V. Alexander, First Lord of the Admiralty, landed in Karachi on March 23, 1946[1], mainly to explore the following objectives:-

(i) Whether Indians would like to associate with the Commonwealth or would be completely independent; and

(ii) to find out means for the transfer of power to the Indian hands.

The Cabinet Mission arrived in New Delhi on March 24, 1946[2], and the Secretary of State at a press conference at Delhi on March 25, declared[3]:

> "We have now to work out in cooperation the means by which Indians can themselves decide the form of their new institutions with the minimum of disturbance and the maximum of speed".

To clear the misgivings of the Muslims that the minority can not be allowed "to place a veto on the advance of the majority[4]", he observed[5]:

> "... while the Congress are representative of larger numbers it would not be right to regard the Muslim League as merely a minority political party - they are in fact majority representatives of the great Muslim community".

The Secretary of State also declared that "the Viceroy, while

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1. N. Mansergh and E.W.R. Lumby (eds.), Constitutional Relations between Britain and India : The Transfer of Power (11 Vols.), Vol.VII: The Cabinet Mission, 23 March - 29 June, 1946 (London: Her Majesty's Stationery Office, 1977), p. 1.
2. V.P. Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 236; see also R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 728.
3. N. Mansergh, and E.W.R. Lumby (eds.), Vol.VII, n. 1, p. 3.
4. Keesing's Contemporary Archives, 1946-1948, p. 7786.
5. V.P. Menon, n. 2, p. 236.

continuing to carry the full load of his normal responsibilities, will join with us as our colleague in the discussions with Indian leaders[6]".

The announcement of the Mission created great hopes for solution of the communal tangle and break of the constitutional deadlock, as a result it was welcomed all over the country. The Congress was happy at the arrival of Cripps, who, as Wavell said on February 12, 1946, was "sold to the Congress point of view" and was not quite "straight" in his "methods[7]". The League hoped some favour as Major Woodrow Wyatt, an old and close friend of Jinnah[8], had returned to India as Cripps' assistant. He was the first member of the Mission to meet Jinnah on March 27, at his home in New Delhi. Wyatt reported to Cripps on March 28: "The Muslim League seems to be solidly behind Jinnah[9]". Cripps met Jinnah on March 30, and found him "calm and reasonable but completely firm on Pakistan[10]". As a result of conversation with Cripps, Jinnah agreed to invite Gandhiji and meet him. Jinnah at this stage did not know that Lawrence and Cripps had confidential negotiations with Gandhiji, Nehru and Patel through Sudhir Ghosh who acted as their emissary not only before but also while the Cabinet Mission was in India[11].

From April 1 to 17, 1946, the Mission interviewed 742 leaders in 182 sittings, covering every shade of opinion, mainly that of the Congress and the Muslim League, and the negotiations and interviews lasted for over seven weeks.

On April 3, first, Maulana Abul Kalam Azad, pleaded the case of the Congress "on the basis of independence and on the assumption that the future constitution would be determined by a constitution-making body". Regarding the composition of the Central Government, "in an interim

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6. Ibid.
7. Penderel Moon (ed.), Wavell - The Viceroy's Journal (London: Oxford University Press, 1973), p. 211.
8. Stanley Wolpert, Jinnah of Pakistan (New York: Oxford University Press, 1984), p. 256.
9. Note by Major Woodrow Wyatt, see N. Mansergh and E.W.R. Lumby, n.1, Vol. VII, pp. 22-23.
10. Note by Cripps, Ibid., pp. 59-60.
11. Azad writes: "that the Centre should have a minimum list of compulsory subjects and an additional list of optional ones"; see Maulana A.K. Azad, India Wins Freedom (Calcutta: Orient Longmans, 1959), p. 141.

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government, of, say, fifteen members, there might be eleven provincial representatives, and four places might go to representatives of the minorities". He suggested a new idea of federation to solve the communal problem: "with a limited number of compulsory federal subjects such as defence, communications and foreign affairs, and autonomous provinces in which would vest the residuary powers[12]". Azad admitted that under this proposal, the "Muslims would not get more than two or three seats in the Executive Council, but arrangements could be made to give them more". The Congress President, Azad, stated that on the completion of the work of the constitution-making body, the provinces should have three choices: "(1) to stand out of the constitution; (2) to enter the constitution by federating for the compulsory subjects only and (3) to federate for the compulsory as well as for the optional subjects[13]". Regarding the League demand, Azad said that the Congress would never agree to the partition of India. He urged that the provincial legislatures should be taken as federal colleges to choose the constitution-making body and agreed that "it was not possible to compel the Indian States to come, but the proposition could be made attractive to them".

After Azad, Gandhiji was interviewed. He stated in his personal capacity that he never appreciated Jinnah's Pakistan demand. He said that Pakistan meant independence of culture and satisfaction of illegitimate ambitions and urged that Rajagopalachari's formula should be put into shape. He reasoned that Pakistan was an 'untruth'. Denouncing Jinnah's two-nation theory as most dangerous, he calculated that all the Muslims, except 'a microscopic minority' were converts, the descendants of India-born people. Therefore, he argued for one-constitution-making body instead of two as demanded by Jinnah. Gandhiji made, as it seems, a very realistic suggestion that for the interim period, "Jinnah should be asked to form the first Government with the ministers chosen from amongst the elected members of the legislature. If he refused, the offer should be made to the Congress[14]". Gandhiji added that "The Interim Government must be absolutely national. Mr. Jinnah could choose whom he liked for his Government. They would be subject to the vote of the Assembly from which they were drawn[15]". The Secretary of State

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12. V.P. Menon, n. 2, p. 238.
13. Ibid., p. 239.
14. R.C. Majumdar, n. 2, p. 729.
15. N. Mansergh and E.W.R. Lumby (eds.), Vol. VII, n. 1, pp. 117-18

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interrupted and pointed out that as Jinnah's party would be in minority in the assembly, he would be asked to provide over a government, most of whose ministers would belong to the Congress majority party in the assembly, to which Gandhiji replied that it was "inescapable". Further, in that case Jinnah's government would have to be predominantly Hindu.

The Mission interviewed Jinnah on April 4, 1946. Jinnah narrated the history of India from the days of Chandragupta to the British raj arguing that "there had never been any Government of India in the sense of a single government"[16]. The British rule made the country 'partly united'. In view of the separate and sovereign Indian States, Jinnah said that "India was one, but this was not so. India was really many and was held by the British as one"[17]. He recalled that Hindu-Muslim tension began when the British partitioned Bengal in 1906 to give a small amount of power to Muslims in East Bengal the Muslims were granted separate electorates. He referred to the Montagu-Chelmsford Reforms, the Communal Award, separation of Sind from Bombay and making the NWFP a Governor's province, which decision were taken by the British to safeguard the interest of the Muslim minority in India. Pleading the case for demand of Pakistan, he argued in favour of the two-nation theory as follows[18]:

> "The differences in India were far greater than those between European countries and were of a vital and fundamental character. Even Ireland provided no parallel. The Muslims had a different conception of life from the Hindus. They admired different qualities in their heroes; they had a different culture based on Arabic and Persian instead of Sanskrit origins. Their social customs were entirely different. Hindu society and philosophy were the most exclusive in the world. Muslims and Hindus had been living side by side in India for a thousand years but if one went into any Indian city; one would see separate Hindu and Muslim quarters. It was not possible to make a nation unless there were essential uniting factors".
>
> "How could His Majesty's Government put 100 millions of Muslims together with 250 millions whose whole way of life was so different; No Government could survive unless there was a dominant element which could provide a 'steel frame'".

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16. V.P. Menon, n. 2, p. 240.
17. Ibid.
18. Ibid., pp. 240-41; see also N. Mansergh and E.W.R. Lumby, Vol. VII, n. 1, pp.119-21.

> "There were in India two totally different and deeply rooted civilizations side by side, and the only solution was to have two 'steel frames', one in Hindustan and one in Pakistan".

Jinnah agreed that common railways, customs and so forth would be convenient, but questioned which government would control those services. He meant to say that the matter could be settled only after "the fundamentals of Pakistan were agreed"[19].

Jawaharlal Nehru was, in those days, on a visit to Malaya. A British official reported to the India Office about Nehru on April 4, as follows:[20]

> "He was a little scornful of Jinnah and doubted very much whether he had either the intention or the power to start a revolt in India if he did not secure Pakistan ...Jinnah rather reminds me of the man who was charged with the murder of his mother and father and begged the clemency of the Court on the ground that he was an orphan".

Dr. Ambedkar, the leader of the Scheduled Castes Federation, opposed a constituent assembly, which would be dominated by Caste Hindus and suggested instead of two ad hoc committes - one for constitutional and other for communal questions. Claiming constitutional guarantee to the Scheduled Castes, he urged that in case of joint electorates, his community voters and candidates would be ignored being in absolute minority. Therefore, he demanded separate electoral college for the Scheduled Castes.

Jagjivan Ram, the leader of the All-India Depressed Classes, League, supporting Dr. Ambedkar, demanded that "the Scheduled Caste members of the Provincial Legislatures should form an electoral college for selecting their representatives in the Central Government"[21].

The Sikh leader, Giani Kartar Singh, demanded a separate sovereign State, Khalistan, comprising Jullundur and Lahore Divisions, together with Hissar, Karnal, Ambala and Simla Districts of the Ambala Division, and the Montgomery and Lyallpur Districts, while Baldev Singh pleaded for

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19. V.P. Menon, Ibid., p. 241.

20. "Secret" Note by Duckworth, April 4, 1946, in N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 136.

21. R.C. Majumdar, n. 2, p. 731.

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a united India demanding 45% seats to the Muslims and the rest divided between the Sikhs and the Hindus. Master Tara Singh and Hernam Singh demanded separate State for the Sikhs with the right to federate either with the Hindustan or Pakistan.[22]

Sapru and Jyakar, the Liberal leaders, suggested immediate formation of an interim government, strongly opposed Pakistan, and suggested equality of Muslims and caste Hindus in the Central Government. The Hindu Mahasabha leaders, Shyamaprasad Mookerjee and I.B. Bhopatkar decried the idea of parity between the Hindus and the Muslims in the Central Government.[23] The State rulers were prepared to join an all-India federation.[24]

On April 15, the Communist Party, in a Memorandum to the Cabinet Mission, stated:[25]

> "We suggest the setting up of a Boundary Commission to redraw the boundaries ... so that the re-demarcated Provinces become as far as possible linguistically and culturally homogeneous National Units, e.g., Sind, Pathanland, Baluchistan, Western Punjab etc. The people of each such Unit should have the unfettered right to self-determination, i.e. the right to decide freely whether they join the Indian Union or form a separate Sovereign State or another Indian Union".

ML Legislators' Convention

On April 9, when the Mission was carrying on the interviews, Jinnah called in Delhi a Convention of over 400 members of the various legislature recently elected on the ML ticket. The League leaders solemnly pledged "in the name of Allah, the Beneficent, the Merciful" that for achievement of Pakistan they would undergo any danger, trial or sacrifice which may be demanded of them, while the Quaid-i-Azam said "while we hope for the best, we are prepared for the worst".[26] Bengal's Suhrawardy said that the

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22. Ibid.
23. Ibid., p. 732.
24. V.P. Menon, n. 2, p. 241.
25. I.A.R., 1946, Vol. I, p. 220.
26. Syed Sharifuddin Pirzada (ed.), Foundations of Pakistan : All-India Muslim League Documents, Vol. II (Karachi: National Publishing House Ltd., 1969), p. 523.

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Muslims of Bengal wanted a land to live in peace, were ready to fight and lay down their lives. Khaliquzzaman said: "Muslims will now decide their own destiny". The Nawab of Mandot (Punjab) said that "if stalwart soldiers of the Punjab could defend Britain against Nazi aggression, they can also defend their own hearths and homes". The NWFP Pathan leader Khan Abdul Qayyum shouted: "Thank God, we have one flag, one leader, one platform and one ideal, Pakistan, to fight for". Sardar Shaukat Hayat Khan said: "three-quarter million demobilized soldiers in the Punjab are pledged to achieve Pakistan". Sir Firoz Khan Noon said: "Neither the Hindus nor the British know yet how far we are prepared to go in order to achieve Pakistan. We are on the threshold of a great tragedy"[27].

However, the Convention in a lengthy resolution stated that the Hindu dharma and philosophy had degraded 60 million human beings to the position of untouchables and threatened to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically. They were "convinced of the futility and ineffectiveness of the so-called safeguards provided in the Constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a united Indian Federation, if established the Muslims, even in majority provinces would meet with no better fate and their rights and interests could never be adequately protected against the perpetual Hindu majority at the Centre"[28]. To save the Muslim India from domination of the Hindus, they emphasised the necessity of a sovereign Pakistan and declared that they would "never submit to any Constitution for a United India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem[29]:

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27. Ibid., pp. 516-20.

28. Resolution of the All-India Muslim League from January, 1944 to December, 1946 (published by Liaquat Ali Khan, Honorary Secretary, All India Muslim League), pp. 45-47.

29. Ibid.

"1. That the zones comprising Bengal and Assam in the North-East and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West of India, namely, Pakistan zones, where the Muslims are in a dominant majority, be constituted into a sovereign independent State and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay;

2. That two separate constitution-making bodies be set up by (the) peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions;

3. That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League resolution passed on the 23rd March 1940, at Lahore;

4. That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the sine qua non for the Muslim League co-operation and participation in the formation of an Interim Government at the Centre".

The Convention threatened that "any attempt to impose a constitutic on a united India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand, will leave the Muslims no alternati but to resist such imposition by all possible means for their survival and national existence"[30].

The resolution of the Convention and Jinnah's viewpoint were discussed by a large number of the Congress and other party leaders, while the Cabinet Mission was also devising its own scheme to find out a common formula to bring the Congress and the League together. To explo possibilities of compromise, the Mission decided to interview Jinnah and Azad again.

Jinnah's Interview

On April 16, 1946, Jinnah reiterated his demand for Pakistan, but the Mission felt it difficult to accept as much of the proposed territories of Pakistan was inhabited by non-Muslims. The Mission believed that progress might be possible in one of two ways: (1) acceptance of a separate state of Pakistan including Muslim majority districts of Bengal, Punjab and Assam, or (2) establishment of Union Centre for essential subjects - defence, foreign affairs and communications, forming a federation including the proposed territories of Pakistan with equal Congress and League representation, with provision to secede after 15 ye

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30. Ibid.
31. V.P. Menon, n. 2, p. 249.

The question of federation of the Indian States regarding their joining the Centre would be considered later. In both these cases, Pakistan was sure to be created. The Secretary of State stated two propositions[32]:

(1) "a small Pakistan with sovereign rights and a treaty relation, and a larger Pakistan which would function together with Hindustan on terms of equality within an all-India Union for the essential purpose of defence and foreign affairs";

(2) "there would be two federations linked by a Union Centre. The Indian States would come in either at the Union or at the federation level and there would be equal representation of Hindustan and Pakistan at the Union level. The communal balance would be retained at the Centre by some means even if the Indian States came in".

Cripps explained that there would be no Union Parliament and the Union Executive would be formed by the federation choosing the members, with the equality of two component parts. Jinnah replied that "no amount of equality provided on paper would work. Equality could not exist between the majority and a minority within the same governmental system[33]". Jinnah, thus, did not agree to the idea of Indian Union as domination of the Muslims by the Hindus could not be prevented under the proposal. Further, Jinnah persisted that first the principle of Pakistan should be conceded, then he would be prepared to discuss the area to be included in it, but he would not in any event accept the exclusion of Calcutta.

The Secretary of State pointed out that in case Jinnah's demand for inclusion of six provinces and Calcutta into Pakistan are accepted, there will be "a large internal element of Hindu population, as well as external opposition from a hostile Hindustan" and that India in between the two parts of Pakistan will create a very dangerous and hostile position. Jinnah replied that it was an exaggerated statement as "all the non-Muslims could not be counted as Hindus[34]". The Secretary of State said that a settlement without agreement would lead to chaos. Jinnah retorted that this argument should be put before the Congress. Jinnah, preferring the matter to be considered on the basis of sovereignty and a small area, said[35]:

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32. Ibid.
33. Ibid., p. 250.
34. Ibid., p. 251.
35. Ibid.

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> "If the Congress would say that on that basis they wanted certain defined areas taken from Pakistan, he was willing to discuss whether what they proposed was reasonable; fair and workable. He would try his best to reach agreement with the Congress; but if what they proposed struck at the heart of Pakistan, or if the principle of Pakistan was not accepted, it was no use pursuing the matter".

Thus, there were three contestants in the field of acquiring power from the British, the Congress, the Muslim League and the Indian States.

Azad, interviewed on April 17, also reiterated that there should be two lists of central subjects - Compulsory including foreign affairs and defence, and Optional covering the remaining central subjects, under the existing constitution.[36] The Secretary of State said, in this case, there would be sub-divisions of the Centre into two parts dealing with: "(a) the provinces that had opted for the full range of subjects and (b) the provinces that were federated for the compulsory subjects only"[37], which would ultimately "work out in practice as separate centres for Pakistan and Hindustan". Azad said that it had to be discussed with the CWC. In the meanwhile, Gandhiji and Nehru informed Sir Stafford Cripps in Kashmir that "the proposal for an all-India Union on a three-tier basis would not be acceptable to the Congress"[38]. But Azad on April 26, agreed to the three-tier proposal, that is, a single federation broken up into two parts. Jinnah also reluctantly accepted this proposal, but demanded a letter. On April 27, the Secretary of State sent letters to Jinnah and Azad with the identical terms asking to send four negotiators for discussing the possibility of agreement, and recommended adoption of either of the following two resolutions on the fundamental constitutional problems[39]:

Section 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.

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36. Ibid.
37. Ibid., p. 252.
38. Ibid., p. 253.
39. Sandhya Chaudhri, Gandhi and the Partition of India (New Delhi: Sterling Publishers Pvt.Ltd., 1984), pp. 159-60.

Section 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 Provinces 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 defence of the subcontinent.

Second Simla Conference

The Congress, in reply to the Secretary of State's letter, wrote that there was no mention of India's independence and withdrawal of British troops from India. However, to discuss the future of India or any interim arrangement, the Congress send Azad, Nehru, Vallabhbhai Pate and Abdul Ghaffar Khan. The Muslim League stated that there were several important matters, which required elucidation and clarification, and sent Jinnah, Mahommed Ismail Khan, Liaquat Ali Khan and Abdur Rab Nishta These representatives met at Simla between May 5 and 12, 1946.

On May 5, Jinnah refused to shake hands with Azad. The discussion was controversial. The Congress wanted the centre to have "powers of direct taxation and to be self-supporting, while Jinnah advocated that it should be given a lump sum and should have to go to the groups if it wanted more"[40]. On the question of central legislature, the Congress insisted on having one, while Jinnah opposed it. The basic differences were that the League advocated the two-nation theory, while the Congress pleaded for a unitary government. On May 6, Jinnah cross swords in most deadly duel in Indian history. Nehru said[41]:

> "The Union of India, even if the list of subjects was short, must be strong and organic. Provinces would not be prevented from co-operating among themselves over such subjects as education and health; but they would not need a Group Executive".

Jinnah refusing the invitation said[42]:

> "But if the Congress ... would accept the Groups, the Muslim League would accept the Union".

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40. Penderel Moon (ed.), Wavell - The Viceroy's Journal (London: Oxford University Press, 1973), p. 257.

41. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 437.

42. Ibid.

On May 8, the Secretary of State sent Jinnah and Azad identical copies of nine suggested points of agreement stating "There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, fundamental rights and having the necessary powers to obtain for itself the finances it requires for these subjects"; secondly, vesting of "All the remaining powers in the Provinces" and, thirdly, "Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common"[43]. Jinnah replied on the same day that it was a fundamental departure from the original formula embodied in his letter of April 27, which was already rejected by the Congress. Gandhiji rejected the formula because 90 million Muslims would enjoy "parity" with over 200 million Hindus and, hence, termed it "really worse than Pakistan"[44].

As the matter could not be settled, Nehru, on May 9, proposed an umpire to settle their differences. On May 10, Nehru wrote to Jinnah that for choice of a suitable umpire it would "probably be desirable to exclude Englishmen, Hindus, Muslims and Sikhs"[45]. The Congress drew up a considerable list including Americans. On 11th, the Conference learnt that "Jinnah had refused to accept the decisions of an umpire"[46], as a result the Congress and the League were asked to submit their statements on the points still outstanding. The League[47] and the Congress[48] submitted their memorandum on May 12, which represented their respective stands taken earlier.

As Jinnah agreed to enter into a common Union Centre provided the Muslims were granted the right to frame their own group and provincial constitutions for the 'six Muslim provinces' through a separate constitution-making body i.e. the virtual recognition of Pakistan and the Congress did not agree to it, the Secretary of State closed the Conference on May 12, and returned to Delhi on May 14, and published his own scheme on May 16, 1946. It was unfortunate that though the Cabinet Mission

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43. See Appendix IX
44. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 466.
45. Ibid., p. 502.
46. V.P. Menon, n. 2, p. 259.
47. See Appendix X .
48. See Appendix XI .

exerted their utmost to bring the parties to an agreement and the Congress and the League also made considerable concessions, but no final agreement could be reached.

The Cabinet Mission Plan

The Plan[49] may be divided into three parts:-

(i) examination of the proposals for creation of Pakistan;
(ii) setting-up of an Interim Government (Short-Term Plan); and
(iii) a long-term settlement i.e. application of the Mission Plan.

(i) Creation of Pakistan

The Muslim League had claimed the formation of Pakistan including six provinces (Assam, Bengal, the Punjab, Sind, NWFP and Baluchistan), which was not acceptable to the Mission. An alternate proposal that Pakistan should consist of only the Muslim majority areas was not acceptable to the Muslim League. Therefore, the Mission rejected the claim of Pakistan on the following grounds:

1. The number of Muslims in British India and Non-Muslims in Pakistan will still remain considerable.

2. The inclusion of districts in Pakistan pre-dominated by Non-Muslims was inconsistent.

3. The partition of the Punjab and Bengal was contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces.

4. The division of Punjab would necessarily divide the Sikh community, which was unfair.

5. The creation of Pakistan was not feasible considering the administrative, economic and military conditions of India.

6. The defence of the two contemplated sections of Pakistan - East and West - would be insufficient.

7. There would be greater difficulty for the Indian States in associating themselves with India and Pakistan, and lastly,

8. the two halves of Pakistan would be separated by hundreds of miles and the communication between them, both in war and peace, would be dependent on the goodwill of India.

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49. See Appendix XII. (Statement of Cabinet Mission and the Viceroy, 16 May 1946), V.P. Menon, n. 2, pp. 470-75.

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(ii) Short-Term Plan

The Short-Term Plan envisaged immediate establishment of an Interim Government joined by all the major political parties to carry on the administration while the constitution-making was in progress in view of the Long-Term Plan. The Interim Government, having fullest measure of co-operation of the Government, was to comprise of only Indian Ministers.

(iii) Long-Term Plan

Summarily, the Plan recommended[50]:

(1) a Union of India;
(2) a central executive and legislature;
(3) residuary powers vested in the provinces;
(4) the States retained all subjects and powers other than those ceded to the Union;
(5) Provinces to be free to form groups with executives and legislatures;
(6) the term of the constitution could be reconsidered after an initial period of ten years;
(7) the constitution-making body to be constituted immediately through direct election;
(8) the representatives would meet in New Delhi as one body to create a constitution-making body.
(9) the Constituent Assembly to have three sections:
    (i) Section A : Madras, Bombay, U.P.,C.P., Bihar and Orissa;
    (ii) Section B : Punjab, NWFP and Sindh; and
    (iii) Section C : Bengal and Assam;
(10) each section would decide its provincial constitution;
(11) the groups would assemble to settle the Union Constitution; and
(12) the Union Constituent Assembly would negotiate a treaty with the United Kingdom for transfer of power.

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The Mission also announced that an Interim Government would be formed at the centre under the British supervision following the elections of Union Legislative Assembly and that if any party did not accept the Mission Plan of May 16, it would be excluded from the Interim Government. As Jinnah and Liaquat Ali Khan belonged to provinces which had a majority

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50. Ibid.

of non-Muslims, Wavell gave green signal that they could be elected from another Provincial Assembly. The Mission proposed that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislative Assembly (General, Moslem or Sikh) electing its own representatives by the method of proportional representation with single transferable vote:

Table of Representation[51]

Province	Section	General	Muslim	Sikhs	Total
Madras	A	45	4		49
Bombay	A	19	2		21
United Provinces	A	47	8		55
Bihar	A	31	5		36
Central Provinces	A	16	1		17
Orissa	A	9	0		9
Total		167	20		187
Punjab	B	8	16	4	28
NWFP	B	0	3	0	3
Sind	B	1	3	0	4
Total		9	22	4	35
Bengal	C	27	33		60
Assam	C	7	3		10
Total		34	36		70
Maximum for Indian States					
Grand Total	93 +	210 +	78 +	4 =	385

The states under Group A were the Congress dominated provinces. In Group B, the Congress could form its ministry using influence over few Muslim members, as there were 12 Non-Muslim and 16 Muslim seats, and

51. L.A. Sherwani, Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), p. 112.

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there was no such principle that they will not defect the party from they were elected. In Group C, in Assam the Congress had the dominating position, but was grouped with the Muslim majority province of Bengal. The Muslim League, however, was in a dangerous position as the non-Muslims were to play the game of influencing the Muslim members, which could tip the balance.

The Mission Plan accepted the Congress demand of a United India, while the Muslim League commented that it offered a weak Central Government unable to take any decision without the help of the major communities. The Plan accepted also the League demand of compulsory grouping of the provinces on communal lines, and the Congress demand that India should not be partitioned.[52]

Gandjiji's Statement on the Plan

On May 17, Gandhiji was the first to release his comments: that, "if the statement of the Mission was genuine, as he believed it was, it was in discharge of an obligation they had declared the British owed to India, namely, to get off India's back. It contained the seed to convert this land of sorrow into one without sorrow and suffering".[53] On the 18th morning, Pethick-Lawrence and Cripps met with Gandhiji, who questioned "whether the procedure laid down for the Constituent Assembly was subject to alteration ... whether it was open to Congress representatives in the Constituent Assembly at the opening meeting to deal with procedure to raise the question whether the Assembly should in fact divide into the three sections, or whether it should decide the Union's constitution first". The Viceroy replied that it had first "to get power at the centre in the Interim Government" and then could "at any time torpedo the Constitution-making Body by raising some crucial communal issue".[54] Gandhiji also said that the Plan was not an award and the Constituent Body could not be a sovereign body. The Constituent Assembly could abolish the distinction of Muslims and non-Muslims and no province

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52. M.L. Gwyer and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-1947 (London: Oxford University Press, 1957), Vol. II, pp. 577-84.

53. Harijan (Ahmedabad), May 17, 1946.

54. Record Meeting, May 18, 1946, N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 616.

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could be compelled to belong to a group against its will. Gandhiji, however, wrote that his first attempt would be to wreck the Groups of Provinces[55] and on May 20, wrote that Interim Government should be formed immediately[56]. Lord Alexander was convinced that Gandhiji intended "to humiliate the British Government and to promote a policy of scuttle, and secondly, to secure power without a constitution coming into being and so to abandon the just claims of the Muslim League[57]".

Maulana Azad's Contention

On May 20, Maulana Azad complained to the Secretary of State that the grouping had compelled the provinces to sit in a section and the dominating province "may even conceivably lay down rules, for elections and otherwise, thereby nullifying the provision for a province to opt out of a group[58]". He said that the constituent assembly would be a sovereign body and would be free to vary 'in any way it likes[59]' the recommendations and the procedures suggested by the Mission.

On May 20, the Mission wired to Attlee that the "situation had taken a turn for the worse ... Congress proposes to make an attack on the grouping proposal and ... they object to parity in the interim Executive. These two points may be crucial in securing Muslim co-operation[60]"

Jinnah's Statement on the Plan

On May 22, Jinnah regretted that "the Mission should have negatived Muslim demand for the establishment of a complete sovereign state of Pakistan" which he held was the "only solution of the constitutional problem of India" and charged that the Mission had done so "simply to appease and placate the Congress[61]". Commenting on the operative part of

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55. Penderel Moon, n. 40, p. 273.

56. Gandhi to Pethick-Lawrence, N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, pp. 636-37.

57. Ibid., p. 638.

58. Papers Relating to the Cabinet Mission to India (Delhi: Manager of Publications, Publication Division, Government of India, 1946), p. 33.

59. A.G. Noorani, 'The Cabinet Mission and Its Aftermath', in C.H. Philips and M.D. Wainwright, The Partition of India: Policies and Perspectives, 1935 - 1947 (London: George Allen and Unwin Ltd., 1970), p. 107.

60. N. Mansergh and E.W.R. Lumby, n. 1, p. 644.

62. Dawn (Delhi), May 23, 1946.

the Plan, Jinnah said that they had divided Pakistan into two zones under Sections B and C; and instead of two, only one constitution-making body was devised. There was no indication as to how the Union will be empowered to raise finances required for Foreign Affairs, Defence and Communications, while the League wanted that the finances should be raised only by contributions and not by taxation. The Plan laid down that any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting while the League's view was that (a) there should be no Legislature for the Union, (b) there should be parity of representation between the Pakistan Group and the Hindustan Group in the Union Executive and Legislature and (c) no decision should be taken by the Union in regard to any matter except by a majority of three-fourths. These three terms were omitted from the Plan. The League's proposal that the Pakistan Group should have a right to secede from the Union after an initial period of ten years was omitted from the Plan. How the representative of British Baluchistan was to be elected was not indicated in the Plan. Jinnah calculated that in the constitution-making body, there will be an overwhelming majority of Hindus. In a House of 292, for British India the Muslim strength will be 79, and, if the number allotted to the Indian States (93) was taken into account, it was quite obvious that the Muslim proportion was further reduced, as the bulk of the States representatives would be Hindus. The Plan suggested that opting the Provinces out of their Group would be decided under the new Constitution by the new Legislature of the Provinces, while the League had demanded referendum of the people. Lastly, there was the door open in the Plan to include more subjected vested in the Union Government, which destroyed the basic principle that the Union was to be strictly confined to three subjects.[62]

CWC Resolution on the Plan

On May 24, 1946, the Congress Working Committee regretted to find that the Plan was different from their objectives i.e. "independence for India; a strong though limited central authority; full autonomy for the provinces; the establishment of a democratic structure in the Centre and in the units; the guarantee of the fundamental rights of each individual so that he might have full and equal opportunities of growth, and, further, that each community should have the opportunity to live the life of its

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62. Ibid.

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choice within the larger framework[63]". They also found that the provision for initial grouping was inconsistent with the freedom promised to the provinces in this respect. The Committee interpreted paragraph 15 that "the respective provinces will make their choice whether or not to belong to the section in which they are placed. Thus, the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up a constitution and giving effect to it[64]". They also criticised the inclusion of Europeans in the electorate for the Constituent Assembly for the group comprising Bengal and Assam in spite of their very small numbers and that too one member for one million of population. Thus, they enjoyed a weighted representation in the Bengal and Assam Assemblies. However, the Congress deferred their decision on the Mission Plan till the complete picture was available.

Reaction in Punjab and Bengal

While the Mission waited for the League's decision, news of favourable reaction from Punjab was received and, at the same time, widespread communal riots kept mounting in Karachi[65]. On May 24, the Bengal Governor informed the Mission that both the Bengali Hindus and Muslims were much "relieved" as they hoped that their province would not be partitioned if the plan were accepted. He warned also that rejection of Jinnah's proposal would lead to resignation of the League ministry and would also serve as a "signal for a Jehad", as there was "a serious situation in Chittagong started by students protesting against the rejection of Pakistan[66]". On May 24, Woodrow Wyatt met Jinnah secretly. Wyatt observed that Jinnah wanted to tell the Mission that "the British should remain as the binding forces in the Indian Centre for some 15 years and deal with defence, and foreign affairs of Pakistan and Hindustan consulting the Prime Ministers of each State[67]". This seems a very seisible solution, but, Jinnah did not tell it to Cripps and Lawrence as he did not believe in their sincerity and was desperate due to his lungs requiring surgical operation.

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63. See The Indian Annual Register, January-June, 1946, pp. 162-64.
64. A.G. Noorani, n. 59, p. 107.
65. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 655.
66. Record Meeting, Ibid., pp. 675-78.
67. Ibid., pp. 685-86.

Wyatt asked whether Jinnah would agree that the League's Working Committee pass a resolution on the following lines:[68]

> "The British had exceeded their brief in pronouncing on the merits of Pakistan. They had no business to turn down what millions of people wanted. Their analysis of Pakistan was outrageous. But the Muslims had never expected the British to give them Pakistan. They had never expected anyone to give them Pakistan. They knew that they had to get it by their own strong right arm. The scheme outlined in the Cabinet Mission's Statement was impracticable and could not work. But nevertheless in order to show that they would give it a trial, although they knew that the machinery could not function, they would accept the Statement and would not go out of their way to sabotage the procedure - but they would accept the Statement as the first step on the road to Pakistan".

Jinnah was delighted at this statement and completely convinced.

On May 25, the Mission issued a supplementary statement. "Once the Constituent Assembly is formed and working on this basis there is no intention (of the Government) of interfering with its discretion or questioning its decisions" and HMG "will recommend to Parliament such action as may be necessary for the secession of sovereignty to the Indian people subject to ... adequate provision for the protection of the minorities (paragraph 20 of the statement) and willingness to conclude a treaty with HMG to cover matters arising out of the transfer of power (paragraph 22 of the statement)". The statement went on to say that the grouping "is an essential feature of the scheme and can only be modified by agreement between the parties". It further said that "all portfolios including that of the War Member will be held by Indians and that the members will be selected in consultation with the Indian political parties".[69] These changes were a long step towards independence. The Statement also said that there was "no intention of retaining British troops in India against the wish of an independent India under the new Constitution", but it was necessary during the interim period for the security of India.

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Sikhs Reaction to the Plan

Since its publication, there was a wave of dejection, resentment

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68. Note by Woodrow Wyatt, May 25, 1946, N. Mansergh and E.W.R.Lumby, n. 1, pp. 686-87; see also Stanley Wolpert, Jinnah of Pakistan, (New York: Oxford University Press, 1984), p. 271.

69. Papers Relating to the Cabinet Mission to India, n. 58, pp. 24-25.

and indignation throughout the Sikh community, because Sikhs were entirely thrown on the mercy of the Muslims. Having only four seats in Group B, the Sikhs had "genuine and acute anxiety" due to being subjected to a perpetual Muslim majority rule. The Sikhs, on May 25, threatened to take measures against it. They argued that the Mission recognised "the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu majority rule", and this principle should apply to them also. Secondly, the Mission put the non-Muslim areas of Punjab, Bengal and Assam, where the non-Muslims were in overwhelming majority, under the Muslim domination to placate and to protect the Muslims from non-Muslims. The Sikhs claimed that they should also be treated in the same way against Muslim domination. They resented that the Sections 15(2) and 19(7) provided that the majority of both the Hindus and Muslims were necessary for certain purposes, while the Sikhs were entirely ignored. They put forward three questions[70]:

"(1) What is the significance of recognising the Sikhs as one of "the main communities"?

(2) Suppose the majority of Section B frames a constitution under Section 19(5) but the Sikh members do not agree. Does it mean deadlock or does the opposition of the Sikh members mean simply dissociation?

(3) Is there any hope of obtaining for the Sikhs the same right as is given to the Muslims and the Hindus under Sections 15(2) and 19(7)?"

The Secretary of State, on June 1, 1946, replied that "of the various alternatives open to us the best one from the Sikh point of view was chosen[71]". He wrote that the Mission would not agree "to issue any addition to, or interpretation of, the Statement" and assured that the Viceroy would discuss the position of the Sikhs with the leaders of the main parties when the Constituent Assembly was formed.

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Viceroy's Assurance to Azad and Jinnah

On May 25, Azad wrote to the Viceroy suggesting that "in informal conversations the Viceroy had stated that it was his intention to function as a constitutional head of the Government and that in practice the interim Government would have the same powers as a Dominion cabinet".

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70. Letter from Master Tara Singh to Lord Pethick-Lawrence, May 25,1946, Ibid., p. 61.

71. Lord Pethick-Lawrence to Master Tara Singh, Ibid., pp. 61-62.

The Viceroy replied that he had never stated like this. The Viceroy, however, assured that the HMG "will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of the country[72]".

Jinnah returned to New Delhi on June 2, and Wavell met him on June 3. Jinnah asked what would happen if the Congress refused to accept the Plan. Wavell, on June 4, replied that "we shall go ahead with the plan laid down in the statement so far as circumstances permit if either party accepts; but we hope that both will accept[73]".

ML Council on the Plan

On June 5, the ML Council met and Jinnah declared that the Viceroy had replied that if the Congress "decided against acceptance (of the plan) he would hand over the interim government to the Muslim League and give them all the support they required[74]". On June 6, Jinnah spoke to the League Council[75]:

> "It is now up to you as the Parliament of the Muslim Nation to take your decision ... I repeat ... that delay is not good either for the British Government or the Hindus. If they love freedom, if they love the independence of India, if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan".

The Council observed that "the conclusions recorded in paragraphs 6, 7, 8, 9, 10 and 11 of the Statement concerning the Muslim demand for the establishment of a fully sovereign Pakistan as the only solution of the Indian constitutional problem are unwarranted, unjustified, and convincing[76]" and the language of these paragraphs shows that the Mission was promoted to appease the Hindus in utter disregard of the Muslim sentiments. The Council, however, in view of the foundation of Pakistan inherent in the Plan by virtue of the compulsory grouping of the six Muslim Provinces in Sections B and C, desired to cooperate

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72. V.P. Menon, n. 2, p. 273.

73. Papers Relating to the Cabinet Mission to India, n. 58, p. 36.

74. Note by Intelligence Bureau, June 5, 1946, N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, pp. 819-20.

75. Jamil-ud-Din Ahmad, Some Recent Speeches and Writings of Mr.Jinnah (Lahore: Ashraf, 1952), Vol. II, pp. 402-04.

76. Resolutions of the All-India Muslim League from January, 1944 to December 1946, n. 28, pp. 49-51.

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with the constitution-making machinery" in the hope that it would ultimately result in the establishment of a completely sovereign Pakistan, and in the consummation of the goal of independence for the major nations, Muslims and Hindus, and all the other people inhabiting the vast subcontinent[77]". Thus, the Muslim League accepted the scheme by a large majority. Wavell noted, "Now the real battle begins, and the great question is whether the Delegation will stand up to Congress or not. Parity in the Interim Government may be the main issue[78]". The Council authorised Jinnah to negotiate with the Viceroy and to take such decision and action as he deemed fit and proper.

Jinnah met with the Viceroy on June 7, and wanted the "Defence Portfolio for himself, and Foreign Affairs and Planning for two of his followers[79]". This was the first and last Jinnah's expression in his own interest. Stanley's observation that it was "personal interest[80]" is a charge without evidence and is based on conception, which he should have avoided. A person who fought in the interest of Muslims throughout his whole life and even during most of his ailing days may be regarded to have demanded office keeping in mind the idea for doing some good to the Muslims. By saying so he has tried to unknowingly inject hatred against Jinnah in his readers' mind and seems a champion of separatism infused by Francis Robinson[81]. Jinnah was assured that he would remain "President of the Muslim League if he came into the Interim Government[82]".

'The Statesman' on the ML Acceptance of the Plan

The paper reported on June 7, that the League "has not given up its hope of a sovereign, undivided Pakistan, and intends to work for it during the next ten years[83]" and "it has sturdily adopted the Cabinet Mission's scheme as second best[84]". The paper wrote:

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77. Ibid.
78. June 6, 1946, Penderel Moon, n. 40, p. 288; see also Stanley Wolpert, n. 68, p. 273.
79. Penderel Moon, n. 40, p. 288.
80. Stanley Wolpert, n. 68, p. 273.
81. See for details Francis Robinson, Separatism Among Indian Muslims: The Policies of the United Provinces Muslims, 1860-1923 (Delhi: Vikas Publishing House, 1975).
82. Wavell's Note of Interview with Jinnah, N. Mansergh and E.W.R.Lumby, n. 1, Vol. VII, p. 839.
83. The Statesman (Calcutta), June 7, 1946.
84. Ibid.

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> "The League dislikes the division of predominantly Muslim areas into two zones, still somewhat dislikes the notion of a Union Centre at all, dislikes more the arrangement for one Union Constituent Assembly, and especially dislikes the powers given to the chairman of that body".

Regarding the admirable leadership of Jinnah, the paper said: "He has fought a long, often bitter battle, his tactics have been at times so harsh that he has seemed irreconcilable; but with fine strategic judgment he has realized the right moment for an end to quarrelling, and this time has taken the initiative in boldly constructive courses". The paper regarding the Mission Plan opines:[85]

> "The Simla Conference having failed, the Cabinet Mission's plan provides the only direct and unbloodly road to Indian self-government. Chaos and bitter suffering for the common people lie along all other discernible paths. To the ordinary man, Hindu, Muslim, Sikh, Scheduled Caste, whatever he may be, the May 16 proposals present a ready way out of frustration which had threatened to become permanent".

On June 8, Jinnah wrote to the Viceroy seeking confirmation of his assurance that there would be 12 portfolios, namely, 5 League, 5 Congress, 1 Sikh and 1 Indian Christian or Anglo-Indian, and that the most important portfolios "will be equally divided between the League and the Congress in the distribution thereof, further details being left open for discussion[86]". Jinnah warned that "any departure from this formula, directly or indirectly, will lead to serious consequences and will not secure the co-operation of the Muslim League[87]". The Viceroy, on June 9, replied that he had not assured but had told what he had in mind. He hoped to reach an agreement on this point.[88]

On June 10, Nehru and Azad vigorously argued before the Mission against 'parity'. Cripps suggested "two Vice-Presidents" on the Interim Government Cabinet - Jinnah and Nehru rotating office. Cripps met Jinnah on 12th night. Jinnah said: "he was not prepared to discuss parity with anyone". He had made the ML Council and Working Committee to accept the proposal promising that "he would not join the Interim Government unless the Muslim League had parity with Congress[89]". He said that the moment

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85. Ibid.
86. Papers Relating to the Cabinet Mission to India, n. 58, pp. 37-38.
87. V.P. Menon, n. 2, p. 274.
88. Papers Relating to the Cabinet Mission to India, n. 58, p. 38.
89. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, p. 867.

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the Congress would accept the proposals, he would put before Nehru and Wavell the names of his nominees with the suggested portfolios.[90]

On June 12, Nehru brought a list of 15 names for the Interim Council (4 League, 5 Congress Hindus, 1 non-Congress Hindu, 1 Congress Scheduled Caste and 1 Congress woman), which Wavell said would be unacceptable to Jinnah. On the 13th morning, Jinnah gave the Viceroy "some names for the Government if the League came in". Nehru returned the same day in the afternoon and indulged into an "outburst about Jinnah's refusal to meet Azad and described Jinnah as a wrecker".[91] Later that evening Patel came to the Viceroy and without listening any argument began to "sung a continuous hymn or hate against Jinnah and the League"[92] and declared that no Government formed by the Viceroy would be acceptable.

Wavell charged Gandhiji for the failure of the negotiations. London Times observed that the Congress might have avoided the inclusion of a Muslim to its quota for formation of the National Government at the Centre,[93] while the Congress circle felt that the rejection was impossible because by avoiding nomination of a Muslim, the nationalist character of the Congress would have been destroyed.

After meeting the Secretary [illegible] and the Viceroy, Gandhiji wrote to the Viceroy on June 12, that in the event of failure in reaching an agreement, he (the Viceroy) should announce the names of the Interim Government.[94] On June 13, Gandhiji wrote to the Viceroy again:[95]

> "You must make your choice of one horse or the other. So far as I can see you will never succeed in riding two at the same time. Choose the names, submitted either by the Congress or the League. For God's sake do not make an incompatible mixture and in trying to do so produce a fearful explosion. Anyway, fix your time limit and tell us all to leave when that limit is over".

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90. Ibid., p. 866.
91. Penderel Moon, n. 40, p. 292.
92. Stanley Wolpert, n. 68, p. 275.
93. Home Poll. 18/6/46, Fortnightly Report from Madras for the second half of June, 1946, NAI.
94. L.A. Sherwani, n. 51, p.169.
95. Ibid., p. 170.

On June 13, Gandhiji wrote to Cripps:[96]

> "... the Mission is playing with fire ... you will not be able to have your cake and eat it. You will have to choose between the two - the Muslim League and the Congress, both your creations ... Coquetting now with the Congress, now with the League and again with the Congress, wearing yourself away, will not do ... Only stick to the programme. Stick to your dates even though heavens may fall".

Wavell invited Nehru and Jinnah for joint consultation. Jinnah said that until the Congress had given its decision on the long-term plan of May 16, their discussion would be meaningless.

The Interim Government Proposed

On June 13, Maulana Azad wrote to the Viceroy that as his proposed composition of the cabinet involved parity between Hindus, including the Scheduled Castes, and the Muslim League, the position of Hindus had become "very unfair" eliminating the Non-League Muslims. The Congress position was thus worse than it was in June, 1945. Hence, the CWC was unable to accept the proposal. Azad said that a convention, along with parity, would deadlock the working of the Government.[97] Azad suggested 15 members to the Interim Government. As a result the Viceroy suggested a formula of 13 members (6 Congress including a member of the Scheduled Castes; 5 Muslim League and 2 representatives of the minorities). Jinnah proposed to place it before the ML Working Committee, if the Congress approved of it, but the Congress turned it down, and a complete deadlock ensued. To break the deadlock, the Mission and the Viceroy issued their own formula on June 16, 1946, according to which the reformed Council was to include 6 Congress (including a representative of the Scheduled Castes), 5 Muslim League, 1 Sikh, 1 Indian Christian and 1 Parsi, totalling 14 members. The Statement, under Clause 8, stated that "Should this proposal be accepted the Viceroy will aim at inaugurating the new Government about the 26th June".[98] The Statement said:[99]

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96. Pyarelal, Mahatma Gandhi: The Last Phase (New Delhi: Manager of Publications, Publication Division, Government of India, 1956), Vol. II, p. 225.

97. Papers Relating to the Cabinet Mission to India, n. 58, p. 39.

98. Ibid.

99. Ibid., pp. 43-44.

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"In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the Statement of May 16th".

The Viceroy invited the following to form the Interim Government:[100]

1. Sardar Baldev Singh
2. Sir N.P. Engineer
3. Mr. Jagjivan Ram
4. Pandit Jawaharlal Nehru
5. Mr. M.A. Jinnah
6. Nawabzada Liaquat Ali Khan
7. Mr. H.K. Mahatab
8. Dr. John Matthai
9. Nawab Mohammad Ismail Khan
10. Khwaja Sir Nazimuddin
11. Sardar Abdur Rab Nishtar
12. Mr. C. Rajagopalachari
13. Dr. Rajendra Prasad
14. Sardar Vallabhbhai Patel

Jinnah on June 19, regretfully wrote to the Viceroy that the five Muslim Leaguers were invited without calling a list from the ML leader; that parity between the Congress and the League was substituted by parity between the League and the Caste Hindus; that the fourth representative, 'Parsi' was added; and that minority representative, Jagjivan Ram, the Congressman, was included to add to the strength of the Congress; that proportion of Muslims were affected; that in view of serious changes it was not possible for the ML Working Committee to arrive at any decision; and that the distribution of portfolios should be finally decided.Jinnah desired the Viceroy to elucidate the following points:[101]

(1) whether the proposals were final or were still open to any change or modification;

(2) whether the total number of 14 members would remain unchanged;

(3) whether the Muslim League would be consulted for filling a vacancy;

(4) whether the proportion of members (community-wise) would be maintained; whether representation of the four minorities viz. the Scheduled Castes, the Sikhs, the Indian Christians and the Parsi, will be adhered to without any change; and, lastly,

(5) whether, in view of the change in the original formula "there will be a provision, in order to safeguard Muslim interests, that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim Members are opposed to it".[102]

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100. Ibid.
101. Ibid., pp. 44-46.
102. Ibid.

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In reply, Wavell stated on June 20:[103]

"(1) Until I have received acceptance from those invited ... the names in the statement cannot be regarded as final. But no change in principle will be made in the statement without the consent of the two major parties.

(2) No change in the number of 14 Members of the Interim Government will be made without the agreement of the two major parties.

(3) If any vacancy occurs among the seats at present allotted to representatives of minorities, I shall naturally consult both the main parties before filling it.

(4) (a) and (b) The proportion of members by communities will not be changed without the agreement of the two major parties.

(5) No decision on a major communal issue could be taken by the Interim Government if the majority of either of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.

(6) If you agree, I will send copies of the questions in your letter and of paragraphs 4 and 5 of this letter to the President of the Congress".

The contents of Jinnah's letter leaked out to the Press as a result the Viceroy sent the gist of the correspondence to Azad. However, the Viceroy, on June 22, in spite of strong Congress feeling, did not agree to include a Muslim of the Congress choice in the Interim Government, and referring to paragraph 5 of the 16th June statement, which assures that no precedent would be established, appealed to the Congress not to press their demand.[104] However, Azad, on June 25, wrote a long letter criticising almost every point raised and replied by Wavell.

Further, the CWC at Delhi on June 25, recording its grievances regarding the 'unjust parity' and power of 'veto' of a 'communal group' rejected the proposals for an interim Government as per 16th June scheme. The Committee, objecting to the 16th May Statement (Long-Term Proposal) felt that it fell short of immediate independence, limitation of the central authority, system of grouping and unfair structure of NWFP and Assam and inadequate treatment of minorities notably the Sikhs, however, decided to join the proposed Constituent Assembly with a view to framing the constitution of a free, united and democratic India.[105] Wavell, on the

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103. Ibid., pp. 46-47.
104. Ibid., pp. 48-49.
105. V.P. Menon, n. 2, p. 277; see also Pattabhi B. Sitaramayya, History of the Indian National Congress (Delhi: S. Chand and Co., 1969), Vol. II, p. ccxxiv - Appendix.

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same day, wrote to Jinnah that "the Congress had accepted the Statement of May 16th, while refusing to take part in the Interim Government proposed in the Statement of June 16th", and that "Since the Congress and the Muslim League have now both accepted the Statement of May 16th, it is the intention to form a Coalition Government including both those parties as soon as possible"[106].

Azad wrote[107]:

> "The acceptance of the Cabinet Mission Plan by both Congress and Muslim League was a glorious event in the history of the freedom movement in India. It meant that the difficult question of Indian freedom had been settled by negotiation and agreement and not by methods of violence and conflict. It also seemed that the communal difficulties had been finally left behind. Throughout the country there was a sense of jubilication and all the people were united in their demand for freedom. We rejoiced but we did not know them that our job was premature and bitter disappointment - awaited us".

However, Wavell's letter, of June 25, reached in Jinnah's hands in the late night. Meanwhile, the election and summoning of a Constituent Assembly as laid down in the Statement of May 16th, were going ahead.

The ML Working Committee immediately met on the same day and resolved "to agree to join the Interim Government on the basis of Statement of 16th June" and objected to the Congress adherence "to its interpretation of some of the provisions"[108] in the statement of May 16. The resolution was communicated to the Viceroy the same night.

On June 27, Jinnah, with regards to the Cabinet Delegation's Statements of 16th May and 25th May, urged that the "long-term plan and the Interim Government formula together formed one whole, and this formula regarding the Interim Government was an integral part of the whole scheme"[109], according to which the AIML had taken decision on June 6. Thus, Jinnah concluded that by rejecting a part of the scheme the Congress had rejected the whole plan, and regretted the postponement

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106. Papers Relating to the Cabinet Mission to India, n.58, pp. 52-53.
107. Maulana Abul Kalam Azad, n. 11, p. 151.
108. Resolutions of the All-India Muslim League from January 1944 to December 1946, n. 28, pp. 53-54.
109. Papers Relating to the Cabinet Mission to India, n.58, pp.55-58.

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of the formation of the Interim Government for some "mysterious reasons". He said that the Delegation and the Viceroy "were in honour bound to go ahead with the formation of the Interim Government". He, in the light of League's winning 90 per cent of the total Muslim seats in the various legislatures in the recent elections, repudiated the Congress claim as bogus that it represented the 'national character and charged it as a Hindu organization with "a handful of Muslim henchmen for the purpose of window-dressing" on whom they keep on harping. He also charged that the Congress refusal for the formation of the Interim Government was based on sinister motives, as they wanted to break the parity between the Muslims and the Caste Hindus and insisted on nominating a Congress Muslim to strike at the fundamentals of the League and its Muslim national representative character. Therefore, he said:"Muslim League cannot be a party directly or indirectly to any course of action which is calculated to prop up this bogus claim"[110].

Regarding the safeguards, Jinnah, in view of the Viceroy's assurance that "no decision on any major communal issue could be taken if the majority of the main parties were opposed to it", said that, as the number had been increased from 12 to 14, "the Muslims will be in a minority of little over one-third in the whole Executive"[111]; and, hence, it was absolutely necessary to protect their interests. Referring to Clause 4(a and b) of the 20th June letter from the Viceroy, he warned that "if there is any departure made in the principle of parity or if the Congress is allowed to nominate a Muslim, in either case it will be impossible for the Muslim League to agree to it..."[112] Jinnah concluded that "it was undesirable to proceed with one part i.e., the elections to the Constituent Assembly, and to postpone the other"[113]. The Viceroy replied that he had not gone back on their words and arrangements for elections were put into operation. The Statesman commented that the Mission's and the Viceroy's move was an "error"[114].

Care-Taker Government

Wavell was most disappointed at the Congress acceptance of the

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110. Ibid.
111. Ibid.
112. Ibid.
113. V.P. Menon, n. 2, p. 279.
114. The Statesman (Calcutta), June 28, 1946 (Long article).

Cabinet proposals. On June 25, he wrote[115]:

> "The worst day yet ... Congress has accepted the statement of 16 May ... Cripps having assured me categorically that the Congress would never accept the statement of May 16th. The Congress manoeuvres have now put us in a very difficult position. Both with Mr. Jinnah and the formation of an Interim Government ... Unless we decide that the Congress is dishonest, as it is in fact, and refuse to regard it an acceptance".

Hodson writes[116]: "The Viceroy was not prepared to carry on if they gave way to the Congress demand". Wavell stated in his diary: "We then discussed the Congress letter of acceptance which is really a dishonest acceptance, but it is cleverly worded so that it had to be regarded as an acceptance[117]".

The same evening (June 25), the Mission and Wavell met with Jinnah. They showed him the Congress resolution. Wavell informed Jinnah that he would appoint a "Care-taker Government" for a "short interval" and they could "go ahead with the Constituent Assembly and constitution-making" and that the Cabinet Mission would be returning to England. Jinnah was shocked to hear and said[118]:

> "Did he understand that the Delegation did not now wish to form an Interim Government: He had understood that if one party rejected the offer of June 16th we should go ahead with the other ... The Muslim League had accepted".

Wavell noted that Jinnah was in a thoroughly evil mood accusing them of "bad faith and of giving way to the Congress and considered that he should be given the opportunity of entering the Government[119]".

On May 9, the Viceroy's Executive Council, including the C-in-C, had resigned in order to facilitate the arrangements for an Interim Government. The Viceroy, on June 26, announced that until an Indian Government was framed he would set up a temporary "Caretaker Government

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115. Wali Khan, Facts Are Facts : The Untold Story of Insia's Partition (New Delhi: Vikas, 1987), p. 89.

116. H.V. Hodson, The Great Divide : Britain-India-Pakistan (London: Hutchinson and Co., 1969), p. 151.

117. Penderel Moon (ed.), n. 40, p. 305.

118. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, pp. 1044-47.

119. Penderel Moon, n. 40, p. 306.

of officials to carry on the interim period. This government continued to work up to August 25, 1946, when the Interim Government was formed.

On June 28, Gandhiji left Delhi, which marked the end of his dominant part played by him in Indian politics as differences between him and the Congress during the negotiations with the Mission had grown and he had lost influence over the decisions of the Congress Working Committee and was even not informed of the causes of events.

On June 29, 1946, the Mission left India leaving an atmosphere of uncertainty, but "both the Congress and the Muslim League, had, indeed, accepted the long-term plan although each party had its own reservations and interpretations of almost all the controversial issues"[120].

Impolitic Nehru's Stand on the Cabinet Plan

The CWC resolution of June 25, was ratified by the AICC on July 6. At this session Jawaharlal Nehru was elected President and he took over the presidency from Maulana Azad, who was President since 1940. At the winding up of the proceedings of the Committee, Nehru said that they would remain in the Constituent Assembly so long as they thought it was for India's good and they would come out when they thought it was injuring their cause. He also said, "We are not bound by a single thing except that we have decided for the moment to go to the Constituent Assembly"[121].

Nehru decided to guide the country in his own way. Disregarding Jinnah's qualities, he did not consider him "really a Muslim at all"[122] and thought him an "opportunist", who had no business to demand the partition of India. On July 10, addressing a press conference, with regard to the Congress acceptance of the Cabinet Mission Plan in toto, he said as Congress President he "had every intention of modifying the Plan". With regard to the grouping, he stressed that "the constituent assembly was a sovereign body and that in all probability there would be no groups at all. The non-Pakistan provinces (Section A) would decide against

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120. V.P. Menon, n. 2, p. 279; see also M.L. Gwyer and A. Appadorai, n. 52, Vol. II, pp. 611-12.

121. Ibid., p. 280.

122. Mosley's interview with Nehru, see Leonard Mosley, The Last Days of the British Raj (London: Weidenfeld and Nicolson, 1961), p.26.

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grouping and so would the NWFP and Assam, leading to the collapse of the other groups as well"[123]. Agreeing to the election of candidates and going into the Constituent Assembly, he said, "but what we do there we are entirely and absolutely free to determine"[124]. Regarding the Mission's arrangement for the minorities and the treaty between India and England, Nehru said that the problem of the minorities was domestic and "we shall no doubt succeed in solving it"[125] and he would have no treaty with England. He said that these two limiting factors to the sovereignty of the Constituent Assembly were not acceptable to the Congress[126].

It is amazing that the 57-year old Nehru, out of deep enthusiasm for freedom for an undivided India, failed to "read the writings on the wall";to appreciate the strength of the Muslim League and Jinnah, who had won 90 per cent of the Muslim seats in the last elections; to estimate the depth of demand of Sikhs leader, like Master Tara Singh, for an independent State - Khalistan for themselves; to recognize the hold of Dr. Ambedkar upon the Untouchables, who pinpointed the interests of minorities other than the Musalmans; and to understand the opposition of Indian Princes, who were unwilling to reconcile to an independent and a united India, and whose Chamber of Princes emphasized separation and vested interests. The Chancellor of the Chamber, the Nawab of Bhopal, along with other Maharajas, Rajas, Nawabs and Jagirdars, was asserting that if the British decided to quit India, the Princely States "would not automatically be transferred to the newly independent State", while a few bigger States, like Hyderabad, who did not join him, wanted complete independence after the British left India. In view of these disintegrating forces, he could have thought of a federated India to bring all the factions together for immediate independence, and to calm down the rioting elements to save life and property in India. But his overambitiousness marred the progress of the whole mass of community. Thus, Nehru's statement of 10th July were "most unwise, impolitic and untimely"[127]. Maulana Azad writes that the "statement was wrong"[128]. Nehru's

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123. A.G. Noorani, n. 59, p. 109.
124. V.P. Menon, n. 2, p. 280.
125. D.C. Gupta, Indian National Movement (Delhi: Vikas Publications, 1970), p. 259.
126. See for details J.S. Sharma, Encyclopaedia of India's Struggle for Freedom: Select Documents and Sources (Delhi: S.Chand & Co.,1962), Vol. I, pp. 694-708.
127. D.C. Gupta, n. 125, p. 261.
128. Maulana A.K. Azad, n. 11, p. 155.

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biographer, Michael Brecher, described it "a serious tactical error" as "one of the most fiery and provocative statements in his forty years of public life"[129]. It was, perhaps, the worst of all indiscreet statements that were ever made by any politician[130].

Jinnah's Reaction on Nehru's Statement of July 10,1946

Jinnah exploited Nehru's remarks fully in the interest of the League's demand for Pakistan. It was the best excuse and an opportunity to withdraw from the agreement of joining the Interim Government. He made an uproar against the statement. Pethick-Lawrence in the House of Lords and Cripps in the House of Commons reiterated the Mission's interpretation and rejected the Nehru's and Congress interpretation. Jinnah convened the AIMI Council in Bombay on July 27, and told the 450 followers, who were packed into a sweltering hall crowded with members of the press, both foreign and domestic, as well as delegates from every province[131]:

> "The Cabinet Delegation and the Viceroy ... had gone back on their plighted word and abandoned what was announced as their final proposals ... Congress really never accepted the long-term plan. Its conditional acceptance was communicated to the Cabinet Mission by the Congress President on June 25 ... The Cabinet Mission like a drowning man ready to catch hold of a straw treated this conditional acceptance ... as genuine ... Pandit Jawaharlal Nehru as the elected President ... at a Press conference in Bombay on July 10, made the policy and attitude of the Congress towards the long-term proposal clear ... that the Congress was committed to nothing ... What is the use of imagining things and dreaming".

Jinnah continued to say[132]:

> "All these facts prove clearly beyond a shadow of doubt that the only solution of India's problem is Pakistan. So long as the Congress and Mr. Gandhi maintain that they represent the whole of India ... so long as they deny true facts and the absolute truth that the Muslim league is the only authoritative organization of the Muslims, and so long as they continue in this vicious circle, there can and will be no compromise or freedom ... Mr. Gandhi now speaks as a universal adviser. He says that the Congress .. is the trustee for the people of India ... We have enough experience of one trustee that has been here for 150 years. We do not want the Congress to become our trustee. We have now grown up. The only trustee of the Muslims is the Muslim nation".

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129. Leonard Mosley, n. 122, p. 27.
130. S.K. Majumdar, Jinnah and Gandhi ; Their Role in India's Quest for Freedom (Calcutta: Firma K.L.Mukhopadhyay, 1966), p. 228.
131. Jamil-ud-Din Ahmad, n. 75, Vol. II, pp. 408-11.
132. Syed Sharifuddin Pirzada, n. 26, Vol. II, pp. 548-49.

On July 28-29, the ML Council considered over a dozen of resolutions. Sir Firoz Khan Noon urged that they made a mistake in accepting a Union and "The path of wisdom lies in the total rejection of the constitutional proposals ... let there be one guiding beacon before us - a fully sovereign, separate State of Pakistan".[133] Maulana Hasrat Mohani, amidst cheers, shouted: "If the Quaid-i-Azam will only give his word, the Muslims of India will rise in revolt at a moment's notice", which was reiterated by other Maulanas, Khans and Mullahs. Raja Ghazanfar Ali said: "If Mr. Jinnah gave the call, Muslims from all walks of life would come forward to carry on the struggle for the attainment of Pakistan". On July 29, the Working Committee in a resolution, withdrawing the League acceptance of the Mission's May proposals, and declaring direct action, stated:[134]

> "... and whereas it has become abundantly clear that the Muslims of India would not rest contented with anything less than the immediate establishment of an Independent and fully sovereign State of Pakistan ... the time has come for the Muslim nation to resort to Direct Action to achieve Pakistan to assert their just rights, to vindicate their honour and to get rid of the present British slavery and the contemplated future Caste-Hindu domination".

After the resolutions were adopted, Jinnah declared:[135]

> "... Today we have said good-bye to constitutions and constitutional methods. Throughout the painful negotiations, the two parties with whom we bargained held a pistol at us; one with power and machine-guns behind it, and the other with non-co-operation and the threat to launch mass civil disobedience. This situation must be met. We also have a pistol".

Elections to the Constituent Assembly

While the Congress-League differences on partition versus unity were undecided, Lord Wavell wrote to Jinnah and Nehru separately on July 22, to replace the Caretaker Government by an Interim Government as soon as possible, and placed the following for their consideration:[136]

"(a) The Interim Government will consist of 14 members.

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133. Ibid., p. 551.

134. Ibid., pp. 557-58.

135. Ibid., p. 560; see also Jamil-ud-Din Ahmad, n.75, Vol.II, p. 314.

136. N. Mansergh and E.W.R. Lumby, n. 1, Vol. VII, pp. 98-99; see also Dawn (Delhi), August 27, 1946.

(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 (the) 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 the 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".

The Congress and the League, attracted to the invitation, agreed to contest the elections. By the end of July, the elections to the proposed Constituent Assembly were completed in all the provinces. The Congress won all the general seats (209) except nine while the League won 73 Muslim seats except 5, out of a total of 296 seats allotted to British India.[137] The election campaign followed heated and endless arguments among the leaders.

Soon after the elections, Jinnah realized (in the light of Nehru's speech of July 10; Congress arguments during the elections that the Congress would leave no chance to suppress the League's demand for Pakistan and disagree to the Muslim majority provinces deciding their future constitutional set up) that the Assembly would be Pakistan's graveyard since the Congress majority in the Assembly would favour a united sovereign India.

Direct Action Day

Due to the Congress opposition, an exasperated Jinnah decided to achieve Pakistan by force and to settle the dispute in the streets. It was Jinnah's unwise action to force the Congress and the British to accept League's demand at the cost of flesh and blood of the masses. Jinnah rejected the Mission Plan and, on July 29, called upon the Muslims throughout India "to renounce the titles conferred on them by the British Government"[138] and to observe Friday, the August 16, as 'Direct Action Day'.

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137. Manmath Nath Das, Partition and Independence of India (New Delhi: Vision Books Pvt.Ltd., 1982), p. 75.

138. J.S. Sharma, n. 126, Vol. I, p. 708.

Jinnah claimed:[139]

> "I do not think that any responsible man will disagree with me that we were moved by a desire not to allow the situation to develop into bloodshed and civil war ... In our anxiety to try to come to a peaceful settlement with the other major party, we made this sacrifice of giving three subjects to the Centre and accepted a limited Pakistan ... But this has been treated with defiance and contempt. Then are we alone to be guided by reason, justice, honesty and fair play, when on the other hand there are perfidious dealings by the Congfess?"

Jinnah pointed out that the Day would not be observed to enforce the Pakistan demand but to explain to the Muslims all over India the contents of the League's July 27th resolution, and called upon the Muslims to maintain peace and "not to play in the hands of their enemy"[140].

A correspondent of Daily Telegraph asked as to what did he mean by 'Direct Action'. Jinnah replied:"there would be a mass illegal movement", but later he changed the word 'illegal' from the text shown by the correspondent before cabling home, to 'unconstitutional'[141]. In the meanwhile Pethick-Lawrence urged Wavell to meet Jinnah and press him to permit the League members to join the interim coalition government, but Wavell, knowing Jinnah's anger, wired on August 1, to leave him "alone"[142] and he remained unpurturbed, mistakenly believing that "J. has no real idea what to do"[143].

On August 5, Shaheed Subrawardy, a prominent member of the MLWC and a very influential leader of Bengal Muslims, wrote to The Statesman "Bloodshed and disorder are not necessary evils in themselves, if resorted to for a noble cause. Among Muslims today, no cause is dearer or nobler than Pakistan"[144]. The Muslim urchins shouted in the streets and lanes:

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139. See for details Jamil-ud-Din Ahmad,n.75, Vol.II, pp. 712-14.

140. B. Pattabhi Sitaramayya, n. 105, Vol.II(1835-1947),(Bombay: Padma Publications, 1948), p. 805.

141. Minute by Ian Scott, August 1, 1946; see N. Mansergh and E.W.R. Lumby, n. 1, Vol. VIII: The Interim Government, 3 July - 1 November 1946 (1979), p. 174.

142. Pethick-Lawrence to Wavell, Ibid., p. 162.

143. Wavell's Minute, Ibid., p. 175.

144. Leonard Mosley, n. 122, p. 32; see also The Statesman (Calcutta), August 5, 1946.

"Lar ke Lenge Pakistan : But ke Rahega Hindustan"
(We shall have Pakistan by fighting; India shall have to be partitioned).

As directed by the Secretary of State, Wavell, on August 6, invited Nehru to submit proposals for the formation of an Interim Government.[145] Nehru replied from Gandhiji's Ashram at Wardha accepting the "responsibility" offered, and wrote to Jinnah on August 13. Jinnah replied[146] on August 15, 1946:-

> "If this means the Viceroy has commissioned you to form an Executive Council ... and has already agreed to accept and act upon your advice ... it is not possible for me to accept such a position ... However, if you care to meet me, on behalf of Congress, to settle the Hindu-Muslim question and resolve the serious deadlock, I shall be glad to see you today at 6 p.m.".

Nehru met Jinnah at 6.00 p.m. on August 15, at Jinnah's Malabar Hill estate, and assured that no major communal issue would be acted upon in the Assembly except by a majority of both parties and disputed points would be referred to the federal court for decision and that "while Congress did not like the idea of grouping and preferred autonomous provinces under the Centre they would not oppose grouping by provinces if the provinces wished it[147]". Nehru also offered five Muslim League seats on a cabinet of fourteen, but Jinnah refused to participate in the interim government and deferred "all action ... for six months". As Nehru returned, India's bloodiest civil war began.

The Direct Action Day, commemorated on August 16, was led by H.S. Subrawardy, who declared it a Government policy and declared official holiday to arrange peaceful official demonstration as the Muslims in Bengal were in minority. He did not anticipate communal riots. In the evening of that Day riot broke out. The Muslims ignited the spark, the the Hindus poured oil, and the Sikhs created havoc holding up their taxis, resulting into thousands of funeral pyres.

On August 16-20, 1946, in the Great Calcutta Killing, as Wavell informed the Secretary of State on August 21, there were 3,000 dead and

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145. N. Mansergh and E.W.R. Lumby, n. 141, Vol. VIII, p. 188.
146. Ibid., p. 238.
147. August 18, 1946, Ibid., p. 248.

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17,000 injured.[148] The latest estimate of casualties was that "appreciably more Muslims than Hindus were killed"[149]. The troops were confined to their barracks, but in view of the mounting and rotting piles of human bodies, the Government offered to pay troops "five rupees for each body collected"[150].

The cause of the riot was that a large number of goondas[151] from the suburban areas began killing, looting and burning, when Suhrawardy told the "immense Muslim crowd" to return home early, speaking enthusiastically that "the Cabinet Mission was a bluff, and that he would see how the British could make Mr. Nehru rule Bengal. Direct Action Day would prove to be the first step towards the Muslim struggle for emancipation"[152]. The riots spread to other parts - Noakhali and Tipperah (East Bengal). The Hindu and Muslim workers' transient families fled to their homes in Bihar and told the frightful stories, often exaggerated. Murder and arson spread to other parts of the country - Garhmukteshwar (Western U.P.), Dasna, Meerut City where the Congress pandal was burnt, Bombay and Ahmedabad also. Thus, the British communal policy reached a climax, while the Hindus and Muslims sharpened their blades to slit each others' throats.

Jinnah was informed about the Great Calcutta Killing by a foreign news agency in August. Jinnah replied[153]:

> "If Congress regimes are going to suppress and persecute the Musalmans, it will be very difficult to control disturbances ... In my opinion, there is no alternative except the outright establishment of Pakistan ... We guarantee to look after non-Muslim and Hindu caste-minorities in Pakistan, which will be about 25 millions, and ... That is the quickest way to India's real freedom and to the welfare and happiness of all the peoples inhabiting this sub-continent".

The Congress and the League charged each other for the riots. The Direct Action Policy was not anti-British but it was a Muslim struggle

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148. Ibid., p. 274.

149. Ibid.

150. Ibid., pp. 601-03.

151. Francis Tuker, While Memory Serves (London: Cassell, 1950), p.158.

152. Ibid.

153. Jamil-ud-Din Ahmad, n. 75, Vol. II, p. 433.

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against the Congress. The League propagated that the Congress was a Hindu party and that all powers and responsibilities would be usurped by the Hindus from top to bottom of the administration. It may be concluded that the people were not fighting on political issues, but they were pitched in the battle in the wave of enthusiasm without anticipating the dangerous consequences, while the League proved to the world that Hindu-Muslim co-existence had become impossible and partition was the only course left.

Interim Government

During the course of proceeding for setting up an interim government, Jinnah insisted that no Muslim other than the League should be appointed to the interim government and if Nehru did not abide by this, he would not conciliate. On this issue the entire agreement had broken down and the demonstrations were held.

Wavell wrote to the Secretary of State that the Congress should not be allowed to form the Government by itself. The Secretary of State replied that since the Muslim League had reversed its decision regarding the 16th May proposal, they could not be allowed to enter the Cabinet, and further instructed that, if essential, Jinnah should be approached through Nehru.

On August 24, Wavell announced that Nehru and thirteen nominated persons would form the new interim government in early September.[154] A week later, two young Muslim Leaguers stabbed Sir Shafaat Ahmed Khan seven times in Simla on August 25, 1946, but he survived. Jinnah announced[155] that the Viceroy "has struck a severe blow to the Muslim League and Muslim India ... the step he has taken is most unwise and unstatesmanlike and is fraught with dangerous and serious consequences and he only added insult to injury by nominating three Muslims who, he knows, do not command either the respect or confidence of Muslim India.[156] On August 26, Wavell once again invited the Muslim League to join the Interim Government.

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154. See for details Sir Francis Low (ed.), The Indian Year-Book, 1947 (Bombay: Bennett, Coleman & Co. Ltd.), pp. 893-94.

155. Jamil-ud-Din Ahmad, n. 75, Vol. II, p. 444.

156. See for details Nripendranath Mitra (ed.), The Indian Annual Register, July-December, 1946 (Calcutta), pp. 230-31.

In his Id message from Bombay on August 29, Jinnah appealed to his followers:[157]

> "Let us stand as one united nation under our flag and on one platform and be determined and prepared to face the worst as a completely united and great people with our motto: unity, faity and discipline. God is with us and we are bound to succeed".

On September 1, on the eve of the Congress taking over the interim government, Muslim houses hoisted black flags of mourning, which caused communal rioting in Bombay and by September 10, more than 200 Hindus and Muslims were dead. There was also violence in Karachi. In Sind "both communities were busy surreptitiously arming themselves".[158]

However, on September 2, interim government was formed. Gandhiji, after prayer in Birla House in New Delhi, said: "door to Purna Swaraj has at last been opened". Nehru took oath of office as Vice-President (virtual Prime Minister), Patel as incharge of Home Affairs(Police) and Baldev Singh of Defence (of War) and a Provisional National Government with 12 members (3 being Muslims), leaving two places for the League to represent Bengal and Sind, on the basis of 6-5-3 formula i.e.6 Congress men, 5 Muslim Leaguers and 3 representing other minorities.

The Viceroy on September 8, sought permission from the Secretary of State to announce his plan before January 1, 1947, to make the Indians know that the British were ready to pull back their troops and leave India. Approximately 100,000 European civilians and 100,000 British troops had to be evacuated from India.

The country became a stage of demonstrations, processions,meetings and hartals and the people clashed on the roads and streets and even within their own families, as Nawa-e-Wakt had already declared:"... this is going to be a total war which shall be fought on every front, in every city, town, street and house" against the Congress Government.[159] Throughout the country, the Leaguers hoisted black flags on their residences, places of business and mosques.[160] Despite the League's violence,

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157. Jamil-ud-Din Ahmad, n. 75, Vol. II, pp. 423-25.

158. A.P. Le Mesurier's Report, September 2, 1946, N. Mansergh and E.W.R. Lumby, Vol. VIII, n. 141, p. 385.

159. Dawn (Delhi), August 3, 1946.

160. Louis Fischer (ed.), The Essential Gandhi (London: George Allen and Unwin Ltd., 1963), p. 353.

Gandhiji advised the Congress ministers to work for the Hindu-Muslim unity.[161] On the other hand, the League newspapers severely criticised the formation of the Interim Government. Dawn termed the Government action as betrayal and Roznama-i-Khilafat wrote:[162]

> "It is not a Government, but a Fascist gang. It is not a message of peace but a red flag of danger, not a ladder to progress but an axe for destruction".

Jinnah called the Viceroy's action as double betrayal for its *ignoring and by-passing the Muslim League*.[163]

On September 7, Nehru invited Jinnah to participate in the Interim Government to settle all controversial issues, but Jinnah declined. Simultaneously, the Viceroy was also negotiating with Jinnah for League's involvement in the interim government. Nehru complained that the approach to the Muslim League to form the Interim Government, had been made over his head".[164] On September 28, the Daily Mail reported Jinnah's statement that Nehru had made no definite proposals to him. In reply to Jinnah's letter dated October 3, 1946, containing a 9-point proposal, Lord Wavell wrote on October 4, categorically, offering the following terms:[165]

1. The total number of the Executive Council would be 14.
2. Of the 6 Congress nominees, one would be a Scheduled Caste representative and it would be ultimate responsibility of the Governor-General and the Viceroy in that behalf.
3. Each party would be equally free to nominate its own representatives.
4. In a Coalition Government it is impossible to decide major matters of action proposed. It would be fatal to allow major communal issues to be decided by vote in the Cabinet.
5. Arrangement of alternative or rotational Vice-Presidents would present practical difficulty. However, arrangement would be made to nominate a Muslim League member to preside over the Cabinet in the event of the Governor-General and the Vice-President being absent. A Muslim League member would also be nominated as Vice-Chairman of the Co-ordination Committee of the Cabinet.

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161. D.G. Tendulkar, Mahatma: Life of Mohandas Karamchand Gandhi (8 Vols.), (Bombay: The Publication Division, 1953-54), Vol. VII, p. 198.
162. Home Poll. 18/8/46, Fortnightly Report from Poona, NAI.
163. The Hindustan Times (New Delhi), October 20, 1946.
164. Penderel Moon, n. 40, p. 390.
165. See for the texts of Jinnah's letter and Wavell's reply N. Mitra, n. 156, Vol. II, pp. 273-74.

6. Both major parties would be consulted before filling a vacancy in any of these three seats.

7. The minority representatives cannot be excluded from a share of the major portfolios and Jagjivan Ram would continue as Labour Minister. There would be equal distribution of the most important portfolios between the Congress and the Muslim League. Details would be a matter for negotiation.

8. These arrangements would not be changed or modified unless both the major parties - the Muslim League and the Congress - agree.

9. Since the basis for participation in the Cabinet was, of course, acceptance of the statement of 16th May, Wavell assumed that the League Council will meet at a very early date to reconsider its Bombay resolution.

Gandhi and Jinnah on Communal Violence and Pakistan

Gandhiji, then 77 year old, witnessed the communal violence and toured Noakhali and Bihar to pacify the people. He wrote on October 6, against the partition of the country:[166]

> "I would have no hesitation in conceding the demand of Pakistan if I could be convinced of its righteousness or that it is good for Islam. But I am firmly convinced that the Pakistan demand put forth by Muslim League is un-Islamic and I have not hesitated to call it as sinful. Islam stand for the unity and brotherhood of mankind, nor for disrupting the oneness of the human family. Therefore, those who want to divide India into possibly warring groups are enemies alike of India and Islam. They may cut me to pieces but they cannot make me subscribe to something which I consider to be wrong".

Gandhiji felt in private that "the League President supported the violence out of a desire to restore Muslim supremacy in India".[167] However, he had no objection to a separate Muslim state, Discussing the nature of the state, which was not clear, he stated "If a Muslim state implied freedom to make unfriendly a treaty with the foreign powers to the detriment of the country as a whole, then obviously it could not be a matter of agreement. No one could be asked to sign an agreement granting freedom to another to launch hostilities against himself; it would be a suicidal policy".[168]

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166. Harijan (Ahmedabad), October 6, 1946; see also M.K. Gandhi, Communal Unity (Ahmedabad: Navajivan Publishing House, 1949), p.374.

167. Lambert, Hindu-Muslim Riots (Microfilm copy of the unpublished Doctoral dissertation, University of Pennsylvania, 1951), p. 184; in Dr. J.J.Pal, Jinnah and the Creation of Pakistan (Delhi: Sidhuram Publications, 1983), p. 130.

168. M.K. Gandhi, To the Protagonists of Pakistan (ed. by Anand T. Hingorani, Karachi: Anand T. Hingorani, 1947), p.215.

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Jinnah, speaking against the Bihar violence, in a statement said:[169]

> "... that in Pakistan minorities will enjoy the fullest security of life, property and honour just as the Musalmans themselves - may be even greater. If the Musalmans lose their balance and give vent to the spirit of vengeance and retaliation and prove false to the highest codes of morality and preachings of our great religion Islam, you will not only lose your title to the claim of Pakistan but also it will start a most vicious circle of bloodshed and cruelty, which will at once put off the day of our freedom".

During September 16 to October 12, the Viceroy had protracted discussions with Nehru, Rajagopalachari, Gandhiji and Jinnah. On the other hand, there was continuous negotiation between Jinnah and Nehru, more or less on the aforesaid nine points. On October 13, Jinnah wrote to Wavell that the League had decided to join the Interim Government. The Muslim League was allowed to join the Interim Government, provided that it would withdraw his decision against the proposal of the Cabinet Mission. The Muslim League bit its tongue and abandoning the Pakistan proposal agreed to join the Government of Indian Federation.

On October 14, Jinnah submitted five names and the ML members joined the Interim Government without accepting the long-term plan of May 16, 1946.[170] The five League members joined the Interim Government on October 15, as Jinnah calculated that a Nehru-led Congress Government would further endanger the prospects of Pakistan. Jinnah, in an interview with Miss Cummings of Christian Science Monitor at New Delhi said:[171]

> "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 watch over and safeguard Muslim interests".

Jinnah nominated a Scheduled Caste in the Muslim League quota to undermine the solidarity of the Hindus. He selected those who could put up a fight against the Congress.[172]

Ghazanfar Ali Khan, according to League's policy considered the Interim Government as part of the Direct Action Campaign. On October 19,

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169. Jamil-ud-Din Ahmad, n. 75, Vol. II, pp. 359-61.

170. N. Mansergh and E.W.R. Lumby, n. 141, Vol. VIII, p. 709.

171. Dawn (Delhi), November 10, 1946.

172. See for details Indian Annual Register(1946),Vol.II,pp.228 and 269-70.

at the Islamic College, Lahore, he said:[173]

> "We are goint into the interim government to get a foothold to fight for our cherished goal of Pakistan, and I assure you that we shall achieve Pakistan ... The disturbances which have occurred in many parts of the country after the installation of the purely Congress government at the Centre have established the fact beyond any shadow of doubt that the ten crores of Indian Muslims will not submit to any government which does not include their true representatives ... In the interim government all our activities shall be guided by two considerations, that is, to convince the Congress that no government in India can function smoothly without the cooperation of the Muslim League and that the League is the sole representative organization of the Indian Muslims. The Interim government is one of the fronts of the direct action campaign and we shall most scrupulously carry out the orders of Mr. Jinnah on any front that we are called upon to serve ... There can be no peace and no progress in India without a settlement between the Congress and Muslim League on the basis of Pakistan".

The statement made quite clear that the League had decided to wreck the Interim Government.[174] When Nehru pointed it out to Wavell and to call the Assembly in session, he said that Jinnah had assured him that the League would cooperate with the Interim Government fully. Hodson says:[175]

> "Jinnah had undertaken, in reply, to call a meeting of the Muslim League Council and to reverse its decision against the statement of May the 16th ... The Working Committee Meeting was not summoned until more than three months later, and then they declined to call the League Council to reconsider their decision of July, 1946".

Wavell's Stand

Why Wavell did not accept Nehru's request? Wavell was not happy with Nehru and did not like his Government despite severe reprimands from Pethick-Lawrence. He avoided the summoning of the Assembly in session because in doing so the last part of the Plan would have been implemented and the entire control had gone into the hands of the Assembly and once the State Legislative Assemblies had been commissioned, it meant that the Government had accepted India's federal polity, to which Wavell was

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173. The Hindustan Times (New Delhi), October 20, 1946; see also A.M. Zaidi, Evolution of Muslim Political Thought in India, Vol.6: Freedom At last (New Delhi: S. Chand, 1979), p. 470.

174. Home Poll. 18/10/46, Fortnightly Report from New Delhi for the first half of October, 1946, NAI.

175. H.V. Hodson, n. 116, p. 174.

opposed. He felt that if he would not agree to the Congress demand he would loose their cooperation than go ahead with constitution-making on a one-party basis. He saw the partition in the British interest. Hence, he created a political impasse in order to facilitate the collapse of the constitutional machinery and forced the Government to ask him to implement his Breakdown Plan. Wavell was perturbed about the titled Muslims, who lacked moral courage and could align themselves with the Congress for personal gain and believed, "he who pays the piper calls the tune".

Distribution of Portfolios

However, the tussle started over the allocation of portfolios. The Viceroy desired to give External Affairs, Defence and Home Affairs to the League, to which Nehru strongly opposed and warned on October 24, that if there were any change (i.e. External Affairs to the Congress, Home to Patel and Defence to Baldev Singh), the Congress would resign, "leading to termination of this Government"[176]. Azad supported Wavell that the League be given the Home Department, but Patel did not like to part with it[177]. The League yielded and, therefore, the Viceroy gave Finance, Commerce, Communication, Health and Law to the League and they took office on October 26, 1946. Finance was given to Liaquat Ali Khan, who introduced a budget allegedly designed "to harm the industrialists and businessmen, the majority of whom were Hindus". This crisis was later considered by Lord Mountbetton in March, 1947. Further, the Finance Department was the life-blood of all Departments. Due to rivalism, modifications became frequent and complete rejections also became common, as a result the Congress Ministers felt seriously handicapped. At last, the British Gover ment and the Congress became almost convinced that any attempt to bring about a lasting cooperation and harmony between the Congress and the League would end in failure.

As apprehended, the 'Congress bloc' and the 'League bloc' began functioning under separate leaderships and became rivals of each other. They neither possessed a common policy nor any effective power in the explosive situation, when Jinnah, on November 12, hammered[178]:

176. Michael Brecher, Nehru: A Political Biography (London: Oxford University Press, 1959), p.324; see also Pyarelal, Mahatma Gandhi - The Last Phase, Vol.II, n.96, p. 286.

177. Maulana A.K. Azad, n. 11, p. 166.

178. Manmath Nath Das, n. 137, p. 77.

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> "The Bihar tragedy has no parallel or precedent in this record of cold-blooded butchery of the Muslim minority in various parts of the country committed by the majority Hindu community".

Further, as the Garhmukteswar riot also shattered the hope of Hindu-Muslim co-existence and even sober and thoughtful minds painfully accepted the partition as indispensable, Jinnah, on November 14, declaring boycott of the Assembly asserted that only "the creation of Pakistan and Hindustan would bring about a solution of the present communal situation". He called the decision to summon Constituent Assembly (scheduled on December 9) as a "blunder of a grave and serious character" and stated that the Viceroy was "blind to the present serious situation and the realities facing him" and also charged that he was "playing into the hands of Congress" (while in reality Wavell took the League's side as stated earlier) and did not won him that the Direct Action Day was also the direct action against their own government, as the League had become part of the Government. However, the Muslim League ratified, on November 21, to boycott the Constituent Assembly[179]. On November 25, Jinnah suggested the Central and Provincial Governments to consider an exchange of population as the best means for settling the communal strife, and rejected the Mission Plan, after which it became impossible for the Muslim League to remain part of the Government. Wavell, sending the complete report to London, said that if the Congress proposal was accepted the country would be plunged in a civil war.

To break the deadlock and to streamline the working of the Assembly peacefully, the Viceroy, Nehru, Baldev Singh, Jinnah and Liaquat Ali Khan went to London on November 30, to meet the British Prime Minister, Attlee, but their discussion from December 3-6, 1946, ended in failure. The main upshot was the British Government's statement of December 6, which urged the Congress to accept the Mission's interpretation of the grouping. The last para of the said statement described[180]:

> "There has never been any prospect of success for the Constituent Assembly except upon the basis of the agreed procedure. Should a Constitution come to be framed by the Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty's Government could not, of course, contemplate forcing such a Constitution upon any unwilling parts of the country".

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179. N.N. Mitra, Indian Annual Register (1946), Vol. 2, p. 279.

180. A.G. Noorani, n. 59, p. 111.

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The League members held that the Constituent Assembly had no right to alter the structure of Plan and any change in the grouping would alter the basis of agreement, while the Congress representatives, opposing the grouping arrangement, asserted that the Constituent Assembly had the power to make necessary changes in the Cabinet Mission Scheme. Though the British participants in the parleys agreed to the League's view, but could not heal their wound. The leaders returned to India without any agreement and their attitude towards each other hardened still further.

Wavell's Breakdown Plan

The Congress suggested to bring their differences in the Federal Court on the Proposal of May 16, but Jinnah, as usual rejected Nehru's suggestion. Wavell noted:[181]

> "They (Congress) were apparently prepared to agree that the question of whether the sections make the constitution for the provinces or the provinces make their own, should be referred to the Federal Court, but this Jinnah would not accept".

However, while Wavell was leaving for India, Churchill had said: "Keep a bit of India", which ranged in Wavell's ear and consequently led to his Breakdown Plan. On December 3, in England, Wavell stated in the Cabinet that since there was no conciliation between the Congress and the League, the British Government has the confrontation with the Congress. To meet this combat, Wavell offered his Breakdown Plan, which envisaged that the provinces with Congress majority should be given autonomy, and the British, accompanied by their entire army, should move to the Muslim majority provinces. The Breakdown Plan was a two-fold device. It sought to reduce the Congress claim of independence to provinces of Section A, and, on the pretext of protecting the Muslims and other minorities in the Muslim majority areas - Sections B and C - prolong the lien of the British Raj, to meet any offensive from the USSR in the West and China in the East. Wavell returned. His Secretary, George Abel, telegraphed him that the Cabinet at home had refused to have anything to do with the Breakdown Plan.[182]

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181. Penderel Moon, n. 40, p. 371.

182. Ibid., January 8, 1947.

Constituent Assembly Convened

However, the British Government announced that they accepted the League's demand of individual status of provinces i.e., the groups would make collective decisions. For instance, Punjab, having a greater number of seats, was given the responsibility of Group B, and NWFP and Sind, having the lesser number of seats, were given the secondary status. In the like manner, in the East, Bengal became responsible while Assam became a political non-entity.

On the above principle, the Constituent Assembly was convened on December 9, 1946, for the first time in New Delhi, "with dignity and decorum". Dr. Satchidananda Sinha was the Convening President till the Assembly elected Dr. Rajendra Prasad. The Muslim League boycotted the Assembly, with 79 of their seats remaining empty in the Assembly Hall, while almost 300 Congressmen and women took their places. However, the Congress articulated its policy regarding the Provinces and the Princely States, and with the exception of three Central Departments, gave all the other rights to the provinces. They also formed Committees for various departments, leaving a seat for the Muslim League candidate.

On December 11, Attlee appealed "to all the communities in India to cooperation in framing a Constitution"[183]. Winston Churchill suggested a debate, which lasted for two days. Churchill said[184]:

> "I warned the House as long ago as 1931 ... that if we were to wash our hands of all responsibility, ferocious civil war would speedily break out between the Muslims and Hindus ... more people have lost their lives or have been wounded in India by violence since the interim Government under Mr.Nrhru was installed in office four months ago by the Viceroy, than in the previous 90 years ... These frightful slaughters over wide regions and in obscure uncounted villages have, in the main, fallen upon Muslim minorities.
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> "... any attempt to establish the reign of a Hindu numerical majority in India will never be achieved without a civil war ... This war will, before it is decided, lead through unaccountable agonies to an awful abridgement of the Indian population ... The Muslims, numbering 90 million, ... comprise the majority of the fighting elements in India ... the word "minority" has no relevance or sense when applied to masses of human beings numbered in many scores of millions ..."

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183. Parliamentary Debates, House of Commons, Fifth Series, Vol. 431, pp. 1175-76; in Stanley Wolpert, n. 68, p. 303.

184. Ibid., pp. 1360-67; in Stanley Wolpert, n. 68, pp. 303-304.

Churchill's statement encouraged Jinnah to take a more tough line vis-a-vis the Congress. Nehru, sensing the danger of fall of the Assembly, as the Muslim League had not joined, declared on December 13, 1946: "This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic ... Wherein all power and authority ... are derived from the people"[185].

On December 10, Attlee called Lord Louis Mountbatten to 10 Downing Street, and invited him to succeed Wavell and on December 19, said[186]:

> "If we were not very careful, we might well find ourselves handing India over not simply to civil war, but to political movements of a definitely totalitarian character. Urgent action was needed to break the deadlock, and the principal members of the Cabinet had reached the conclusion that a new personal approach was perhaps the only hope".

After much hesitation Mountbatten accepted Attlee's invitation.

The CWC on December 22, 1946[187], decided to abide by the verdict of the federal court and referred the matter to the AICC, which at its meeting in Delhi on January 5-6, 1947[188], advised action in accordance with the interpretation of the British Government, but added: "It must be clearly understood, however, that this must not involve any compulsion of a Province and that the rights of the Sikhs in the Punjab should not be jeopardized. In the event of any attempt at such compulsion, Province or a part of a Province has the right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned"[189]. Further, the Sikh Pratinidhi Panthic Board at its meeting at Amritsar on December 24, 1946, resolved: "The statement of December 6, has been made to placate the intransigence of the Muslim League and is to be detriment of the minorities, especially the Sikhs" and decided to "carry on their struggle until satisfactory provision is made for safeguarding their interests in the future constitution of India"[190]. The Sikhs observed an

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185. Dorothy Norman (ed.), Nehru: The First Sixty Years, 2 Vols. (London: The Bodley Head, 1965), Vol.II (1940-50), pp. 278-86.

186. Alan Campbell, Johnson, Mission With Mountbatten (New York: Dutton & Co., 1953), pp. 17-18.

187. See full text of the Resolution, J.S.Sharma, n. 126, Vol.I, pp.765-70.

188. See full text of the Resolution, Ibid., pp. 772-73.

189. N.N. Mitra, Indian Annual Register, Vol. I (January-June, 1947), pp. 114-15.

190. See full text J.S. Sharma, n. 126, Vol. I, p. 770.

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Anti-Pakistan Day on March 11, and organized mass rallies throughout Punjab and several deaths in the ensuing disturbances were reported. In Multan, Amritsar, Rawalpindi, Sialkot, Jallundur death-toll was high.

However, the ML Working Committee, which met at Karachi on January 29-31, 1947, regarded the above AICC interpretation as yet another qualified acceptance and demanded the Government to dissolve the constituent assembly. The deadlock continued and once again the Congress members demanded resignation of the League members, who argued that since the Congress on December 9, 1946, itself did not accept[191] the rule 63, which assumes control of the sections, they could not ask them to do so[192] later. The Viceroy wrote to the Secretary of State to issue a statement[193] in that regard. Soon the Congress members threatened that if the Leaguers would not resign they themselves would. Wavell was stuck and could see no way out.

Menon's Proposal of Dominion Status

Towards the end of December, 1946, and the beginning of 1947, V.P. Menon "had lengthy discussion with Vallabhbhai patel suggesting that power should be transferred to two Central governments on the basis of dominion status[194]". Since Patel agreed, Menon sent an outline of his

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191. K.M. Munshi had elaborated the rule 63, that "if properly framed, the Rules would enable the Constituent Assembly as a whole to exercise control over the Sections and Provinces so as to safeguard the rights of the minorities in each of them". See K.M. Munshi, Pilgrimage to Freedom (Bombay: Hindustan Cellulose, 1955), pp.117-18.

192. See for details letter from Liaquat Ali Khan to Lord Wavell on the Congress Demand for the Resignation of Muslim League Members from the Executive Council, February 8, 1947, in L.A. Sherwani, n. 51, pp. 207-10. The AICC resolution "In the view of the Muslim League this resolution of the Congress is in no way different in effect from the Congress resolution of June 25; rather it makes the position worse in so far as it confers a right of veto not only on a province but also on a part of a province and the Sikhs. The Muslim League is convinced ... that the Congress has not accepted the Cabinet Mission's statement of May 16 as interpreted by their statement of May 25 and as further interpreted by HMG's statement of December 6 ... It clearly indicates that the Congress had never intended nor does it intend to abide by the terms of the Mission's Plan", Ibid., p. 209.

193. V.P. Menon, n. 2, p. 337.

194. C.H. Philips and M.D. Wainwright, n. 1, p. 577; see also V.P. Menon, n. 2, p. 358.

plan to the Secretary of State. Proposing his own thesis for communal settlement, he argued: "A united India under the Cabinet Mission Plan was ... an illusion; the three-tier constitutional set-up envisaged was unwieldy and difficult to work", and "Jinnah showed no sign of resiling from his demand for a separate, independent sovereign State for the Muslims - a demand in which the League had the sympathy, if not the support, of a large section of British opinion" and "the sympathy of most of the British elements in the Services".[195] Describing these facts, Menon expressed his personal view that "it was better that the country should be divided, rather than that it should gravitate towards civil war".[196] Menon hoped that the Congress would accept this arrangement, which would prohibit the League to claim those portions of the Punjab, Bengal and Assam which were predominantly non-Muslim.

For implementation of the scheme, Menon emphasised three advantages to the Congress: First, a peaceful transfer of power; secondly, Britain would welcome such a move; and thirdly, the civil service, army, navy and air force would continue to function during the transitional period, which would avoid endless trouble at the time of transfer of power.[197] After the transition of power, Menon suggested:[198]

> "After all, the test of sovereignty was the power to amend one's constitution, which remained unaffected by the acceptance of Dominion Status. India could at any time, if she so desired, walk out of the Commonwealth. Moreover, the Princes, with their past associations with the British Crown, would be reassured and be more willing to negotiate".

As the proposal was not made by any leader, Pethick-Lawrence shelved it for he could not believe that the Congress, which had since long been fighting for complete independence, would agree to Dominion Status for immediate transfer of power. However, Lord Mountbatten, who was preparing himself for the difficult assignment of Viceroyship of India and was studying all the material relevant to Indian political situation, studied Menon's proposal carefully.[199]

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Failure of Interim Government

On December 22, 1946, Jinnah returned home (Karachi) "a sick man,

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195. V.P. Menon, Ibid.
196. Ibid.
197. See for details Ibid., pp. 358-59.
198. Ibid., p. 359.
199. Ibid.

too exhausted to say anything, lacking energy even to meet with his Working Committee before January 29"[200]. Pethick-Lawrence wrote to Wavell on January 2, 1947, "I hope that Jinnah does not interpret our Statement of December 6th to mean that if he only sits back and does nothing he will get his Pakistan"[201]. The letter drew Jinnah's attention.

In the meanwhile, the AICC met in Delhi and endorsed the statement of Working Committee of December 22, and passed a resolution on January 6, rejecting "the procedure laid down in the December 6 statement and declared that it was for the Constituent Assembly alone to give interpretations of the State Paper of May 16"[202].

On January 29, 1947, the League Working Committee met in Karachi and called upon the Government to declare that the Plan of 16th May had failed, and demanding that the constituent assembly should be dissolved, resolved[203]:

> "The Working Committee of the Muslim League is, therefore, emphatically of the opinion that the elections to, and thereafter the summoning of the Constituent Assembly, in spite of strong protests and most emphatic objections on the part of the League, were ab initio void, invalid and illegal as not only the major parties had not accepted the statement but even the Sikhs and the Scheduled Castes had also not done so and that the continuation of the Constituent Assembly and its proceedings and decisions are ultra vires, invalid, and illegal and it should be forthwith dissolved".

On January 31, 1947, Jawaharlal Nehru's 9-point Objective Resolution proclaimed India as an Independent Sovereign Republic; the territories and States forming the Indian Union; the territories "shall possess and retain the status of autonomous Units, together with residuary powers, and exercise all powers and functions of government and administration, save and except such powers and functions as are vested in or assigned to the Union ..."; the powers shall be derived from the people; the people shall be guaranteed 'justice', 'equality' and 'freedom'; adequate safeguards shall be provided for minorities...; integrity and sovereignty

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200. Stanley Wolpert, n. 68, p. 306.

201. N. Mansergh and E.W.R. Lumby, n. 1, Vol.IX: The Fixing of a Time Limit, 4 November - 22 March 1947 (1980), pp. 444-45.

202. Letter from Liaquat Ali Khan to Lord Wavell, February 8, 1947, n. 192, in L.A. Sherwani, n. 51, pp. 207-10.

203. N. Mitra, Indian Annual Register, January-June, 1947, Vol.II, n. 189, p. 151.

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of the territory of the Republic shall be maintained, and this ancient land shall promote world peace.[204]

On February 5, 1947, "the Viceroy received demand from Congress and minority members for resignation of League representatives from interim government".[205]

On February 6, the Viceroy saw Liaquat Ali. On February 8, Liaquat Ali Khan wrote a long letter to the Viceroy stating that "the Congress had never intended nor does it intend to abide by the terms of the Mission's Plan" and that "the Muslim League originally accepted the Cabinet Mission's statement of May 16 in letter and in spirit and in its correct interpretation" and thus "in the circumstances it is extremely presumptuous on the part of the 9 non-League members of the Executive Council to demand that their Muslim League colleagues should resign".[206]

On February 13, 1947, Nehru wrote to the Viceroy and again demanded resignation of the League members from the Interim Government, but the Viceroy did not agree. Vallabhbhai Patel, on February 14, wrote to the Viceroy that "Things have been made worse by a clear hint that matters might take a violent turn"[207] in view of the Finance Minister's statement in the Dawn regarding Punjab atrocities. He enclosed the cutting from the Free Press Journal of February 7, 1947, containing speech of Ghazanfar Ali Khan at Lahore and drew his attention to the following passage:[208]

> "Mohammed Bin Kassim and Mahmud of Ghazni invaded India with armies composed of only a few thousands, and yet were able to overpower lakhs of Hindus; God willing, a few lakhs of Muslims will yet overwhelm crores of Hindus".

Vallabhbhai Patel concluded that "the Central Government had ceased to exist and that the sooner the present state of affairs is put to an end the better"[209], and subsequently threatened on February 15, that Congress "would withdraw from interim government if League members remained".[210]

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204. J.S. Bright(ed.), Important Speeches of Jawaharlal Nehru, 1922-46 (Lahore: 2nd edn., n.d.), Vol.I, pp. 5-6.
205. C.H.Philips and M.D.Wainwright, n. 1, p. 577.
206. Letter from Liaquat Ali Khan to Lord Wavell, February 8, 1947, n.202.
207. Durga Das (ed.), Sardar Patel's Correspondence, 1945-50, Vol.IV (Ahmedabad: Navjivan, 1972), p. 6.
208. Ibid.
209. Ibid.
210. C.H. Philips and M.D. Wainwright, n. 1, p. 578.

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CONCLUSION

The Cabinet Mission arrived in India in March, 1946, and interviewed the Indian leaders. Jinnah urged the two-nation theory and advocated the demand for Pakistan, to which Nehru resented. The Congress and the League leaders differed on the question of central and state powers. The Congress wanted a unitary government and the League advocated Pakistan. The Mission Plan of June 16,1946, did not include the six provinces demanded by the Muslim League to be called Pakistan and rejected the claim of Pakistan. However, the Mission Plan under group (ii) - Punjab,NWFP and Sind, and group (iii)- Bengal and Assam gave the regions the right to make their own constitution, to which the Congress was opposed. While rejecting the formation of an interim government, the Congress decided to join the proposed Constituent Assembly. Contrarily, the League decided to join the interim government and concluded that the Congress had rejected the whole plan. In consequence, the League withdrew its acceptance of the Plan and observed Direct Action Day on August 16, 1946. Elections were held and the Congress and the League won majority of seats, but they differed on the question of distribution of portfolios, which could not be settled to the desire of the contestants, as a result it caused the breakdown of the Cabinet Mission Plan.

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CHAPTER VIII

MOUNTBATTEN PLAN AND PARTITION OF INDIA

Before arrival of Mountbatten to India, there held a debate in England on March 5, 1947. Cripps, defending the Government's policy, said[1]:

> "It was unfortunate that "just at the moment when the Muslim League was about to reconsider the situation with a view, possibly, to coming into the Constituent Assembly at Karachi, events in the Punjab boiled up ... We can only hope that tolerance and good sense will bring about some settlement ... This is just another one of those factors which make it so difficult to predict the course of events ... in India today".

Winston Churchill, the leader of the Conservative Party, attacking on the "Government of Mr. Nehru", called it a "complete disaster" and insisted that "it was a cardinal mistake to entrust the government of India to the caste Hindu". Turning to the new Viceroy, Churchill argued[2]:

> "India is to be subjected not merely to partition, but to fragmentation, and to haphazard fragmentation. A time limit is imposed - a kind of guillotine - which will certainly prevent the full, fair and reasonable discussion of the great complicated issues that are involved. These 14 months will not be used for the melting of hearts and the union of Muslim and Hindu all over India. They will be used in preparation for civil war; and they will be marked continually by disorders and disturbances such as are now going on in the great city of Lahore".

On March 8, CWC in an emergency session resolved[3]:

> "The transfer of power, in order to be smooth, should be preceded by the recognition in practice of the Interim Government as a Dominion Government with effective control over the services and administration ... The Central Government must necessarily function as a Cabinet with full authority and responsibility. Any other arrangement is incompatible with good government and is peculiarly dangerous".

The CWC also resolved[4]:

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1. Parliamentary Debates, House of Commons, Fifth Series, March, 1947, Vol. 434, pp. 402-05.
2. Ibid., pp. 669-73.
3. N. Mansergh and E.W.R. Lumby (eds.), Constitutional Relations Between Britain and India: The Transfer of Power (11 Vols.), (London: Her Majesty's Stationery Office, 1970-82), Vol.IX: The Fixing of a Time Limit, 4 November - 22 March, 1947 (1980), pp. 899-900.
4. N.N. Mitra, Indian Annual Register (Calcutta: Annual Register Office), Vol.II, 1947, pp. 118-19.

> "There has been an orgy of murder and arson and Amritsar and Multan have been scenes of horror and devastation. These tragic events have demonstrated that there can be no settlement of the problem in the Punjab by violence and coercion, and that no arrangement based on coercion can last. Therefore, it is necessary to find a way out which involves the least amount of compulsion. This necessitates a division of the Punjab into two provinces, so that the predominantly Muslim part may be separated from the predominantly non-Muslim part".

It may be added that the above resolution was passed demanding the partition of Punjab in consequence of the Muslim League's bid to overthrow the coalition government of the Unionist Party's leader, Khizar Hayat Khan Tiwana, riots and killings in January, 1947, and resignation of Tiwana on March 3, 1947, which had caused alarm among the Hindus and Sikhs of a Muslim League Raj in Punjab. About 2,000 lives had lost in the communal riots by March, 1947.

Attlee's Declaration for Transfer of Power

In view of the Interim Government not working at all, the League boycott of the Constituent Assembly, the failure of the London Conference, antagonism and disagreement between the Congress and the League, communal orgy, arson and destruction in recurrent riots leading to a state of civil war in India and law and order deteriorating fast, Attlee, in the House of Commons on February 20, 1947, had declared[5]:

> "The present state of uncertainty is fraught with danger and cannot be indefinitely prolonged. His Majesty's Government wish to make it clear that it is their intention to take necessary steps to effect the transference of power to responsible Indian hands by a date not later than June, 1948" (June 30, 1948).

He also added:

> "If by June, 1948, a constitution was not framed by a fully representative Constituent Assembly, His Majesty's Government will have to consider to whom the power of the Central Government in British India should be handed over on the due date; whether as a whole to some form of Central Government for British India or in some areas to the existing Provincial Governments, or in some other way as may seem most reasonable and in the best interests of the Indian people".

On March 8, the Congress Working Committee, welcoming the above declaration, resolved calling for the partition of Punjab and Bengal on

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5. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 757.

communal lines and inviting the Muslim League to direct negotiations. The Congress welcomed the announcement as "wise and courageous"[6] but Gandhiji remarked that it would lead to Pakistan for those provinces or portions which may want it.[7]

As Wavell failed to implement the policies properly in order to solve the Indian tangle, the British Cabinet resolved to replace Wavell by Lord Louis Mountbatten and scheduled his arrival in India on March 22, 1947.

Jawaharlal Nehru, on March 9, while forwarding the resolution of March 8, to the Viceroy, said[8]:

> "... we ... have also suggested the division of the Punjab into two parts. This principle would, of course, apply to Bengal also ... Recent events in the Punjab have demonstrated ... that it is not possible to coerce the non-Muslim minority in the Province, just as it is not possible or desirable to coerce the others ... In the event of the Muslim League not accepting the Cabinet Delegation's scheme and not coming into the Constituent Assembly, the division of Bengal and Punjab becomes inevitable".

Thus, the Congress accepted Pakistan, but including only Muslim majority districts. Jinnah, addressing the Muslim journalists in Bombay on March 12, proclaimed[9]:

> "... our ideology, our goal, our basic and fundamental principles ... are not only different from the Hindu organisations but are in conflict ... There is no common ground for co-operation ... There was a time when the idea of Pakistan was laughed at, but let me tell you this there is no other solution which will decredit and bring honour to our people ... Insha Allah (God Willing), we shall have Pakistan".

There were severe riots in Lahore, Amritsar, Multan and Rawalpindi. Jenkins, the Governor of Punjab, estimated 1,000 dead and many of its multiple injured. In Amritsar, Master Tara Singh declared that the "Civil

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6. N. Mansergh and E.W.R. Lumby, n. 3, Vol. IX, pp. 899-900.
7. Pyarelal, Mahatma Gandhi: The Last Phase (Ahmedabad: Navjivan Publishing House, 1958), Vol. II, p. 206.
8. Nehru to Wavell, March 9, 1947; N. Mansergh and E.W.R. Lumby, n.3, Vol. IX, p. 898.
9. N. Mansergh and E.W.R. Lumby, n. 3, p. 927; see also M.H.Shahid(ed.), Quaid-i-Azam Muhammad Ali Jinah (Speeches, Statements, Writings, Letters), (Lahore: Sang-e-Meel Publications, 1976), pp. 50-51.

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War" had already begun[10], while Baldev Singh, the Sikh Defence Member, wrote to Wavell[11]:

> "I make no secret of my conviction that Muslim League's onslaught on the Coalition Ministry had been engineered in the way it was because the League had despaired of being able to defeat it by constitutional methods".

Mountbatten almost daily consulted the Cabinet in London on the thorny problems in India and opined that "the Indian leaders themselves would sooner or later realise that the retention of the Indian Army under central control was vital both to the external security of India and to the maintenance of internal law and order[12]", and planned that "he would not allow them (the Interim Government) to use British bayonets to keep law and order, but only to protect British lives[13]".

On March 13, 1947, V. Krishna Menon in London briefed Mountbatten a Congress's suggested solution on the question of Muslim League demand. He, proposing two "Pakistans", including the districts of East Bengal which were predominantly Moslem, and certain areas of Assam, partitioning Bengal, said[14]:

> "I believe that partition is the price that will have to be paid for any stability in Bengal .. any solution which hands over Calcutta to Pakistan, will be unstable and impractical ... On the other hand, the League has to be given a port on the East, and the solution is that as part of the compromise settlement India should build a large-sized city and port in Chittagong, that is, provide the money for it however many millions it may cost".

On March 15, Woodrow Wyatt, suggesting the transfer of Central Government system intact to the Interim Government, said that the decision taken after four days of debate in both House of Parliament was irrevocable and the only means to force the Indian to work out their own solution for themselves and that the suggestion of the Advisory Committee on Minorities will be binding on all the sections when approved by the Assembly. Regarding the granting of the right to Provincial Legislatures to formulate their views on the wisdom of forming group constitutions,

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10. Jenkins to Wavell, March 10, 1947, N. Mansergh and E.W.R. Lumby, n. 3, Vol. IX, p. 912.
11. Baldev Singh to Wavell, March 11, 1947, Ibid., pp. 914-16.
12. Cabinet Meeting, March 13, 1947, 5:14, Ibid., p. 940.
13. Ibid.
14. Krishna Menon to Mountbatten, March 13, 1947, Ibid.,pp. 948-49.

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he said that the entire argument about grouping should be opened all over again. He advised that the Muslim League should be "warned that if they no longer hold their portfolios by June of next year, the power will be given to the Congress Interim Government, on which the onus would then fall of reaching as settlement with the Muslim League - whatever constitution had been produced"[15] by the Assembly.

Syatt further says that to emphasize the British determination of power, the Government should declare that the Army could not be handed over to anyone "but a Central Government" and further "British troops must be utterly isolated from further contact with communal disturbances" so that the Indians may learn that the problem of law and order had to be dealt with by themselves. Wyatt, regarding the partition, proposed[16]:

> "... the British should declare unequivocally that complete authority cannot be handed over to any Provincial Government in a province where the minority amounts to nearly half the total population. The Muslim League must be quickly disillusioned of the belief that they could capture the whole of Bengal and the Punjab through our good offices. On the same principle, which might prevent complete power from being given to Congress at the Centre because the British cannot be a party to imposing a constitution on unwilling parts of the country, the Muslim League should only get control of the areas where they are in undisputed majority".

On March 15, Attlee stated in the House of Commons[17]:

> "India herself must choose what will be her future Constitution. What will be her position in the world. I hope that the Indian people may elect to remain within the British Commonwealth ... The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples".

Attlee also made it clear that the British Government "cannot allow a minority to place a veto on the advance of the majority" and any attempt "to persist with old methods would lead not to a solution, but a deadlock"[18].

On March 18, at the time of departure of Mountbatten, the Prime

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15. "India-What Next", The New Statesman and Nation (London), March 15, 1947, p. 170.
16. Ibid.
17. George Bennett (ed.), The Concept of Empire, 1774-1947 (London: Adam and Charles Blac, 1962), pp. 420-21.
18. Keesing's Contemporary Archives, 1946-1948, p. 7785.

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Minister stated[19]:

> "... It is the definite objective of His Majesty's Government to obtain a unitary Government for India and the Indian States, if possible within the British Commonwealth, through the medium of a Constituent Assembly ... and you should do the utmost in your power to persuade all Parties to work together to this end ... If by October 1, you consider that there is no prospect of reaching a settlement on the basis of a unitary government ... you should report to HMG on the steps which you consider should be taken for the handing over of power on the due date ...".

On March 22, 1947, Lord Mountbatten reached New Delhi, and on the same day, met with Wavell and said, "he thought there must be some strong authority to which (he has) to hand over (power) in India, and that any solution must be based on the Indian Army"[20]. Mountbatten was directed by Attlee that the transfer of power must be in accordance with Indian defence requirement, impressing the importance of avoiding a break in the continuity of Indian army and the need of continued collaboration with the HMG in the security of the Indian Ocean.

Wavell briefed what had happened since the Mission left, and the rift inside the Interim Government. In view of the short time left for the transfer of power, Mountbatten wanted some sort of solution. About partition, Wavell wondered whether "the partition of Punjab and Bengal could take place inside the Cabinet Mission's Plan"[21]. As the Indian leaders were not realising the intensity of the problem of transfer of power, Wavell advised, in order to make the leaders realize the reality, "to have a list of awkward questions which would be put to them in all discussions"[22], which Mountbatten followed to reach an early solution. Besides, he also kept in mind Attlee's directives that "there can be no question of compelling either major party to accept any plan to be offered and "there should be the fullest co-operation with the Indian leaders in all steps that are taken as to the withdrawal of British power so that the process may go forward as smoothly as possible"[23].

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19. Attlee to Mountbatten, March 18, 1947, N. Mansergh and E.W.R.Lumby, n. 3, Vol. IX, pp. 972-74.

20. N. Mansergh and E.W.R. Lumby, n.3, Vol. IX, pp. 1011-12.

21. MB 196, Misc. Meetings (Minutes March-August, 1947), Meeting of Wavell with Viceroy-Designate, March 22, 1947; in Manmath Nath Das, Partition and Independence of India : Inside Story of the Mountbatten Days (New Delhi: Vision Books, 1982).

22. Ibid.

23. N. Mansergh and E.W.R.Lumby, n. 3, Vol. IX, p. 974.

Mountbatten collected an overall information about the political situation in India. The HMG had decided to withdraw from India with or without finding a solution to the communal tangle, which could have left a perpetual strife among the communities. To avoid this problem, Mosley had suggested the withdrawal "block by block, Province by Province" so that the "Indians would be faced with the responsibility of settling their own future and making their own peace with each other[24]". Accordingly, Wavell had sent a plan to Attlee, but Attlee's declaration appeared without considering Wavell's scheme. Moreover, there was great upheavel in almost all parts of India. The Congress Party was demanding "Quit India" and the League had proclaimed the watchword, "Divide and Quit". In such a circumstance, Mountbatten was sent to India. Mountbatten, later on November 14, 1968, while delivering the second Jawaharlal Nehru Memorial Lecture at Cambridge, revealed the fact that he was sent "to expedite the withdrawal" and was given the power to make his own decisions in India, and that he was given "plenipotentiary powers[25]".

First, he had to resolve the budgetary crisis. On March 24,1947, the Lord was sworn in. He met Nehru and Liaquat Ali Khan, who were the greatest rivals on the question of taxing policy. He could reach an agreement and the tax was substantially reduced. To solve the second problem of bringing about a truce between the Congress and the League for peaceful transfer of power, Lord Mountbatten had already written to Gandhiji and Jinnah in New Delhi. Gandhiji came, but Jinnah was ill in Bombay. Mountbatten asked Nehru about his estimates of Jinnah.Nehru gave a negative assessment, which showed his hatred against Jinnah. Nehru, submitting the Congress resolution, explained at length the need for the partition of the Punjab and Bengal, and the new Viceroy assured Nehru "to approach the problem in an atmosphere of stark realism[26]". While Nehru was talking with the Viceroy, Gandhiji, in Bihar, was declaring before 50,000 men and women: "he could not give consent to the idea of partitioning Punjab and Bengal or any other province[27]" because the partition would make the communal trouble a permanent feature.

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24. Leonard Mosley, The Last Days of the British Raj (London: Weidenfeld, 1961), p. 50.
25. The Hindustan Times (New Delhi), November 15, 1968.
26. MB 191, Interview No.3, Nehru, 24 March, 1947, n. 21.
27. The Tribune (Lahore), March 14, 1947 (Gandhiji's speech on March 13, 1947).

Next came Liaquat Ali Khan to meet the Viceroy. The Viceroy charged that the League was involved in disturbances in several provinces in order to advance their demand for Pakistan and warned him that "in their own interests they should either resign or refrain from taking any active part in the Committee of Action". On the Viceroy's question, whether the League would agree to the Cabinet Mission Plan, if the Congress adherence would be forthcoming, Liaquat Ali smilingly replied[28]:

> "Since my dealings with the Congress Members of the Interim Government, I have come to realise that they are utterly impossible people to work with, since there is no spirit of compromise or fair play in them, and the majority are thinking only of ways and means by which they can do down the Muslim League and improve their own position".

Liaquat Ali also explained that in view of the extreme communal strife, there was no chance of any united effort under the Cabinet Mission Plan. Regarding the smooth transfer of power, Liaquat Ali replied[29]:

> "I consider the position now so intolerable that if your Excellency was only prepared to let the Muslim League have the Sind Desert, I would still prefer to accept that and have a separate Muslim State in those conditions than to continue in bondage to the Congress with apparently more generous concessions".

The Viceroy, from the disgusted expression of Liaquat, realised that the Muslim League's greater Pakistan could be reduced to its appropriate size. It seems Liaquat Ali Khan was impressed by the Viceroy's personality and expressed acceptance of Pakistan even that of 'the Sind Desert'. Had Jinnah was interviewed before Liaquat Ali Khan, the impression could have been reversed, as Jinnah might have demanded the larger Pakistan including the six provinces and Calcutta, and Liaquat Ali had to follow suit.

Mountbatten informed the situation to the Secretary of State, who cautioned him that he had to face the toughest Jinnah "whose Pakistan Day message suggests that even in the new circumstances he

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28. MB 191, Interview No. 26, Liaquat, April 3, 1947.
29. Ibid.

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does not contemplate a conciliatory move, at any rate in the first instance" and in view of the information being received about the desirability of the partition of Pakistan as partition of India, he, giving him the green signal, said:[30]

> "... it seems to me that, in spite of its grave practical difficulties and dangers, the partition of the Punjab to such degree and in such form as will satisfy the rival nationalisms in the Province is really unavoidable from the political point of view of the transfer of authority in June 1948. If, however, we were to go for partition in the Punjab, we should, I think, have to go for it also in Bengal for broadly similar reasons".

Pethick-Lawrence anticipated that if Calcutta would be given to Hindustan, perhaps the Muslim League would not accept the solution. He, therefore, suggested the Viceroy to consult the Governors of Punjab and Bengal and from the leaders with an All-India point of view.

Patel and Azad were the other very important Congress figures. Vallabhbhai Patel, on March 4, 1947, had already written:[31]

> "If the League insists on Pakistan, the only alternative is the division of the Punjab and Bengal. They cannot have the Punjab as a whole or Bengal ... I do not think that the British Government will agree to division. In the end, they will see the wisdom of handing over the reins of Government to the strongest party. Even if they do not ... a strong Centre with the whole of India - except Eastern Bengal and a part of the Punjab, Sind and Baluchistan - enjoy full autonomy under the Centre will be so powerful that the remaining portions will eventually come in".

While Sardar Patel and Nehru had agreed to the partition inevitably, Maulana Azad still hoped that there was any possibility of a united India under the Cabinet Mission Plan and requested Mountbatten to try "deflating Mr. Jinnah, partly by flattering him and partly because he really has nothing to stand on".[32] Mountbatten, finding division of opinion among the Congress leaders, was mentally perplexed. He had also heard of Gandhiji's Patna speech of March 13, in which he had opposed

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30. MB 176, SS to Mountbatten, April 3, 1947.

31. Vallabhbhai Patel to Kanji Dwarkadas, letter dated March 4, 1947, in U.N. Pyarelal, Mahatma Gandhi : The Last Phase, Vol. II (Ahmedabad: Navajivan Publishing House, February, 1958), p. 83.

32. MB 191, Interview No. 14, Azad, March 27, 1947.

the partition. He thought that Gandhiji, like Jinnah, would be a hard nut to crack, in view of the 5,000 casualties alone in Rawalpindi riots and League's 'Swordam' being continued with a vengeance against the Non-Muslims, which was an eye opener that in case the Hindus and Muslims would be put in a country in which a fighting situation had deeply strengthened and in that case the Muslims would not be less weaker to revenge, in one province, and the Hindus in a number of provinces.Jinnah had shown the League's strength and Gandhiji was indulged in watering down its ill-effects. Thus, Jinnah was sacrificing the Muslims for achieving Pakistan and Gandhiji was sacrificing the Hindus by not accepting the partition as early as possible to end the communal riots. The Viceroy wondered that even in such a critical situation, Gandhiji and Azad still persisted for a united India.

Gandhiji arrived in New Delhi on March 31, to meet Lord Mountbatten. Maulana Azad went to see him. Gandhiji remarked: "Partition has now become a threat. It seems Vallabhbhai and even Jawaharlal have surrendered. What will you do now? Will you stand by me or have you also changed"[33]. Azad replied[34]:

> "I have been and am against partition. Never has my opposition to partition been so strong as today. I am,however, distressed to find that even Jawaharlal and Sardar Patel have accepted defeat and in your words, surrendered their arms. My only hope now is in you. If you stand against partition, we may yet save the situation. If you, however, acquiesce, I am afraid India is lost".

Gandhiji said[35]:

> "What a question to ask? If the Congress wishes to accept partition, it will be over my dead body. So long as I am alive, I will never agree to the partition of India. Nor will I, if I can help it, allow Congress to accept it".

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The opinion of the Congress leaders was changing fastly.Sardar Patel, who had, addressing a public meeting in Lucknow, once observed: "The earth may split and the heavens may fall, but India will not be

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33. A.K. Azad, India Wins Freedom (Calcutta: Orient Longmans,1959), pp. 186-87.

34. Ibid.

35. Ibid.

divided"[36], had fallen in line with the partition group, but Maulana Azad felt, "instead of removing communal fears, partition would perpetuate them by creating two states based on communal hatred"[37].Why Azad favoured a united India reflects his far-sightedness. He visualised that the non-Muslim majority areas in Bengal and Punjab would never agree to be included in Pakistan and,if forcibly included, would revolt and, thus, in the circumstance, Pakistan would be a weak and small country. Therefore, he preferred to live in India along with the nationalist Muslims to tie the Congress tongue to charge the Muslims disloyal to the Congress Government.

Chiefs of Staff on Defence of India and Pakistan

The Prime Minister on February 20, 1947, had also said:"Although the final transfer of authority may not take place until June, 1948, preparatory measures must be put in hand in advance. It is important that the efficiency of the civil administration should be maintained and that the defence of India should be fully provided for"[38].Considering the defence implications of the Partition scheme, the Chiefs of Staff (India), on April 1, 1947, resolved[39]:

"(a) We consider that if Pakistan and Hindustan are to have separate defence forces the combined total of these forces must inevitably be greater than that of Defence Forces designed to serve India as a whole, since the administrative overheads' must be duplicated and there is no flexibility.

(b) Pakistan covers all the important land frontiers of India and the Army and Air Forces required to defend Pakistan from external aggressors are virtually the same as those required to defend India as a whole.

(c) It will be impossible for Pakistan to maintain defence forces of the proper size ...

(d) Hindustan could raise and maintain the forces she needs for her own purposes without difficulty,except in the case of the higher rates in the RIN.

(e) We consider that the proposal to have separate defence forces for Pakistan and Hindustan in economically wasteful and

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36. D.C. Gupta, Indian National Movement (Delhi: Vikas Publications, 1970), p. 267.

37. A.K. Azad, n. 33, p. 185.

38. Statement made by Prime Minister Attlee in the House of Commons, February 20, 1947, Clause 11.

39. I.A. Sherwani (ed.), Pakistan Resolution to Pakistan, 1940-1947 (Delhi: Daya Publishing House, 1985), pp. 220-21.

quite impracticable, since Pakistan is in fact quite incapable of maintaining the forces required".

These were the points which echoed in Menon's mind and he had proposed its solution, which later became the foundation stone of the partition. However, Menon added the concept of Dominion Status for two sovereign countries - Hindustan and Pakistan.

Mountbatten talked with Gandhiji for over ten hours in private at five separate meetings from March 31 through April 4, during which the Mahatma put forth the suggestion he had made a year ago:[40]

> "Mr. Jinnah ... be given the option of forming a Cabinet ... If Mr. Jinnah accepted this offer, the Congress would guarantee to cooperate freely and sincerely, so long as all the measures that Mr. Jinnah's Cabinet bring forward are in the interests of the Indian people as a whole ... sole referee of what is or is not in the interests of India as a whole will be Lord Mountbatten .. Mr. Jinnah must stipulate, on behalf of the League ... that, so far as he or they are concerned, they will do their utmost to preserve peace throughout India ... There shall be no National Guards or any other form of private army ... Within the framework hereof Mr. Jinnah will be perfectly free to present for acceptance a scheme of Pakistan, even before the transfer of power, provided, however, that he is successful in his appeal to reason and not to the force of arms which he abjures for all time for this purpose. Thus, there will be no compulsion in this matter over a Province or part thereof ... If Mr. Jinnah rejects this offer, the same offer to be made mutatis mutandis to Congress".

The Viceroy staggered on this proposal and asked whether Jinnah would agree to it. Gandhiji replied that he was entirely sincere in his suggestion.[41] Surely, Jinnah might have dismissed this proposal immediately, but Gandhiji's this King Solomon solution could have appealed Jinnah's ego. However, as the proposal involved the replacement of Nehru as Premier with the Quaid-i-Azam, he was shocked and told Mountbatten that the proposal was "unrealistic" as Gandhiji was away

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40. Annex II to Mountbatten's "Personal Report", No. 2, April 9,1947, India Office Library, London, L/P.O/433/31 (Mountbatten's Personal Report).

41. Record of Mountbatten-Gandhi Interview, April 1, 1947, in N. Mansergh and E.W.R. Lumby, n. 3, Vol. X: The Mountbatten Viceroyalty, Formulation of a Plan 22 March - 30 May 1947 (1981), p. 69.

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for four months and was out of touch with current events at the Centre.[42]

When the talk between Mountbatten and Gandhiji was going on, Nehru met the Viceroy on April 1, 1947, and reiterated the Congress partition plan. In response to the Viceroy's apprehension of heavy bloodshed in case of implementation of partition plan, Nehru described the continued communal tension and riots, the League's dangerous activities across the borders of Bengal into Assam and Abdur Rab Nishtar's active role being played as part of the 'Direct Action' policy. He argued that "a decision which was acceptable to most Indians and communities was the only viable one at that hour".[43] Further when Azad met Mountbatten after Gandhiji, the Viceroy said: "If Congress accepted Gandhiji's suggestion, partition could still be avoided", but Nehru and Sardar Patel forced Gandhiji to withdraw the suggestion,[44] as a result Gandhiji wrote to Mountbatten on April 11, 1947, rejecting the proposed plan:[45]

> "I do know that, having failed to carry both the head and heart of Pandit Nehru with me, I would have wanted to carry the matter further. But Panditji was so good that he would not be satisfied until the whole plan was discussed with the few members of the Congress Working Committee who were present, I felt sorry that I could not convince them of the correctness of my plan from every point of view. Nor could they dislodge me from my position although I had not closed my mind against every argument. Thus, I have to ask you to omit me from your consideration. Congressmen, who are in the Interim Government are stalwarts, seasoned servants of the nation and, therefore, so far as the Congress point of view is concerned, they will be complete advisers".

However, Mountbatten talked with Gandhiji on the line of Nehru's arguments. Gandhiji did not object to Mountbatten's cunning suggestion for transfer of power "to the areas in accordance with the wishes of the majority of the residents in those areas". And "Broadly speaking this could make a Hindu India with a Congress Government in Delhi, a truncated Pakistan, and the large States like Mysore, Travancore, Kashmir,

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42. Ibid., p. 70.

43. MB 191, Interview No. 20, Nehru, April 1, 1947.

44. A.K. Azad, n. 33, p. 187.

45. U.N. Pyarelal, n. 31, pp. 79-84. See also MB 82, Gandhi to Mountbatten, April 11, 1947.

Hyderabad and groups of States, each having separate power turned over to them, owing allegiance to a Central authority for Defence, External Affairs, communications, and possibly food[46]". Thus, Gandhiji was also convinced to the idea of partition, but he persisted to say that whatever the decision be taken should be implemented as early as possible. In subsequent meetings, the Viceroy referred Gandhiji's acceptance of partition and told Azad that the Mahatma was not against partition. Azad was shocked to see that Gandhiji "began to repeat the arguments which Sardar Patel had already used[47]". "For over two hours", Azad writes, "I pleaded with him but could make no impression on him[48]".

On April 5, 1947, Mountbatten met Jinnahand found him "most frigid, haughty and disdainful[49]". At the time of photograph in the garden between the Lord and Lady Mountbatten, Jinnah's comment, "A rose between two thorns[50]" shows his mind working faster than the Viceroy. On April 6, the Viceroy invited Jinnah and his sister at dinner. Jinnah, giving a fearful account of "Muslim massacres by Congress Hindus", said that the Congress could do anything to "deprive me of Pakistan[51]". Jinnah also said that if India was not divided there will be an unending riots and complete breakdown of law and order. This possibility was backed by reports received from the Viceroy's Secretary[52]. Thus, the most popular and strongest argument of Jinnah was "violence" and "riots", which proved the reality of the "Two-Nation Theory" and conflict between two cultures - the two hostile and antagonistic communities. Further, Jinnah, afraid of being deprived of Pakistan, kneeled down before the Viceroy forgetting that Christianity is the sweet poison of Islamic Faith and the same blunder is being committed by Pakistan wholly relying on the US assistance, through externally good, but internally most harmful.

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46. Ibid., No. 23, Vide Viceroy's Discussion with Gandhi, April 2,1947.
47. A.K. Azad, n. 33, pp. 186-87.
48. Ibid.
49. "Top Secret", Interview, Mountbatten-Jinnah, April 5-6, 1947; see N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 137.
50. Stanley Wolpert, Jinnah of Pakistan (New York: Oxford University Press, 1984), p. 317.
51. Alan Campbell Johnson, Mission with Mountbatten (London: Robert Hall Ltd., 1951), p. 56.
52. Ibid.

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Mountbatten records:[53]

> "Mr. Jinnah claimed that there was only one solution - a "surgical operation" on India, otherwise India would perish together ... He gave me an account (which worries me a great deal) about his previous negotiations with Mr. Gandhi ... He emphasized, and tried to prove from this account, that on the Muslim side there was only one man to deal with, namely himself ... But the same was not true of the representatives of Congress ... there was no one man to deal with on their side. Mr. Gandhi had openly confessed that he represented nobody ... had enormous authority with no responsibility. Nehru and Patel represented different points of view within Congress - neither could give a categorical answer on behalf of the party as a whole ... He also spoke of the emotionalism of the Congress leaders ... He accused Congress leaders of constantly shifting their front ... They would stoop to anything...".

On April 6, Lord Ismay wrote: "We are still running round like squirrels in a cage and are certainly nowhere nearer a solution than when we arrived"[54].

On April 7, Jinnah met again with Mountbatten, while Lord Ismay joined the discussion. The Viceroy tried "by every means" to get Jinnah accept "the Cabinet Mission Plan and enter the Constituent Assembly"[55], but Jinnah remained adamant, and said[56]:

> "That was impossible. It was quite valueless entering the Constituent Assembly or trying to go back to the Cabinet Mission Plan since the whole basis of that plan was co-operation and mutual trust. Now a year later, the atmosphere, far from improving, had taken a serious turn for the worse and it was clear that Congress had no intention of accepting either the spirit or the letter of that plan".

Jinnah proposed the Viceroy to hand over the power as soon as possible "preferably Province by Province, and let the Provinces themselves choose how they formed into groups"[57].

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53. N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, pp. 138-39.
54. H.V. Hodson, The Great Divide : Britain-India-Pakistan (London: Hutchinson & Co. Publishers Itd., 1969), p. 289.
55. Manmath Nath Das, n. 21, p. 83.
56. Ibid.
57. MB 191, Interview No. 38, Jinnah, April 7, 1947.

On April 8, Mountbatten asked Jinnah as to what he would adopt if he were in the Viceroy's place. Jinnah immediately said that he would have accepted the demand for Pakistan and the splitting of the Defence Forces. The Viceroy, trapping Jinnah in the web of his own doctrine, pointed out that "his remarks applied also to the partition of the Punjab and Bengal, and that by sheer logic if I accepted his arguments in the case of India as a whole, I had also to apply them in the case of these two Provinces"[58]. These words to Jinnah came like a bolt from the blue and shook him. He became extremely dismayed and distressed, but abruptly appealed to Mountbatten "not to destroy the unity of Bengal and the Punjab, which had national characteristics in common: common history, common ways of life; and where the Hindus have stronger feelings as Bengalis or Punjabis than they have as members of the Congress"[59]. He also said: "this demand for partitioning the Punjab and Bengal was a bluff on the part of Congress to try and frighten him off Pakistan. He was not to be frightened off so easily"[60]. Jinnah left Viceroy's residence at 8.00 PM quite disturbed and distraught state of mind as a horrible shadow loomed over his grand vision of Pakistan, while the Viceroy was feeling relief that he was succeeded to mend a totally unbending Jinnah. Jinnah, however, could not feel rest and on April 9, frantically appealed to the Viceroy "not to give him a moth-eaten" and "truncated" Pakistan"[61]. The Viceroy replied[62]:

> "I simply could not visualise being so inconsistent as to agree to the partition of India without also agreeing to partition within any Provinces in which the same problem arose".

Mountbatten continued to say that only to meet his (Jinnah's) wishes, he was going to meet the tragedy of giving up his dream of a united India. Painting a rosy picture of the greatness of India, Mountbatten said[63]:

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58. MB 191, Interview No. 41, Jinnah, April 8, 1947.
59. Ibid.
60. Ibid.; see also N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, pp. 159-69; see also H.V. Hodson, n. 54, p. 227.
61. MB 191, Interview No. 42, Jinnah, April 9, 1947; see also H.V. Hodson, Ibid.
62. Interview No. 42, Ibid.
63. Ibid.

> "Four hundred million people of different races and creeds under a Central Union Government, and all the economic strength that would accrue to them from increased industrialization, would offer India a great position in world affairs as the single most progressive country in the Far East".

Mountbatten further records[64]:

> "I finally said that I found that the present Interim Coalition Government was every day working better and in a more co-operative spirit; and that it was a day-dream of mine to be able to put the Central Government under the Prime Ministership of Mr. Jinnah himself".

After 35 minutes, Jinnah referred that the Viceroy had said that he wanted him to be the Prime Minister, but as he had opposed the Mission Plan, the chances were no more of it. This thought, created by the Viceroy, greatly tickled his vanity. Jinnah, in view of the Gandhiji's famous scheme, had kept in mind that he would be the Prime Minister. But by that time all his hopes had vanished. Mountbatten further observes[65]:

> "Nevertheless he gives me the impression of a man who has not thought out one single piece of the mechanics of his own great scheme, and he will have the shock of his life when he really has to come down to earth and try and make his vague idealistic proposals work on a concrete basis".

Mountbatten, expressing his opinion about Jinnah, says[66]:

> "He gave the impression that he was not listening. He was impossible to argue with ... He was, whatever was said, intent on his Pakistan - which could surely only result in doing the Muslims irreparable damage ... until he had met Mr. Jinnah he (Mountbatten) had not thought it impossible that a man with such a complete lack of sense of responsibility could hold the power which he did".

However, Jinnah went back thinking the gloomy picture of Pakistan which was taking shape in the Viceroy's mind, and to dispel that shadow, he began to carve other arguments. On April 10, the Viceroy declared: "Mr. Jinnah was a psychopathic case"[67].

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64. Ibid.

65. Record of Interviews, N. Mansergh and E.W.R. Lumby, n. 41, Vol.X, p. 164; see also H.V. Hodson, n. 54, p. 229.

66. N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 190.

67. "Top Secret", Interview, Mountbatten-Jinnah, April 11, 1947; see also N. Mansergh and E.W.R. Lumby, Ibid.(M.N. Das (n.21), who consulted the MB Records in London has not mentioned it).

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Meanwhile, the papers and people discussed various interpretations of the demand for a partition within partition, in India and outside. Manchester Guardian commented: "The object in view, clearly stated by many pro-Congress journals is to reduce the Muslim majority provinces to such small dimensions that the idea of Pakistan should no longer appear workable or attractive to the most ardent Muslim"[68]. This observation is based on exaggeration. However, it may be a truth that Jinnah's high hopes of a grand Pakistan were raised to the ground and he was feeling secluded in corner. But Jinnah was a man of great courage and wanted to be successful in some way.

On April 10, Jinnah demanded 'viable' Pakistan citing example of Poland, which came into existence for practical reasons. The Viceroy said that he was bound to work on principles and expressed willingness to discuss only on the limitations of Pakistan, which would be "a State containing Sind, half of the Punjab, and probably the North-West Frontier Province in one group, and part of Bengal in another group"[69]. Jinnah demanded the partition of Assam also. The Viceroy agreed to this without hesitation. Jinnah complained that without Calcutta, Pakistan would be economically very uncertain, if not completely unsound. The Viceroy agreed to Jinnah's acceptance that the "moth-eaten Pakistan", which he offered, was almost unworkable. Mountbatten asked Jinnah why he was not prepared "to accept the Cabinet Mission Plan, which gave him the whole of the Punjab, the whole of Bengal including Calcutta and the whole of Sind, with complete autonomy ... a really worthwhile and workable Pakistan"[70]. The Viceroy tried to convince Jinnah that under the Mission Plan, he would gain much under a limited, weak and joint Centre at Delhi and would control defence, communication and external affairs while enjoying virtual independence in all his provinces. He concluded that "he had thrown away the substance for the shadow" and was going "to get an almost unworkable truncated Pakistan which would still be obliged to share a common organisation at the Centre to arrange overall defence"[71]. Jinnah stuck to his guns being totally distrustful

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68. MB 114, Conf. Pap., No. 23, Vide Manchester Guardian, April 9,1947.
69. MB 191, Interview No. 46, Jinnah, April 10, 1947.
70. Ibid.
71. Ibid.

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of the Congress leadership and disbelieving that an autonomous Pakistan under the Cabinet Plan would actually work with such freedom as held out in theory. He also anticipated with fear that the so-called weak Centre could change itself into a strong Centre as no constitution was agreed upon to work for ever. On April 11, Ismay expressed his belief that "the dominating feature in Mr. Jinnah's mental structure was his loathing and contempt of the Hindus. He apparently thought that all Hindus were sub-human creatures with whom it was impossible for the Muslims to live"[72]. The news of Pakistan accepted reached to Jagjivan Ram, who informed the Viceroy that "the creed of Pakistan was being preached even in the mosques"[73].

On April 11, Mountbatten told Nehru that Jinnah had demanded partition of Assam also. Nehru gave his consent forthwith as "this was a perfectly reasonable request and could easily be agreed to"[74]. Likewise, Liaquat Ali also agreed to it. He stated: "I would in no circumstances prevent the Provinces from being partitioned if I accepted the principle of Pakistan"[75]. He also said: "If your Excellency was prepared to let the Muslim League have only the Sind desert, I would still be prepared to accept it"[76]. Patel asserted that Jinnah could yet accept the Mission Plan and announce that the people of Bengal and Punjab might possibly revolt against partition of their provinces and desert the Muslim League[77].Patel felt happiness that Jinnah was in trouble. Azad was grieved that Jinnah did not accept the Cabinet Mission Plan, which after all gave him the right to secede from the rest of India at the end of ten years if they wished. However, Azad saw in the truncated Pakistan a disaster for the Mussalmans and Jinnah's "commiting suicide"[78]. He tried his best that the Viceroy could make Jinnah to agree to the Cabinet Mission Plan. Since the Viceroy made all efforts for accentance of the Plan by both the parties, the British could not be held responsible for the partition.

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72. N. Mansergh and E.W.R.Lumby, n.41, Vol. X, p. 190.
73. MB 191, Interview No. 47, Jagjivan Ram, April 11, 1947.
74. MB 191, Interview No. 51, Nehru, April 11, 1947.
75. MB 191, Interview No. 51, Liaquat Ali, April 11, 1947.
76. H.V. Hodson, n. 54, p. 224.
77. MB 191, Interview No. 55, Patel, April 12, 1947.
78. MB 191, Interview No. 56, Azad, April 12, 1947.

The Viceroy to implement his plan, had to first level the ground for coming the Congress and the League to a point of agreement, and that was partition of India and the partition of Bengal and the Punjab. The problem he faced was that he had to deal only with Jinnah, who was authorised by his Working Committee to reach such an agreement he deems fit. But, it was not so with the Congress. There were three most important leaders - Gandhi, Nehru and Patel. Further, there was the newly elected Congress President - Acharya Kripalani, who had no faith in the British and liked to call, possibly the United Nations, to arbitrate, which had disturbed the Viceroy, as the UN interference could have certainly delayed the transfer of power within the stipulated time, during which the country was sure to deteriorate irreparably. With this view, he had asked Kripalani on April 10, "Whether he as President, Pandit Nehru as a leader of Congress in Government, and Mr. Gandhi as the spiritual father behind Congress, would be sufficient for me to negotiate with when it came to proclaiming the Congress view". Kripalani failed to give any categoric answer.[79]

The dramatic change in the League attitude and the Congress acceptance of Pakistan on April 11, led to the position that if Jinnah accepted the truncated Pakistan, so far so good, if not, it was better still. Arriving at this stage, Mountbatten decided to take decision. He was a man of quick inference and judgment. He had adopted the practice that as soon an interview with a leader finished, he used to dictate a resume of the talk and circulated its copy to each member of his staff, with whom he held conferences, sometimes twice and even thrice every day and their discussions on the events helped him to shape his opinion. Among his staff were the Governor-General's normal staff in India - three Secretaries i.e. Secretary (Personal), Secretary(Public) and Secretary (Reforms) besides his own staff brought from England consisting of Lord Ismay (his Chief of Staff), Sir Eric Mieville, Captain R.V. Brockman (as Personal Secretary), Lt.Col.V.F. Erskine Crum (as Conference Secretary) and Alan Campbell-Johnson (as Press Attache).

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Mountbatten's First Partition Scheme

In consultation with the above staff, Mountbatten devised a plan, which provided that "the members of the Legislative Assemblies of

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79. MB 191, Interview No. 45, Kripalani, April 10, 1947.

Bengal and the Punjab should meet separately in two parts i.e. representatives of the predominantly Muslim areas, and representatives of the predominantly non-Muslim areas; and if both sections of each of these Assemblies voted for partition, then that province would be partitioned. Under the plan, in the event of the partition of Bengal, the predominantly Muslim district of Sylhet in Assam would have the option of joining the Muslim province[80]". To place the responsibility of the partition on the shoulders of Indian people, he "envisaged the holding of an election in the North-West Frontier Province to ascertain the wishes of the people of that province". The Governor of the Frontier, Olaf Kirkpatrick Caroe, presented a proposal to the Central Government that "fresh elections should be held so that the new members may decide about the future of the province[81]". The Chief Secretary, Lt. Col. de Lafarque, expressed his view that "a free and clean election in the province was more likely to return the Congress to power than the League, even if Section 93 was imposed[82]". Therefore, Mountbatten gave up the idea of holding the elections, as that could result in Khudai Khidmatgar victory and he wanted to transfer power of NWFP to the Muslim League so as to create a barrier between India and the tribal passes which led to Russia by way of Afghanistan in view of Congress anti-Western and pro-Socialist policy, which was manifest from Gandhiji's speeches in South Africa and, in 1927, Nehru's participation in the International Congress Against Imperialism and said that "the burden of freedom was heavier than that of the imperialist rule[83]". Further, Nehru convened an Asian Relations Conference in Delhi in March, 1947, and pleaded Gandhiji's view: "India wants to be independent of everybody who wants to own this country[84]", which was very near to the policy of the Soviet Union.

When Nehru intended to visit the Frontier Province, Caroe was alarmed, as he pleaded that all tribals were anti-Congress and pro-

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80. V.P. Menon, The Transfer of Power in India (Bombay: Orient Longmans, 1957), p. 354.

81. Wali Khan, Facts are Facts : The Untold Story of India's Partition (Translation by Dr. Sayeda Saiyidain Hameed), (New Delhi: Vikas Publishing House Pvt.Ltd., 1987), p. 116.

82. Ibid., pp. 116-17; see also H.V. Hodson, n. 54, p. 283.

83. 'Gandhi-Nehru Legacy and Indira Gandhi', in D.P. Chattopadhyaya(ed.), 77th Plenary Session - Indian National Congress (Calcutta: Surendranagar, 1983), p. 45.

84. Attar Chand, Nonaligned States: A Great Leap Forward (Delhi: UDH Publishers, 1983), p. 200.

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Pakistan. The British had employed Pirs and Faqirs, who could be used to create unrest among the tribals. On April 20, 1946, Masood Malik Gulab Khan, for instance, had written a letter to Jinnah assuring armed help for the achievement of Pakistan and to send a Masood armed escort as Jinnah's bodyguard[85], but Jinnah had declined. However, when Nehru toured, he and his party were attacked[86].

On April 15 and 16, 1947, at a conference called by the Viceroy, Sir Evan Jenkins, the Governor of Punjab, opined that "partition of the Punjab would be disastrous"[87]. Sir Frederick Burrows, the Governor of Bengal, was against the partition of Bengal, because there were many Muslims against it and if Bengal "were divided, there was no doubt that East Bengal would become a rural slum"[88]. Mountbatten was put in a great trouble. On the one hand, the Governors were against the partition and, on the other, "The greater the insistence by Jinnah on his province-wise Pakistan, the stronger was the Congress demand that he should not be allowed to carry unwilling minorities with him"[89]. On April 17, the Viceroy informed the Secretary of State that a "partition is probably inevitable"[90]. On April 17, Acharya Kripalani agreed to the partition of Punjab and Bengal "in a fair manner"[91].

On April 20, Jawaharlal Nehru declared: "The Muslim League can have Pakistan, if they wish to have it, but on the condition that they do not take away other parts of India which do not wish to join Pakistan"[92], and on April 28, Rajendra Prasad, President of the Constituent Assembly, expressing doubt, said that the Union, under the May 16 Statement, may, perhaps, not comprise all provinces; hence, a constitution for part of it would have to be framed. He added[93]:

> "In that case, we can and should insist that one principle will apply to all parts of the country and no constitution will be forced upon any unwilling part of it. This may mean not only the division of India, but a division of some provinces".

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85. Erland Jansson, India-Pakistan and Pakhtoonistan, p. 175; in Wali Khan, n. 81, p. 118.
86. Wali Khan, n. 81, p. 120.
87. V.P. Menon, n. 80, p. 354.
88. Ibid.
89. Ibid.
90. MB 120, Viceroy to SS, April 17, 1947.
91. MB 192, Interview No.73, Kripalani, April 17, 1947.
92. V.P. Menon, n. 80, p. 354.
93. Ibid., p. 355.

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On April 22, Krishna Menon warned Mountbatten against America's "object in India". Mountbatten proved more shrewd than Menon, Nehru's adviser on foreign affairs, while he said that Pakistan would soon build up "armed forces immensely superior to those of Hindustan" and "Karachi would become big naval and air base within the British Commonwealth"[94]. Menon, being shuddered, said that he would convince Nehru and Patel to request for "Dominion Status for India" instead of a "completely independent sovereign State"[95].

Meanwhile, the Bengal Chief Minister, Suhrawardy, began to advocate "independent national status for united Bengal". He argued: "We Bengalis have a common mother tongue and common economic interests. Bengal has very little affinity with the Punjab. Bengal will be an independent state and decide by herself later whether she would link up with Pakistan"[96]. This movement lost influence as neither the Congress nor the League supported it. Moreover, the extremist Sikhs started an agitation for a separate State called "Khalistan", while a separate 'Pathan State' in NWFP, and self-determination for Muslims in certain areas in U.P. and Bombay were being mooted. It seems that the Muslims and the Sikhs underestimated the importance of independence and the seriousness of the problem for transfer of power and had planned to break India into pieces.

Serious communal outbreaks, incidents of stabbing and arson continued in Punjab disturbing conditions in Delhi. In the NWFP, the Muslim League was agitating against the Congress ministry. As Mountbatten intervened, the League prisoners were ordered to be released, but, backed by Jinnah, the League leaders in detention refused to accept their freedom. Though Mountbatten visited the province towards the end of April and calm down the agitation, but soon the Muslim League continued the civil disobedience. The Viceroy felt that if power would not be transferred soon, there would be no authority to whom power could be transferred.

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Meanwhile, on April 23, Jinnah, pleading that Punjab and Bengal should not be partitioned, said, first, that it would be "a most dangerou

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94. Interview with Krishna Menon, April 22, 1947, in N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 372.

95. Ibid.

96. Rangaswami Parthasarathy, A Hundred Years of The Hindu (Madras: Kasturi & Sons, Ltd., n.d.), p. 649.

proposition and bound to lead to trouble as it was not based on wisdom and foresight, but born of bitterness and spitefulness. It would loose terrible forces and was suicidal"[97]. Mountbatten records, "Without hesitation", Jinnah replied, "I should be delighted. What is the use of Bengal without Calcutta? They had much better remain united and independent"[98]. Secondly, in Western Bengal the Caste Hindus were only 37% of the total population, and, in case of partition, the 63% Schedule Caste Hindus would be ruined being cut off from those in Eastern Bengal. Thirdly, the "Congress wanted to seize power by a coup d'etat. This could only be prevented by a quick decision to split the Army. The longer the Army was kept unified, the more was the position endangered. A few days before, the General Secretary of the Congress Party had stated publicly that he (Jinnah) and Mr. Liaquat Ali Khan would be the first to be taken prisoner"[99]. Mountbatten dismissed these arguments and Lord Ismay assured that the coup cannot be succeed but it would be possible as a result of a long drawn-out civil war. Mountbatten ceased to hear any arguments or proposals from either side, and decided to take decision.

Before final decision, Mountbatten consulted with Nehru and other Congressmen, who supported the partition of Bengal and Punjab. The Viceroy informed Patel that Jinnah had requested him not to press him to accept the Cabinet Mission Plan. Patel replied: "All right, don't ask him". The Viceroy said that history would blame him if he would not accept Jinnah's request. Patel assured the Viceroy that "history had already exonerated the British, since their statement of 20th February"[100]. Jinnah, on the other side, refusing the proposal of unity and arguing to remain within the British Commonwealth, said to the Viceroy:[101]

> "In fact the leaders of Congress are so dishonest, so crooked, and so obsessed with the idea of smashing the Muslim League, that there are no lengths to which they will go to do so; and the only way of giving Pakistan a chance is to make it an 'independent nation of the British Commonwealth, with its own army, and the right to argue cases at any Central Council on this basis".

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97. MB 196, 7th Misc. Meeting, April 23, 1947.
98. H.V. Hodson, n. 54, p.246.
99. MB 196, 7th Misc. Meeting, April 23, 1947.
100. MB 196, 8th Misc. Meeting, April 24, 1947.
101. MB 192, Interview No. 100, Jinnah, April 26, 1947.

On April 26, the Viceroy informed Jinnah about Suhrawardy's hope that "he might be able to keep a united Bengal on condition that it joined neither Pakistan nor Hindustan". Jinnah replied instantly:[102]

> "I should be delighted. What is the use of Bengal without Calcutta; they had much better remain united and independent; I am sure that they would be on friendly terms with us".

Liaquat Ali also informed Sir Eric Mieville:[103]

> "that he was in no way worried about Bengal as he was convinced in his own mind that the province would never divide. He thought it would remain a separate state, joining neither Hindustan nor Pakistan".

Further, Jinnah tried his utmost, inducing the Sikh leaders - the Maharaja of Patiala and Baldev Singh - that they join Pakistan, while Nehru and Patel offered more as a result Baldev Singh continued to retain control over the Defence Ministry in Nehru's Cabinet. Liaquat Ali said that "Sikhistan might join up with Pakistan, and that the Muslim League would offer them very generous terms".[104] However, Jinnah tried to avert the sub-division of Bengal and Punjab and extricate Pakistan's Northwestern provinces from the Indian Union, thus uniting the Punjab and Bengal to make Pakistan a larger country.

On April 28, The Statesman wrote:[105]

> "Partition of India now seems settled. The details have not been worked out, but the Viceroy who has had free conversations with leaders of political parties is expected to incorporate the results in a report next week. In all probability, Lord Ismay, Adviser to the Viceroy, will fly to London to submit His Excellency's findings to the Cabinet".

On April 30, Eric Mieville showed Jinnah a draft of a statement, which was too traumatic for Jinnah to accept. Suggesting a plebiscite absolutely necessary, Jinnah insisted that the Scheduled Castes and Tribes in Bengal and Assam should also be represented in the Legislative

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102. Interview with Jinnah, April 26, 1947, in N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, pp. 452-53.

103. Mieville to Mountbatten, April 29, 1947, in N. Mansergh and E.W.R. Lymby, n. 41, Vol. X, p. 479.

104. Mountbatten's Personal Report, No. 5, May 1, 1947, in N.Mansergh and E.W.R. Lumby, n. 41, Vol. X, pp. 537-38.

105. The Statesman (Calcutta), April 28, 1947.

Assemblies. He said the whole plan otherwise "would lead to terrible complications - to confusion - bitter confusion - and bloodshed"[106]. He said that minority communities should be allowed to "move to their homelands if they wished to do so i.e. Hindus to Hindustan and Muslims to Pakistan". He also presented two proposals: (1) "the existing Constituent Assembly should be dissolved at once" as it was the creation of the Cabinet Mission Plan, which was not accepted by either party" and (2) "the power should be transferred to the provinces as they existed at that time" so that they could either "group together or remain separate as they wished"[107].

Mountbatten's Revised Plan

The state of tension and suspicion had very much troubled the Viceroy, who, on May 1, 1947, wrote to London[108]:

> "The more I look at the problem in India the more I realise that all this partition business is sheer madness and is going to reduce the economic efficiency of the whole country immeasurably".

On April 10, Mountbatten, in consultation with his staff had devised a plan. He revised this plan and secretly sent it to London with Lord Ismay and George Abell on May 2, when Lord Pethick-Lawrence was succeeded by Lord Listowel. Though the plan was kept absolutely secret, but it was published in The Hindu on May 2, and The Hindustan Times on May 3. The Viceroy was astonished and angry as such a leakage was serious. Jinnah complained to the Viceroy against this leakage as the plan was against the Muslim interests and that was the reason why the League papers were silent about it. However, Mountbatten reasoned that "since Patel had had disagreed with the proposal to dissolve the Congress Ministry in NWFP or to hold fresh election prior to the transfer of power as a part of the partition plan", the Sardar was "most probably responsible for this leakage"[109]. The Hindustan Times on May 3, commented[110]:

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106. MB 84, Vide E.C. Mieville to Viceroy, April 30, 1947.

107. MB 84, Vide E.C. Mieville to Viceroy, April 30, 1947.

108. Mountbatten's Personal Report, No. 5, May 1, 1947, in N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 540.

109. MB 114, Annex to Minutes of Viceroy's 25th Staff Meeting, May 3, 1947.

110. The Hindustan Times (New Delhi), May 3, 1947.

"For the first time, since Lord Mountbatten assumed Viceroyalty, the feeling that he may not be playing fair has come among some Congressmen and Sikh leaders. The reason for this is the Viceroy's reported attitude towards the Frontier Ministry and his plan to divide the Punjab into 12 non-Muslim and 17 Muslim districts thereby dealing a blow to Sikh interests".

However, the main features of the Mountbatten Plan were as follows:-[111]

"1. Both the Congress and the League consider division of India inevitable.

2. The division will involve district-wise partition of the Punjab and Bengal, and the appointment of a boundary commission.

3. Before division is carried out Members of the Legislative Assemblies of the districts concerned should be given the opportunity to decide whether they would prefer to remain in the Indian Union or have a separate State for their areas.

4. If the M.I.As. decide in favour of partition then they will be asked to elect new representatives to a Constituent Assembly or Constituent Assemblies for their joint or separate areas on the basis of one representative for each million. The present Constituent Assembly for the Indian Union will remain intact. Only the members representing the partitioned areas will cease to be its members.

5. If partition is to take place, the N.W.F.P. should have fresh elections to decide whether its people would desire to remain in the Indian Union or join Pakistan or become an independent territory".

As the plan was published, it was a matter of wide discussion in the country. Mountbatten observing the reactions of the CWC to the proposals, reported to the Secretary of State on May 3, 1947, as follows:[112]

"1. The Congress would have favoured a strong united India but considers that the division of the country is the best solution in the circumstances. But the division should be absolute and complete since that alone will give the majority of the people of India the opportunity of building up a powerful State with a strong centre.

2. There must be partition of the Punjab and Bengal giving chance to the non-Muslim areas to join the Indian Union.

3. The method of violence used in the North-West Frontier Province, the Punjab and Assam to settle political issues must be put an end to. The Congress will resist to the utmost any attempt to force issues by methods of intimidation and violence.

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111. Manmath Nath Das, n. 21, p. 91.

112. MB 114, No. 235-GT, Viceroy to SS, May 3, 1947.

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4. The Congress has no objection to a separate Constituent Assembly or Assemblies being summoned for those areas that choose to stand out of the Indian Union but hopes that such areas will have the opportunity to decide for themselves whether they would remain independent or form union with other parts.

and

5. There is no occasion for any change in the Frontier. The last election was fought on the issue of Pakistan and the verdict having been given by the electorate the present M.I.As of the Frontier Assembly are competent to decide the future of the province".

The Viceroy in his communication had urged that HMG's approval should be communicated to him by May 10, and wanted to call a meeting of party leaders on May 17, to ascertain their reactions against his proposals, which was the first stage towards the transfer of power. The Congress left arguing but the press did not.

Challenging Jinnah's claim to Assam, The Tribune wrote[113]:

"Mr. Jinnah is in the habit of flying in the face of facts and figures and making preposterous demands with Hitlerian confidence and fervour. In Assam there are only 32,08,325 Muslims as against 69,96,408 Hindus and others. But in dictatorial accents he asserts that that province has a predominantly Muslim population and is a homeland of Mussalmans where the League should be allowed to reign supreme ...We are not at all surprised to find that while he says that the Muslims being one-fourth of the Indian population should get one-fourth of the Indian land, he has by including Assam, Bengal, Sind, Baluchistan, the Frontier Province and the Punjab in his list of Pakistan units planned to grab 40 per cent of Indian territory".

On May 5, Gwyer and Mountbatten agreed that the Cabinet Mission Plan had become completely out of date. Pannikar congratulating the Viceroy said[114]:

"... he positively welcomed Pakistan, since it would enable a really strong Centre to be formed at Delhi, which the inclusion of Muslim majority Provinces would have rendered impossible".

Gandhiji met Jinnah at the latter's residence on May,6,and even after a three-hour talk could not alter Jinnah's decision[115]. On May 8,

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113. The Tribune (Lahore), May 4, 1947.

114. MB 193, Interview No. 130, K.M. Pannikar, May 5, 1947.

115. The Hindustan Times (New Delhi), May 7, 1947.

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he wrote to the Viceroy to refrain from implementing any plan of dividing India. Rajendra Prasad wrote:[116]

> "Mahatmaji feared that the results of that acceptance (of Partition) would be disastrous ... But when he realised that those who were entrusted with the responsibility of administration found that it was not possible to carry on and that there must either be partition or open war with the Ieague, he decided to keep quiet and not to oppose partition in any way".

Simla Plan

On May 7, Mountbatten flew up to Simla with V.P. Menon and Mieville, taking Nehru and his daughter, Indira, as house guests, having made the Nehrus real friends with Mountbattens. On May 10, the Viceroy received approval of the plan sent through Ismay and Abell on May 2. The approval contained some important modifications, that is, to break up India into several units, which put the Viceroy into a terrible dilemma. The Viceroy showed it to Nehru the same night. Nehru was frightened. On the next morning, Nehru charged vehemently:[117]

> "In the new proposals the whole approach has been changed completely and is at total variance with our own approach in the course of recent talks. The proposals start with the rejection of an Indian Union as the successor to power and invite the claims of large numbers of succession States who are permitted to unite if they so wish in two or more States".
>
> Nehru concluded:
>
> "It appears to me that the inevitable and obvious consequences of the proposals and the approach in them are: (a) to invite the Balkanisation of India; (b) to provoke certain civil conflict and to add to violence and disorder; (c) to a further breakdown of the Central authority which alone can prevent the chaos that is growing; (d) to demoralise the army, the police, and the central services".

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Nehru also denounced the British designs to converting some of the major princely States into independent kingdoms. In view of the deprivation of essential character and power of the existing Constituent Assembly, which included all elements except League, Nehru inferred

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116. Rajendra Prasad, India Divided (Bombay: Hind Kitabs, 1946), p.303.

117. MB 160, Transfer of Power, Procedure etc., Note of Nehru, May 11, 1947.

an outright favour to the League and warned that it would be 'disastrous'[118] amounting to a new and complete deadlock.

Patel's demand that all power should immediately be transferred to the Central Government for maintaining peace and order, in view of London 'approval', had no force. Nehru hoped that Jinnah would also not accept the approval. Contrarily, Jinnah announced: "The Muslim League will never agree to such a monstrous proposal as the one put forward by Mr. Patel, to restore peace, which is only a dream of his"[119]. Jinnah, raising the question of the fate of Muslims and non-Caste Hindus in the Hindu majority provinces, suggested a partition of most Indian provinces, though he knew that it would lead to their fragmentation and it could not be morally supported, but by saying so he wanted to prevent partition of the Muslim majority provinces, which, he believed, would be absolutely destructive and 'dangerous for the present but more so in the future.

However, referring the Congress and the League statements, the Viceroy hurriedly sent a telegram to the Secretary of State on May 11, saying: "You can imagine the bombshell this has been"[120] and suggested "redrafting of the plan", which Attlee in confusion upheld and asked Mountbatten to fly home immediately.

V.P. Menon's Proposal

Meanwhile, V.P. Menon, in Simla, said to the Viceroy that "the Congress would accept Dominion Status in return for a very early transfer of power". Menon, on May 1, had already conveyed to Mountbatten through Mieville that "Patel might be ready to accept an offer of Dominion Status for the time being"[121]. Putting Patel's condition for accepting Dominion Status, Menon said to the Viceroy that the power should be transferred in two months[122]. Pyarelal writes that in the second half of April, 1947, it was put to Patel that "if the Congress could accept Dominion Status as an ad interim arrangement, it would be possible to

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118. Ibid.
119. MB 114, Statement by Jinnah, May 11, 1947.
120. MB 160, No. 56-SC, Viceroy to SS, May 11, 1947.
121. Alan Campbell-Johnson, n. 51, p. 81.
122. U.N. Pyarelal, n. 31, Vol. II, p. 154.

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anticipate the date of the British withdrawal. It would further take away from the Muslim League its bargaining power with the British[123]". This arrangement was, on May 1, was reported by the Secretary of the Viceroy also[124]. Jinnah, on April 12, 1947, had already expressed his willingness to the Viceroy that he would accept to remain in the Commonwealth, while the Congress was persisting to have a sovereign independent Republic, which meant leaving the Commonwealth. But now the Viceroy, whose aim was to bring the Indian Union also into the Commonwealth, jumped at Menon's proposal. He wrote to V.P. Menon[125]:

> "... you were the first person I met who entirely agreed with the idea of Dominion Status, and you found the solution, which I had not thought of, of making it acceptable by a very early transfer of power. History must always rate that decision very high, and I owe it to your advice, advice given in the teeth of considerable opposition from other advisers".

On May 7, at the Mountbatten's staff meeting, V.P. Menon confirmed Patel's and Nehru's approach. On May 8, Patel and Nehru reached there. Krishna Menon said: "Nehru is attracted to the concept, if only because it may give Mountbatten opportunity to bring his influence to bear on the more recalcitrant Princes[126]". On May 10, Mountbatten held a meeting attended by Nehru, Mieville and V.P. Menon. They decided that "the Muslim majority areas should be separated from India and that the transfer of power should be to two central Governments, India and Pakistan, on the basis of Dominion Status, each having its own Governor-General[127]".Nehru stressed that the transfer should be as soon as possible. The Viceroy expressed doubt that "there would for some time to come be no authorities in Pakistan to whom power could be transferred". Menon assured to solve this problem. Mountbatten, however, was anxious to say: "As far as Pakistan is concerned we are putting up a tent. We can do no more[128]". They agreed that the Indian Union would succeed the British India and "Pakistan would be in the position of territories that had seceded from the parent country and would start with enormous handicaps, without an organized administration, without armed forces, without records, without

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123. Ibid., p. 166.
124. Ibid.
125. Leonard Mosley, n. 24, p. 127.
126. Alan Campbell-Johnson, n. 51, p. 86.
127. V.P. Menon, n. 80, p. 360.
128. Alan Campbell-Johnson, n. 51, p. 87.

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equipment or military stores. It is difficult to imagine conditions more calculated to bring about a breakdown in Pakistan.[129]

On May 10, the Viceroy showed a plan to Nehru, who angrily seemed to throw it but soon collected himself. Later, in a meeting on May 16, they discussed all aspects of a good plan and lastly agreed to Menon's plan of Dominion Status. Menon was called the same day and was asked to draw a draft, "Heads of Agreement", which he completed within four hours ending at 6.00 P.M., the main features of which are, as stated by V.P. Menon himself, are as follows:[130]

"(a) That the leaders agree to the procedure laid down for ascertaining the wishes of the people whether there should be a division of India or not;

(b) That in the event of the decision being taken that there should only be one central authority in India, power should be transferred to the existing Constituent Assembly on a Dominion Status basis;

(c) That in the event of a decision that there should be two sovereign States in India, the central Government of each State should take over power in responsibility to their respective Constituent Assemblies, again on a Dominion Status basis;

(d) That the transfer of power in either case should be on the basis of the Government of India Act of 1935, modified to conform to the Dominion Status position;

(e) That the Governor-General should be common to both the Dominions and that the present Governor-General should be reappointed;

(f) That a Commission should be appointed for the demarcation of boundaries in the event of a decision in favour of partition;

(g) That the Governors of the provinces should be appointed on the recommendation of the respective central Governments;

(h) In the event of two Dominions coming into being, the Armed Forces in India should be divided between them. The units would be allocated according to the territorial basis of recruitment and would be under the control of the respective Governments. In the case of mixed units, the separation and redistribution should be entrusted to a Committee consisting of Field Marshal Sir Claude Auchinleck and the Chiefs of the General Staff of the two Dominions, under the supervision of a Council consisting of the Governor-General and the two Defence Ministers. This Council would automatically cease to exist as soon as the process of division was completed".

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129. L.A. Sherwani, n. 39, p. 225.

130. V.P. Menon, n. 80, p. 366.

Menon took the draft 'Agreement' to Nehru, Patel and Baldev Singh and Sir Eric Mieville to Jinnah and Liaquat Ali Khan. Then, the Viceroy consulted with Nehru and Patel, on behalf of the Congress; Jinnah and Liaquat Ali Khan on behalf of the Muslim League; and Baldev Singh on behalf of the Sikhs. The Viceroy desired their acceptance in writing. Nehru readily signed, but Jinnah and Liaquat Ali refused, though seemed to accept the Agreement in principle. On May 15, the Viceroy, showing the proposed plan, asked Liaquat Ali Khan whether the Muslim League would finally accept the partition of Punjab and Bengal. Liaquat Ali replied: "We shall never agree to it, but you may make us bow to the inevitable"[131]. Jinnah's reaction was more negative. He said:[132]

> "The Muslim League cannot agree to the partition of Bengal and the Punjab. It cannot be justified historically, economically, geographically, politically or morally. These provinces have built up their respective lives for nearly a century ... and the only ground which is put forward for the partition is that the areas where the Hindus and Sikhs are in a majority should be separated from the rest of the provinces ... the results will be disastrous for the life of these two provinces and all the communities concerned ... if you take this decision - which in my opinion will be a fateful one - Calcutta should not be torn away from the Eastern Bengal ... if worst comes to worst, Calcutta should be made a free port".

Jinnah described[133] also the derivation of the word, 'Pakistan' - P for Punjab; A for Afghan (i.e. Páthan or NWF), K for Kashmir, the letter 'I' is not represented with any letter in writing Pakistan in Urdu; to say that 'I' does not exist in Urdu is to express no knowledge of Urdu script; S for Sind and 'Tan' means 'place'. If red in combining the letters, 'Pak'-i-'stan', it means 'Pure land'. However, with this meaning, Jinnah and Liaquat Ali Khan insisted that the name of the new country in the plan should be stated as 'Pakistan'.

Thus, Jinnah had accepted the plan verbally. Mountbatten flew to London on May 18, 1947. On May 19, Mountbatten informed Attlee and his Cabinet colleagues; "It had become clear that the Muslim League would resort to arms if Pakistan in some form were not conceded"[134].

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131. MB 193, Record Interview No.135, with Liaquat Ali, May 15,1947.
132. Jinnah's note, May 17, 1947; in N. Mansergh and E.W.R.Lumby, n. 41, Vol. X, p. 825.
133. MB 193, Interview No. 140,Jinnah and Liaquat Ali,May 17, 1947.
134. Cabinet Minutes, May 19, 1947; in N.Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 896.

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Demand for a Corridor

When Reuters interviewed, on May 20, Jinnah demanded an 800-mile long "corridor" to link West and East Pakistan, promising a "really beneficial" relationship between Pakistan and Britain, and offering "Hindustan" a "friendly and reciprocal alliance"[135] and wired the Cabinet that "before Bengal and the Punjab were partitioned, a referendum should be held in each province to determine will of its people in this vital regard"[136]. The Viceroy went against it and said that it "would merely result in delay"[137], to which the Cabinet agreed.

Krishna Menon flew on May 21, to London to inform Mountbatten that Nehru and Patel were "ready to accept" Dominion Status if it were offered to India in 1947. Nehru wrote to Mountbatten from India House in the message[138]:

> "If Mr. Jinnah wants a total separation, and that straight away, and if we agree to it for the sake of peace and dismember our country, we want to be rid of him, so far as the affairs of what is left to us of our country are concerned. I feel sure you will appreciate this, and also that it is not a matter of detail, but is fundamental".

In view of Jinnah's claim, the Congress had begun fear that they would loose the Eastern Punjab and Sikh support as well as Western Bengal and Calcutta and also more of the princely states especially Hyderabad and Bhopal. At last, tired of arguing, Nehru conceded Pakistan on the theory that by "cutting off the head we will get rid of the headache"[139].

When Mountbatten reached London, the Independence of India Bill was to be discussed by the British Parliament. Attlee feared that the opposition of Churchill and his Conservative Party could delay the finalisation of the Bill in a prolonged and acrimonious Commons debate. Therefore, Mountbatten went to seek Churchill in bed. Churchill

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135. Reuter's Report, May 21, 1947, vide Stanley Wolpert, n. 50,p.325.
136. Stanley Wolpert, Ibid.
137. Cabinet Minutes, May 20, 1947; in N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, p. 922.
138. Krishna Menon to Mountbatten, May 21, 1947; in N.Mansergh and E.W.R. Lumby, Ibid., p. 940.
139. Alan Campbell-Johnson, n. 51, p. 98 (Mountbatten, June 1, 1947).

advised: "To begin with you must threaten. Take away all British officers. Give them military units without British officers. Make it clear to them how impossible it would be to run Pakistan without British help". This was a Churchill's "personal message" to Jinnah. "This is a matter of life and death for Pakistan, if you do not accept this offer with both hands"[140]. However, Churchill assured support of the Opposition.

In India, at the same time, Jinnah had created differences among the members of the Interim Government on the question of partition of Punjab and Bengal and Corridor, and the Congress was opposing more violently than the inclusion of Calcutta in East Pakistan. Dawn, the League's spokesman, on May 22, wrote: " We shall fight against partition of Pakistan, splitting of Provinces detrimental to interests of all, corridor to link east and west Muslim areas essential". The Hindustan Times, taking side of the Congress, retorted on May 23: "If existence of Pakistan is dependent on the corridor, it will never come into being".

Jinnah and Nehru were being kept informed of the deliberations going on in London. The Viceroy's opposition to "referendum" invoked Jinnah to assert that the Muslim League "would never agree to any change in the position, functions or powers of the present Interim Government either by convention or otherwise, and that the Interim Government must be dissolved as soon as the two Constituent Assemblies were formed, and all power immediately transferred to them". Demanding justice to the 100 million Muslims, Jinnah charged that "in spite of his very strong objections, the partition of Bengal and the Punjab was being contemplated at London"[141]. Nehru strongly reacted and said: "It is clear, however, from what Mr. Jinnah says that he does not accept the very basis of the proposals with regard to the partition of Bengal and the Punjab ... He has also added a demand for a corridor from the North-West to the North-East. In view of the attitude taken up by Mr. Jinnah, we cannot give a one-sided agreement to any proposal which does not lead to a full settlement"[142]. Nehru further argued that if he did not accept the partition of the two provinces, he must agree to a united India under the Cabinet Mission Plan. Further, he rejected the League's claim that

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140. Record of Churchill-Mountbatten Interview, May 22, 1947; in N. Mansergh and E.W.R. Lumby, n. 41, Vol. X, pp. 945-46.

141. IOL, File No. 115, Note from Jinnah, May 20, 1947.

142. IOL, File No.1165-S, For Mountbatten from Mieville, May 26, 1947, containing Nehru's letter of the same date.

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it had right to deny 'powers to the Interim Government' under the Dominion Status, since "Dominion Status necessarily carried this right; otherwise it is not Dominion Status"[143]. He wrote to the Attlee Government[144]:

> "... during the past few years it has been our repeated experience that Mr. Jinnah does not commit himself to anything and does not like coming to a settlement. He accepts what he gets and goes on asking for more. We have arrived at a stage when this kind of thing will do good to nobody, and we are not prepared to have one-sided commitments in future".

However, Mountbatten's staff in Delhi informed him that there was not much substance in Jinnah's outbursts, which he aimed to create for himself a strong position to negotiate the details. The staff also reported that Jinnah was "unlikely to throw away the chance of getting a limited Pakistan in an attempt to get the whole"[145]. Rajendra Prasad and Sankar Rao Deo criticised the demand for 'corridor'. The Dawn propounded[146]:

> "The demand for a corridor is not a new one. Quaid-e-Azam Jinnah has many times in the past raised that point which is so vital in the context of Pakistan. If Pakistan is to be real, solid and strong the creation of a corridor linking up its eastern and northern areas is an indispensable adjunct. Be that as it may, we have no doubt, however, that if Muslims can win Pakistan - as indeed they have already won it - they can just as well build a corridor somewhere for the linking up of the two segments of Pakistan".

Nehru replied[147]:

> "I regret, I cannot enter into public controversy with Mr. Jinnah at this stage when vital matters are under consideration and final decisions are going to be taken ... The demand for a corridor is fantastic and absurd. We stand for a Union of India with the right to particular areas to opt out. We envisage no compulsion. If there is no proper settlement on this basis without further claims being advanced, then we shall proceed with making and implementing the constitution for the Union of India".

From May 25, Gandhiji began to preach his thesis of a united India declaring, if necessary, to impose the Mission Plan by force.

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143. Ibid.

144. Ibid.

145. Ibid.

146. IOL, File No. 1170-S, From Alan Campbell-Johnson for Erskine-Crum, May 26, 1947, containing passage from Dawn.

147. Ibid., Nehru's Interview to UPA.

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Mountbatten returned to India on May 31,1947. On the same day he issued a circular to all Provincial Governors briefing them their last phase of duties: "The posts of Governors will continue ... but they may have to be replaced if there is a demand for a change. ... If the Punjab and Bengal are partitioned there will have to be new Governors for the two new Provinces"[148]. The Governors of Bengal and Punjab were asked to ascertain the wishes of their legislatures regarding partition. The Governor of NWFP was directed to prepare for a referendum. Then he drafted his personal message to the people of India. This shows his firm determination to manage transfer of power as early as possible as he thought that the parties might repeat their arguments and also there was very real risk of escalating violence and bloodshed.

On May 18, Gandhiji had asserted[149]:

> "If we confront madness by sanity, their madness will go, the Pakistan demand will go, or the whole of India will become Pakistan - if Pakistan means what its name implies, the land of pure".

On June 1, 1947, Gandhiji in a state of great mental anguish said[150]:

> "Today I find myself all alone. Even the Sardar and Jawaharlal think that my reading of the situation is wrong and peace is sure to return if Partition is agreed upon ... They did not like my telling the Viceroy that even if there was to be partition, it should not be through British intervention or British rule ... Let it not be said that Gandhi was party of India's vivisection ...".

On Monday, the June 2, 1947, the Viceroy held a conference of seven. The Indian leaders went to the Viceroy's house in New Delhi: Liaquat (ML) and Nishtar (Pakhtoon) accompanying Jinnah; Patel and J.B. Kripalani (Congress President for the year) with Nehru; and Baldev Singh representing the Sikhs. The Viceroy expressed distress over the impending partition of the Punjab, which was inevitable, because "if attempts were made to work for the national partition on any principle other than division between the majority Muslim and majority non-Muslim areas"[151], its consequences were to be very frightful. He assured that the Boundary Commission would take the Sikh interests into consideration.

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148. IOL, File No. 1223-S, Viceroy to Governors, May 31, 1947.

149. U.N. Pyarelal, n. 44, Vol. II, p. 204.

150. Ibid., pp. 210-11.

151. Viceroy's Meeting with Indian Leaders, June 2, 1947, Minutes.

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The suggestion for holding a referendum over the future of Calcutta was considered meaningless, because in the Calcutta riots, the Scheduled Castes had taken sides with the Hindus. Therefore, it was sure that the Scheduled Castes would support the Hindu candidate.[152]

The Viceroy announced that Independence of India Bill would be passed, transfer of power would be implemented, and Dominion Status would be implemented very soon, as the British had committed to help India obtain power as early as possible.

The leaders were then given the draft of the Partition Plan[153] for study and getting approved from their Working Committies. Nehru said: "there could never be complete approval of the plan from Congress, but, on the balance, they accepted it"[154]. Nehru and Sardar Patel committed themselves to the plan, step by step, without consulting the Congress President and they had taken the responsibility upon themselves because of the peculiarity and urgency of the situation.

Sardar Patel was the greatest supporter of partition "out of irritation and injured vanity", because he was frustrated by Liaquat Ali Khan as Finance Minister, who vetoed his proposals at every step. He was convinced "that the new State of Pakistan was not viable and could not last ... Pakistan would collapse in a short time and the provinces which had seceded from India would have to face untold difficulty and hardship"[155].

The Sikh leaders did not conceal their anger against the partition of Punjab. Master Tara Singh exhorted his followers "to go out and smite the Amalekites", distributed inflammatory leaflets and instructed the Sikhs to prepare themselves for action. They planned to attack trains, dynamite headworks, ambush refugees, drive Muslims from their homes and to assassinate Jinnah in Karachi on August 14. Jenkins saw, a few miles away from Amritsar, three hundred Sikhs drilling with rifles and tommy-guns. Their targets were "dummies of Muslim men, women and children"[156].

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152. Ibid.

153. V.P. Menon, n. 80, p. 374.

154. Viceroy's Meeting with Indian Leaders, June 2, 1947, Minutes.

155. A.K. Azad, n. 33, p. 207.

156. M. Edwardes, The Last Years of British India (London: Cassel, 1963), p.213.

Jinnah refused to sign consent as the Muslim League was a democratic organisation and,hence, he pleaded: "he and his Working Committee would have to go before their masters, the people, for a final decision"[157]. It was Jinnah's vain argument because the ML Working Committee had already authorised him to take decision himself whatsoever he would like suitable. Mountbatten characterised him a dictatorial in the garb of a true democrat. However, the Viceroy impressed upon him that there should not be 'No' from the League[158]. Jinnah, however, from his own side was right to take decision of the ML Working Committee on such an important matter ; thus, he did not like to be wholly responsible for the partition Jinnah visited the Viceroy,as promised, at 11.00 P.M. and about the acceptance of the plan, he used the word, 'hopeful' and said that he has called an urgent meeting of the AIML Council next Monday. The Viceroy realised that so much delay would be absolutely fatal to to his aim at that stage. Mountbatten reports: "I finally asked him whether he felt I would be justified in advising the Prime Minister to go ahead and make the announcement, to which he replied very firmly, "Yes"[159]. Actually, he was using the tactic of delaying the matter.

The Viceroy, immediately after the conference on June 2, communicated the approval of the plan by all parties to London. It may be worthwhile to mention that the Viceroy in his draft of the partition plan sent to London had hinted that "the great decisions regarding India's future had Gandhi's implicit approval, and were in harmony with his noble principles of the supremacy of popular will and non-coercion of others"[160]. The Secretary of State scented trouble in case Gandhiji disapproved the plan. Therefore, Attlee cabled to Mountbatten[161]:

> "Quite apart from technical difficulties I feel that it would be preferable not to make two insertions you propose. We do not feel sure that Gandhi would unreservedly accept either proposition and experience in past suggests that it is dangerous to attribute opinions to him. It seems Gandhi is at logger-heads with Working Committee at the moment and it may be that anything you achieve will be result of Working Committee rejecting Gandhi's opinions. If that is position

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157. Viceroy's Meeting with Indian Leaders, June 2, 1947, Minutes.

158. June 5, 1947, Mountbatten's Personal Report, No. 8, p. 115.

159. Ibid., p. 117.

160. Manmath Nath Das, n. 21, p. 375.

161. IOL, File No. 1491-S, SS to Viceroy, June 2, 1947.

> your reference to him may give Gandhi a platform for some public reply which will embarrass Congress leaders and may even harden stability of any settlement. I have consulted Prime Minister who concurs. Please let me know whether you agree".

In view of the above direction from home, Mountbatten decided to omit Gandhiji's name from his announcement.

However, soon after the conference, Mountbatten saw Gandhiji, who was preaching in his prayer meetings against the idea of partition. The Viceroy "pointed out those features in the plan which conformed to Gandhiji's ideas" and in the end "he was able to persuade Gandhiji that the plan was best in the circumstances"[162]. June 2, 1947, was Gandhiji's 'Day of Silence'; hence, he in a friendly note assured the Viceroy of his support. On the same day, the CWC decided to accept the plan. Kripalani, the Congress President, wrote a long letter to the Viceroy. He stated: "This is dependent on the acceptance of the proposals by the Muslim League and a clear understanding that no further claims will be put forward"[163].

On June 3, 1947, Mountbatten, making futile efforts to make Jinnah accept the plan, said to him[164]:

> "If that is your attitude, then the leaders of the Congress Party and Sikhs will refuse final acceptance at the meeting in the morning; chaos will follow, and you will lose your Pakistan, probably for good".

Mountbatten also told him, "Mr. Jinnah, I do not intend to let you wreck all the work that has gone into this settlement"[165]. Jinnah replied: "What must be, must be". Then, the Viceroy persisted to say[166]:

> "Since you will not accept for the Moslem League, I will speak for them myself ... I have only one condition, and that is that when I say at the meeting in the morning, 'Mr. Jinnah has given me assurances which I have accepted and which satisfy me', you will in no circumstances contradict that, and that when I look towards you, you will nod ...".

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162. V.P. Menon, n. 80, p. 375.

163. Ibid., p. 376.

164. Alan Campbell-Johnson, n. 51, pp. 102-03.

165. Wali Khan, n. 81, p. 126.

166. Alan Campbell-Johnson, n. 51, pp. 102-03.

Jinnah replied favourably to the proposition. The conversation infers that "neither the Muslim League nor Jinnah accepted the decision of partition better known as the "Plan of 3rd June"[167]. Thus, whether the Viceroy crabbed this initiative or the Muslim League gave this authority to him is still an untold story.

Baldev Singh, accepting the plan for partition of Punjab, stressed that "care should be taken to meet their demands when framing the terms of reference for the Boundary Commission"[168].

Acceptance of the Partition Plan by the Indian Leaders

On June 3, 1947 (morning), the Viceroy held a conference with the leaders and said that he had received written assurances from the Congress and the Sikhs, and a verbal assurance from the Muslim League. He turned towards Jinnah, who nodded in assent and, thus, concluded that all the parties have agreed to the partition plan[169]. Mountbatten observed that "the plan represented as near 100% agreement as it was possible to get, and that in his judgment, what was being done was in the best interest of the people of India"[170]. As best way to implement the partition, the Viceroy requested the leaders to transcend all feelings of past hostility and appealed to them to request their followers to refrain from speeches of recrimination to avoid violent reactions.

Regarding acceptance of the partition plan by Gandhiji, Patel opined that "once the decision was taken, Mr. Gandhi would accept it loyally"[171]. The Viceroy also hoped that since the decision were taken, Gandhiji would re-emphasise the need for non-violence. Liaquat Ali charged that Gandhiji's recent statement that "the people should not look to the Viceroy and the leaders for a decision" instead they should "do as they felt"[172], suggested the people to protest if they felt that India should not be divided. Patel replied that "no such inference could be drawn from Gandhi's utterances"[173]. Jinnah thought that Gandhiji's

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167. Wali Khan, n. 81, p.126.
168. V.P. Menon, n. 80, p. 376.
169. Ibid., p. 277.
170. *Viceroy's Meeting with Indian Leaders*, June 3, 1947, Minutes.
171. Manmath Nath Das, n. 21, p. 101.
172. Ibid.
173. Ibid.

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such statements would make an impression go round that the people should not agree to the decisions taken by the present conference. Therefore, he advised that although Gandhiji's intentions might be the best, but "in fact the language which he had adopted recently had insinuated that Muslim League were going to get Pakistan by force"[174]. The Viceroy did not allow further discussion on Gandhiji's acceptance of the partition plan, but he expressed hope that Patel and Nehru would influence the Mahatma to accept the inevitable. In the course of discussion, Jinnah "reiterated his personal support to him (Viceroy) and promised to do his best to get the plan accepted by his followers"[175]. The Viceroy made it clear that the Partition Act should be implemented not later than August 15, 1947. He felt that the leaders were thinking only about the implementation of partition plan and not about the problems ahead. He observed[176]:

> "It was clear from the reactions at the meeting that none of the leaders present had even begun to think of the complications with which we are all going to be faced. Perhaps this is lucky, since it will enable us to hold the initiative in Viceroy's House during the coming difficult period".

Churchill's Statement

Immediately after the morning conference, Mountbatten communicated to the Secretary of State the assurances given by Nehru, Jinnah and Baldev Singh about the acceptance of the partition plan and, in consequence, Attlee announced the plan in the House of Commons on June 3 (day), which came to be known "the June 3rd Plan". Speaking on behalf of the Opposition, Churchill said that the two conditions i.e. "agreement between the Indian parties, and a period of Dominion Status in which India or any part of it might freely decide whether to remain in the British Commonwealth or not "would be fulfilled by the proposal. He assured that the Opposition "would not oppose any Bill to confer Dominion Status on the various parts of India on the basis of HMG's Statement"[177].

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174. Viceroy's Meeting with Indian Leaders, June 3, 1947, Minutes.
175. Ibid.
176. Confidential File No. 1284-S, Viceroy to SS, June 3, 1947.
177. V.P. Menon, n. 80, p. 378.

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Mountbatten's Announcement

On June 3 (Evening), Mountbatten broadcast over the All-India Radio. Highlighting the cause of partition, he said:[178]

> "To my great regret it has been impossible to obtain agreement either on the Cabinet Mission Plan, or on any plan that would preserve the unity of India. But there can be no question of coercing any large areas in which one community has a majority to live against their will under a Government in which another community has a majority. And the only alternative to coercion is partition".

Mountbatten further said that the League demanded partition of the country while the Congress demanded, in the event of partition of India, partition of certain Provinces also. These arguments were unassailable because neither of the parties were willing to leave a substantial area in which their community had a majority. Expressing his grief on account of the partition, he said: "I am, of course, just as much opposed to the partition of Provinces as I am to the partition of India herself".[179] However, he said, that the people of India should decide the question of partition themselves.

Regarding the procedure enabling the Indians to decide themselves as to whether they want the British to hand over power to one or two Governments was set out in the Statement. He made it clear that though the people of Punjab, Bengal and part of Assam would lay down the boundaries between the Muslim majority areas and the remaining areas, but ultimate decision would be taken by a Boundary Commission. Considering the Sikh position, Mountbatten said:[180]

> "This valiant community forms about one-eighth of the population of the Punjab, but they are so distributed that any partition of this Province will inevitably divide them. All of us who have the good of the Sikh community at heart are very sorry to think that the partition of the Punjab, which they themselves desire, cannot avoid splitting them to a greater or lesser extent. The exact degree of the split will be left to the Boundary Commission on which they will of course be represented".

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178. H.E. Lord Louis Mountbatten, Viceroy of India's Broadcast and Statement by His Majesty's Government, dated 3rd June, 1947 (Lahore: Publicity Department, Punjab Government), pp. 1-3.

179. Ibid.

180. Ibid.

The Viceroy further announced that HMG's Government had decided to "transfer power immediately to one or two Governments of British India, each having Dominion Status" and that the HM Government had already taken in hand the drafting of the necessary legislation, which would be introduced in the Parliament during the current session. He further said that HM Government had no intention to impose the legislation "either on India as a whole, or on the two States if there were partition, to decide in the future their relationship to each other and to other member States of the British Commonwealth"[181]. The Viceroy's speech was followed by His Majesty's Government's Statement confirming the Plan.[182]

Indian Leaders Broadcast

After the Viceroy, Nehru, Jinnah and Baldev Singh broadcast their speech. Nehru, referring the Viceroy's announcement, said:[183]

> "It envisages, on the one hand, the possibility of these areas seceding from India; on the other, it promises a big advance towards complete independence. Such a big change must have the full concurrence of the people before effect can be given to it, for it must always be remembered that the future of India can only be decided by the people of India, and not by any outside authority, however friendly".

About the acceptance of the Plan, Nehru said that the proposal would soon be placed before representative assemblies of the people for consideration and they had accepted the plan and recommend the people to accept.

After Nehru, Jinnah in the broadcast said that "we must galvanize and concentrate all our energies to see that the transfer of power is effected in a peaceful and orderly manner. I most earnestly appeal to every community and particularly to Muslim India to maintain peace and order".[184] Jinnah without giving clear acceptance of the Plan, said:[185]

> "the Plan does not meet in some important respects our point of view; and we cannot say or feel that we are satisfied or that we agree with some of the matters dealt with by the Plan. It is for us now to consider whether the Plan as presented to us by His Majesty's Government should be accepted by us as a compromise or a settlement".

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181. Ibid. 182. See for details Appendix XIII June 3rd Plan.
183. N.N. Mitra, n. 4, p. 252.
184. Dawn (Delhi), June 5, 1947.
185. Ibid.

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Regarding acceptance of the Plan by the AIML, Jinnah said that he had called the AIML Council to meet on Monday, 9th of June, and was hopeful of the acceptance of the Plan by the Council. Commending the Viceroy, he said that Mountbatten "was actuated by a high sense of fairness and impartiality" and the people should help his mission of transferring power in a peaceful and orderly manner. He further said that according to paragraph 11 of the Statement, a referendum would be made to the electorates of the then Legislative Assembly in the NWFP and they would choose which of the two alternatives in paragraph 4 they would like to adopt, that is, whether they would join the Pakistan Constituent Assembly or the Hindustan Constituent Assembly. He requested the "provincial Muslim League of the Frontier to withdraw the movement of peaceful civil disobedience which they had perforce to resort to" and expressed confidence that the people of the Frontier would vote to join the Pakistan Constituent Assembly.

Baldev Singh expressed acceptance of the plan reluctantly. He characterised the plan a settlement and not as a compromise. He said the plan "does not please everybody, not the Sikh community anyway, but it is certainly something worthwhile. Let us take it at that"[186].

Viceroy's Press Conference

The Viceroy addressed a press conference on June 4, 1947. He emphasised that "independence through Dominion Status was complete and that the different administrations were at liberty to opt out of the Commonwealth whenever they pleased"[187]. Of the numerous questions, three were of special interest: (1) What would happen if the Muslim League rejected the plan; (2) Whether the basic determining factor in drawing the boundaries of the provinces would be the communal majority of the population, or whether other considerations, such as, property, economic viability, etc. would also be included in the terms of reference? and (3) What would be the method of referendum in the NWFP. Replying the first, the Viceroy said that it was a 'hypothetical question'. As regards the second, His Majesty's Government would not agree the partition on the basis of landed property. With regard to the third, the Viceroy said that there were heavier minority weightage i.e. 12 seats out of 50,

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186. V.P. Menon, n. 80, p. 380.

187. Ibid., p. 381.

though they were 5% of the population. He assured that the referendum would be perfectly straightforward under supervision of the British officers, selected by him, who would be completely impartial. On the question of immediate devolution of power on the basis of Dominion Status under paragraph 20, the Viceroy explained that under the British Commonwealth of Nations each State would be completely independent to decide their own future and they cannot be forced to stay in if they wanted to go out. He explained the term 'Dominion Status' as 'absolute independence in every possible way, with the sole exception that the member States were linked together voluntarily[188]". Further, in an answer to a question regarding the British withdrawal in June, 1948, the Viceroy said: "The date of the transfer of power is going to be much earlier ... I think the transfer could be about the 15 August[189]".

On June 4, Mountbatten met Gandhiji also and convinced him that all the salient features of the plan had been based on the principle suggested to him by the Mahatma himself[190]. The Viceroy told Gandhiji that in earlier days he was not averse to Dominion Status. Gandhiji agreed and later sent to the Viceroy a copy of Harijan dated December 16, 1939, containing the words: "Similarly, I have said to a friend that if dominion status was offered, I should take it, and expect to carry India with me[191]". However, Gandhiji, who had been preaching in his prayer meetings for the united India, was also approached by Krishna Menon and V.P. Menon, as advised by the Viceroy, and, at last, he never afterwards openly opposed the Viceroy's plan.

On June 5 (morning), Mountbatten held a meeting with the political leaders in his office. Jinnah was at pains to explain that both States would be independent and equal in every way[192]". Nehru said that the dissident Provinces, which were to be allowed to secede, must not interrupt the work of the Government of India or its foreign policy. On the one hand, there was still suspicion in the hearts of the Congress and the League leaders and, on the other, the Working Committee of the

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188. Ibid., p. 382.

189. Ibid.

190. MB 193, Interview No. 143, Gandhi, June 4, 1947, Vide Note on the Interview.

191. Ibid.

192. Mountbatten's Personal Report, No. 8, pp. 122.

Hindu Mahasabha, which met in Delhi, resolved with stress calling even for an all-India 'Anti-Pakistan Day'[193]:

> "India is one and indivisible and there will never be peace unless and until the separated areas are brought back into the Indian Union and made integral parts thereof".

Further, the Khaksars, a group of militant Muslims, who demanded a Pakistan stretching from Karachi to Calcutta, staged demonstrations at the AIML Council meeting in Delhi (June 9-10, 1947). Moreover, the Communists, who had been backing Jinnah's demand for Pakistan, changed their attitude and said that "partition and Dominion Status together would enable Britain to maintain her control over India"[194], but they did not explain as to how it would be possible. Perhaps, they meant that India and Pakistan being member of the British Commonwealth of Nations would always seek economic and technical assistance for development purposes and, thus, would indirectly be controlled by the British. They might have anticipated the British neo-colonialism in India. However, the partition and independence plan were much applauded by the press in India and abroad. Walter Lippmann wrote in The Washington Post: "Attlee and Mountbatten have done a service to all mankind by showing what statesmen can do not with force and money but with lucidity, resolution and sincerity"[195]. The Guardian reported that the partition of India was not imposed by the British Government and hoped India and Pakistan would unite and "there is the possibility that Moslem and Hindu Bengal may reunite to form a separate Bengali nation". But in view of the previous notorious, inefficient and unstable government, a "separation of Hindu and Moslem Bengal may produce a healthier political life". Further, though the Moslem Pathans regarded the Moslem Punjabis as their ancestral enemies, they would possibly decline to unite with the Punjab and "prefer to federate with the more distant Hindustan"[196].

In a meeting on June 7, 1947, with the seven leaders, the Viceroy discussed the problem and procedure for transfer of power. Jinnah did not like to leave the territorial division in the charge of Nehru-Patel dominated Government, was anxious to know the members of the

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193. V.P. Menon, n. 80, p. 382.

194. Ibid., p. 383.

195. Ibid.

196. The Guardian (Manchester), June 5, 1947.

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Boundary Commissions, and was fearful of the principles by which the boundaries were to be demarcated. The Viceroy assured that the Commission would be appointed by the U.N.O. with the representatives of the Congress and the Ieague and other parties as expert assessors.[197] Nehru, on June 10, opposing the 'principle of population transfer' said that it was impossible to transfer the Sikh religious shrines in India. He, in other sense, wanted the Indian boundary including the Sikh religious places. The Viceroy assured that Jinnah had promised Sikh access to their religious shrines, but Patel doubted the validity of Jinnah's undertaking.[198]

Last AIML Meeting, Delhi

The AIML meeting held on June 9-10, 1947, in New Delhi's Imperial Hotel, attended by 425 delegates, to consider the Mountbatten's plan of partition, when a group of militant Muslims - orthodox Mullahs, mighty landed barons who had to lose from the Punjab partition, and mercantile magnates who opposed the giving of Calcutta to their Hindu rivals cried out angrily against the plan calling it "betrayal" and a "tragedy for Pakistan". On June 9, Khaksars rushed into the hotel lounge "brandishing belchas, or sharpened spades ... shouting 'Get Jinnah'. Before the League National Guards could turn them back, the police tear-gassed to bring the disturbance to an end.[199] About fifty Khaksars would-be assassins of Jinnah were arrested. Jinnah, however, continued the proceedings of the meeting untrammelled by the disturbance on the ground floor. The Khaksar demonstrators clashed with the Muslim League National Guards,"broke furniture and smashed glass panes ... a few persons sustained injuries".[200] Inside the grand ballroom, Jinnah, when he was hailed as "Shahanshah-e-Pakistan" (Emperor of Pakistan), insisted to say: "I am a soldier of Pakistan, not its Emperor".However, the League Council gave "full authority to President Quaid-i-Azam M.A. Jinnah to accept the fundamental principles of the Plan as a compromise, and to leave it to him, with full authority, to work out

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197. MB 193, Interview No. 145, Jinnah, Liaquat, Nishtar, June 7,1947.

198. MB 193, Interview No. 146, Nehru,Patel,Kripalani, June 10,1947.

199. Alan Campbell-Johnson, n. 51, pp. 115-16.

200. The Morning Herald (Calcutta), June 10, 1947; The Morning News (Calcutta), June 11, 1947; in Syed Sharifuddin Pirzada, Foundations of Pakistan : All India Muslim League Documents, Vol. II(Karachi: National Publishing House Ltd., 1969), pp. 566-67.

all the details of the Plan in an equitable and just manner[201]...".

The Congress protested against the League resolution using the word "compromise" and demanded the announcement by the League as a "settlement"[202].

On June 12, the first meeting of the Interim Government was held. There was almost a fight between Nehru and Liaquat Ali Khan when the Congress forced to appoint Nehru's sister, Madame Pandit, as an ambassador The leaders went so mad that they did not care when the Viceroy shouted: "Gentlemen, what hopes have we of getting a peaceable partition if the first discussion leads to such a disgraceful scene as this"[203]. Mountbatten realised that the Indians' nature and habit cannot be assessed by their education and intellect and sensed fear that the plan might collapse, and hurried to make arrangement for transfer of power, and to leave India as early as possible.

On June 14, a joint conference of Sikh organizations in Lahore welcomed the division of the Punjab. The AICC meeting in Delhi ratified the CWC acceptance of the plan with 29 votes in favour and 15 against[204], which revealed the thinking of the people en masse. They accepted the partition resolution with heavy heart and mental reservations. It was inevitably accepted due to insidious communal propaganda, while there was being said that "the Hindus in Pakistan need have no fear as there would be 45 millions of Muslims in India and if there was any oppression of Hindus in Pakistan, the Muslims in India would have to bear the consequences"[205].

Between June 19 and 23, Mountbatten visited Kashmir. On June 20, Bengal Legislative Assembly opted for partition. On June 23, Punjab Legislative Assembly also opted for partition. On June 26, Sind Legislative Assembly and Baluchistan Legislative Assembly opted to join Pakistan. In July, Sylhet decided to join East Bengal and NWFP to join Pakistan. On June 27, Jinnah reported: "Thus, we can now look upon the creation

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201. Ibid., p. 568.
202. June 12, 1947, Mountbatten's Personal Report, No. 9, p. 125.
203. Ibid., p. 127.
204. N.N. Mitra, n. 4, pp. 122-23.
205. A.K. Azad, n. 33, pp. 197-98.

of Pakistan on the 15th August as legally decided upon[206]". On July 2, Mountbatten showed the draft Indian Independence Bill to the Indian leaders. Jinnah told Mountbatten that he himself desired tc be Governor-General of Pakistan. On July 4, the Indian Independence Bill was introduced into the House of Commons. On July 10, a debate on second reading of Indian Independence Bill in the House of Commons was held. C.R. Attlee, refuting the charge that the communal problem in India was "created by ourselves in order to perpetuate our own rule", said that they "have all wanted to maintain the unity of India, to give India complete self-government and to preserve the rights of minorities", but it was found unpracticable. However, he hoped that "this severance may not endure, and that the two new Dominions which we now propose to set up may, in course of time, come together again to form one great member State of the British Commonwealth of Nations[207]".

On July 16, the Indian Independence Bill was passed at its third reading. On this occasion, Lord Listowel, describing the deadlock between the Congress and the League as a formidable obstacle in the path of constitutional advance, hoped that "when the disadvantages of separation have become apparent in the light of experience, the two Dominions will freely decide to reunite in a single Indian Dominion[208]". On July 18, the Indian Independence Act received the Royal assent, as a result on July 19, Mountbatten announced establishment of two separate provisional governments, one for India and the other for Pakistan.

The Hindustan Times commented: "When it is placed on the Statute Book, the Indian Independence Act, 1947, will rank as the noblest and the greatest law ever enacted by the British Parliament[209]". The Dawn wrote: "On the eve of independence of the peoples of India, on which this last enactment of the British Parliament sets its final seal, Great Britain is entitled to the highest praise from all the freedom loving peoples of the world[210]". Mountbatten, after consultation with

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206. Mountbatten's Personal Report, No. 10, p. 139.

207. See for details C.R. Attlee's Speech in the House of Commons, Parliamentary Debates, Fifth Series, Vol. I, 439, Cols. 2444-45.

208. See for details Lord Listowel's Speech in the House of Lords, as reproduced in Sir Maurice Gwyer and A. Appadorai, Speeches and Documents on the Indian Constitution, 1921-47, Vol. II (London: Oxford University Press, 1957), pp. 686-87.

209. MB 114, No. 473-GT Viceroy to SS, Paper Comments.

210. Ibid.

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London decided to remain in New Delhi for almost another year, as originally planned.

On July 13, Jinnah assured the minorities in the would-be Pakistan domain that they would have "protection with regard to their religion, faith, life, property and culture. They would, in all respect, be citizens of Pakistan without any discrimination ... The same principle ... would apply to the minorities in India as well"[211]. He sincerely hoped the Indo-Pak relations cordial and friendly.

Two Interim Governments and Governors-General

The Interim Government consisted of both Congress and the League representatives. For administrative reasons, the League members withdrew all the portfolios so that the Congress wing in the Cabinet could take charge of all the affairs pertaining to the Dominion of India, while the League members took over corresponding portfolios concerning Pakistan. Thus, two Interim Governments with Congress and League cabinets were created. However, matters of common concern to both the Dominions was decided to be dealt with jointly by both Wings under the Chairmanship of the Governor-General[212]. Jinnah first agreed that Mountbatten would be the common Governor-General of India and Pakistan on August 15,1947, but, later, Jinnah insisted to be the Governor-General of Pakistan himself and Mountbatten of India. Replying sadly to the latter, Jinnah admitted, "It may cost me several crores of rupees in assets", while Mountbatten added "It may cost you the whole of your assets and the future of Pakistan"[213]. However, a'communique', confirming these arrangements wase announced by the Viceroy on July 19, 1947. A similar procedure was adopted in the Punjab and Bengal legislative assemblies before partitioning of these States.

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Partition Committee and Partition Council

W.H.J. Christie, Addl. Private Secretary to the Viceroy, prepared a note on procedure for division of staff organizations and records, services and institutions, assets and liabilities of the Government of India; future economic relations, domicile, diplomatic relations etc.,

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211. M.H. Shahid (ed.), Quaid-i-Azam Muhammad Ali Jinnah Speeches (Lahore: Sang-e-Meel, Publications, 1976), p. 82.

212. See for details Wali Khan, n. 81, pp. 133-40.

213. Ibid., pp. 134-35.

developing into a 33-page document entitled, "The Administrative Consequences of Partition", which was produced by the Viceroy on June 7, before the party leaders, and a Partition Committee consisting of Vallabhbhai Patel, Rajendra Prasad, Liaquat Ali Khan and Abdur Rab Nishtar with Lord Mountbatten as Chairman was set up. On June 27, the Committee gave way to Partition Council, which composition was altered to include two members drawn from each of the Dominion Cabinets.India's representatives were Patel and Rajendra Prasad and Pakistan's representatives were such ministers which were able to attend meetings in Delhi.

Arbitral Tribunal

On June 30, an Arbitral Tribunal was set up under the Presidentship of Sir Patrick Spens, ex-Chief Justice of India, for settlement of such questions on which the two Governments might fail to agree. It was composed of one representative each of India and Pakistan. A few matters, referred to it, were investigated. Mountbatten helped in reaching a mutual agreement. The issues were remitted to Chaudhuri Mahomed Ali and H.M. Patel, who evolved formula acceptable to both parties and, thus, all references to the Tribunal were withdrawn.

Division of Armed Forces

On June 30, the Partition Council decided the procedure for division of armed forces and separate committees were set to work for partition of the army and other administrative elements. Auchinleck was appointed to remain as supreme commander after August 15, 1947, under a Joint Defence Council. The Partition Council decided that "from 15 August the Indian Union and Pakistan would each have within its territories forces under its own operational control, composed predominantly of non-Muslims and Muslims respectively". Field Marshal Sir Claude Auchinleck, the Commander-in-Chief, was re-designated as Supreme Commander from August 15, under the Joint Defence Council under the Chairmanship of Lord Mountbatten and the Defence Ministers of India and Pakistan as members. The Council continued to function till April 1,1948, but the Supreme Commander ceased to work from December 1, 1947, when his post was abolished, as Patel questioned his impartiality. The British troops started withdrawing from India on August 17, 1947, and the last contingent, Somersctshire Light Infantry, left the Indian shore on February 28, 1948.

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Partition of Provinces[214]

The 'Boundary Awards' was preceded by arrangement of implementation of the Mountbatten's partition plan. To decide whether the provinces would like to join the existing Constituent Assembly being in force in New Delhi or to join a separate new Constituent Assembly to be formed in Karachi or Lahore, according to the June 3rd Plan, the Provincial Constituent Assemblies in Bengal, Punjab, Sind and NWFP were required to vote, while to decide the fate of Baluchistan the members of the Quetta Municipality, which comprised of Shahi jirga and non-official members, were required to vote. The region of Sylhet was controversial, where a referendum in General, Muhammadan and Indian Christian constituencies was held. East Bengal, West Punjab, Sind, Baluchistan, NWFP and Sylhet decided to join Pakistan; and West Bengal, and East Punjab, which were strategic, and seven other provinces - Assam, Bihar, Bombay, Central Provinces, Madras, Orissa and Uttar Pradesh, which were Hindu-majority provinces, voted in favour of India. Separate description of the strategic provinces is given below:

(1) Bengal[215] : The Bengal Provincial Legislative Assembly met on June 20, and decided by 126 votes to 90 in favour of joining Pakistan. The members of the non-Muslim majority areas of West Bengal, then, decided by 58 to 21 votes that the provinces should be partitioned and should join India; while the members of the Muslim majority areas of East Bengal decided by 106 to 35 votes that the provinces should not be partitioned and to join Pakistan, amalgamating Sylhet.

(2) Punjab[216] : The Punjab Legislative Assembly, under strong police guard due to communal disorders, met and decided by 91 to 77 votes to join Pakistan. The members of Muslim majority areas of West Punjab decided by 69 to 27 votes that the province should not be partitioned and to join Pakistan, while the members of the non-Muslim majority areas of East Punjab decided by 50 to 22 votes that the province should be partitioned and to join India.

(3) Sind: The Sind Legislative Assembly met on June 26 and decided by 30 to 20 votes to join Pakistan.

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214. Ibid., pp. 141-44.
215. See for details "Bengal in Disaster: Unity to Division", in Manmath Nath Das, n. 21, pp. 114-49.
216. See for details "Devastation of the Punjab", in Manmath Nath Das, n. 21, pp. 152-85.

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(4) Baluchistan : As decided by the Viceroy, the Shahi jirga and the non-official members of the Quetta Municipality met and decided to join Pakistan.

(5) Sylhet : As the Muslims in the region formed 60.7% of the population but were only 54.27% on the electoral list, Liaquat Ali Khan suggested that "the number of Muslim votes should therefore be multiplied by a factor which would equate the voting strength of the Muslims with their population strength", while the Congress claimed that "the voters in the Labour and in the Commerce and Trade constituencies of the district should be allowed to participate in the referendum.[217] At last, referendum was held in the General, Muhammadan and Indian Christian constituencies in early July, 1947. The majority of voters - 239,619 to 184,041, decided separation and joining East Bengal.

(6) NWFP[218] : Khan Abdul Ghaffar Khan, a close associate of Gandhiji, objecting to the voters being said to vote on communal question, said that they should be allowed to vote also for an independent Pathanistan besides to vote according to June 3rd Plan. The Congress supported and Jinnah opposed this view. The Viceroy decided that the procedure cannot be changed without consent of both the parties. As Jinnah characterised Pathanistan as 'insidious and spurious' and assured full autonomy of NWFP in Pakistan, Khan Abdul Ghaffar Khan did not concede and appealed his followers to boycott the referendum.[219] However, the referendum was held from July 6 to 17, and of the total electorates - 572,798, only slightly over 50 per cent voted - 289,244 in favour and 2,874 against joining Pakistan.

The Princely States[220]

There were 565 big and small princely states. The big Muslim states were Hyderabad, Bhopal and Rampur, where the majority of inhabitants were non-Muslims; and one or two states in Kathiawar, Junagarh and Manawar were in a similar predicament. The rulers of Jodhpur, Bikaner, Jaisalmer,

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217. V.P. Menon, n. 80, p. 388.

218. See for details, "The Fate of the Frontier", in Manmath Nath Das, n. 21, pp. 188-218.

219. B.N. Pandey, The Break-up of British India (London: Macmillans, 1969), p. 204; see also for details Wali Khan, n. 81, pp. 126-32.

220. See for details Wali Khan, n. 81, pp. 145-46.

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Baroda,&Patiala were Hindus. The ruler of Kashmir was a Hindu and the majority of its inhabitants were Muslims. One-fifth of the Indian territory was under the princely rule and the population comprised of two-fifth of the total population of India i.e. out of forty crores they totalled sixteen crores.

The policy of the Cabinet Mission Plan on May 12, 1946, was reiterated by Mountbatten's announcement of June 3, 1947,which stated:[221]

> "When the British withdraw from India, paramountcy would lapse and the rulers of the Indian states would become technically and legally independent; they could enter into any relationship with the successor government or governments; or they could remain independent; and they were free to decide all this at their convenience".

The Congress pleaded that as 'paramountcy' came into existence as a fact and not by agreement, the Congress or the successor authority will rule over the states after Independence and the princes would have no right to declare independence or decide to accede to India or Pakistan.[222] The Congress policy was that the'people' of every state should decide their own destiny, while the Muslim League took the stand that the right either to accede to India or Pakistan should be vested to the'rulers'. The League did not consider it necessary to give the right to the people of the states to express their opinion. The League wanted the accession of Muslim states to Pakistan on the basis of Islam. In this case the Muslim League could have got Hyderabad, Bhopal and Rampur, but the geographical position of these states was such that it was not possible. Moreover, on this principle, they could have lost Kashmir, which Raja was a Hindu. They could not have rationalized the double standards. Further, the Muslim League had agreed to accept the verdict of the Boundary Commission as final. The Commission gave India the district of Gurdaspur, which boundary touched with India and Kashmir. Thus,India had got a direct accession to Kashmir. If Gurdaspur was not given to India, there was a problem for the Maharaja of Kashmir to accede to India. As the League's policy was 'accession declared by the ruler', Pakistan has no right, morally or legally, to the accession of Kashmir to Pakistan. Had Jinnah adopted the policy as demanded by the Congress

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221. S.R. Mehrotra, Towards India's Freedom and Partition (New Delhi: Vikas Publishing House Pvt.Ltd., 1979), p. 247.

222. See Nehru's statement, The Leader (Allahabad), June 16, 1947.

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i.e. "accession as decided by the people of the state", Kashmir would have gone to Pakistan. Jinnah failed to realize that the geographical position of the Muslim states in India was not such that they could have a strong and permanent footing for accession to Pakistan. Thus, in principle, Pakistan lost Kashmir and other Muslim states in India.

The Chancellor of the Chamber of Princes was HH Hamidullah Khan, the Nawab of Bhopal, a strong anti-Congress element, trying to create a front in association with a number of small states. Constitutionally, the Interim Government and the States had no link. The States had their own laws and ministers. The Viceroy was the only link between them.The Viceroy wanted an early settlement between the Interim Government and the States. The Chancellor put in a state of dilemma, when a number of Hindu states decided to join the Indian Constituent Assembly. On March 24, 1947, the Chancellor said to Mountbatten during his 75-minute meeting that the States or Group of States should be granted Dominion Status and to establish relationships with other countries like the USA, and to purchase arms from USA and UK. Describing the split among the Princes, the Chancellor said that the Sikh Maharaja of Patiala was in the Congress pocket and requested for the delay in transfer of power.[223] On the same day the Maharaja of Bikaner, HH Sri Sadul Singhji Bahadur, met with the Viceroy. From him, the Viceroy felt that the States of Bikaner, Jaipur, Jodhpur, Patiala, Baroda and Gwalior would join the Centre. The Maharaja, however, said that they would follow the Congress lead.[224] The Viceroy to form a strong Centre, rejected the plea of the Dewan of Travancore for granting Dominion Status to the States and their admission to the British Commonwealth.[225]

The Nizam of Hyderabad, HH Nawab Mir Usman Ali Khan, thought Jinnah and Churchill his allies, but his Prime Minister, Mirza Ismail, disagreed to his policy. When the Nawab invited and intrigued with Jinnah, the Mirza resigned.[226]

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Disturbed with the anti-Congress actions of Hyderabad and Bhopal, Jawaharlal Nehru, at the All-India States People's Conference, presided

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223. MB 191, Interview No.1, Nawab of Bhopal, March 24, 1947.
224. MB 191, Interview No.2, Maharaja of Bikaner, March 24, 1947
225. Ibid., Ramaswami Aiyar, March 26, 1947.
226. MB 192, Interview No. 57, Mirza Ismail, April 14, 1947.

over by Sheikh Abdullah at Gwalior on April 18, 1947, threatened that "those States that did not join the Constituent Assembly now would be regarded as hostile States[227]...", as a result the Maharaj-Rana of Dholpur, who suffered "from a belief in the divine right of kings" and the Nawab of Rampur complained to the Viceroy against the Nehru's threat of hostility. The Viceroy, adopting rather an anti-Congress posture, stated that the "States would have complete freedom of choice as to which Constituent Assembly they would join, independent of geographical considerations[228]", but supported Patel's stand at every step. The Nawab of Bhopal sought right to arm his state with modern armaments, forgetting that the real threat was not from external invasion but from the long-oppressed people of the state. In early May, Baroda and its associated States decided to join the Constituent Assembly.

Clause 7 of the Indian Independence Bill ended the British suzerainty over the Indian states. The Nizam of Hyderabad, perhaps, was the most affected. The Viceroy said to the Nawab of Chattari, who led a delegation, that "the states would be absolutely free after 15th August[229]" On July 12, the Maharaja Jiwaji Rao Scindia of Gwalior and the Maharaja of Jodhpur welcomed the Congress policy[230], in view of Patel's statement of July 5, that the Congress "wish them and their people under this aegis all prosperity, contentment and happiness[231]", which made the princes hope that they would continue to enjoy their internal freedom as before. However, the Nawab of Bhopal signed the Instrument of Accession on August 7, 1947. On August 8, the Nawab of Rampur, Saiyid Raza Ali Khan Bahadur, accompanied by his Chief Minister, Zaidi, visited the Viceroy and complained that "Jinnah had been bringing every possible pressure to bear on him personally to stop him from acceding to the Dominion of India[232]". Zaidi pleaded with Liaquat Ali Khan that his moral support would not be sufficient in case of show-down with India[233]. The Muslim Leaguers created serious riots in Rampur, but the Viceroy's troops restored order.

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227. The Statesman (Calcutta), April 20, 1947.
228. MB 196, 6th Misc. Meeting, April 22, 1947.
229. MB 70, Vide Minutes of Meeting, Hyderabad Delegation, July 11, 1947.
230. MB 194, Interview No.161, Maharaja of Gwalior, July 12, 1947.
231. SD, Patel's Statement on Indian States, July 5, 1947.
232. MB 213, Personal Report No. 16, August 8, 1947.
233. Ibid.

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The Hindu Maharaja of Indore, HH Yashwant Rao Holkar, was under the influence of the Nawab of Bhopal. Mountbatten told Holkar that he had told the Maharajas of Baroda and Gwalior that the Viceroy's letter of invitation represented a threat and thus he charged him with "lack of responsibility"[234].

On August 11, Shahaji Chhatrapati of Kolhapur signed the Instrument of Accession as a "Standstill agreement"[235]. The Maharaja of Travancore, HH Bala Ram Varma, was proclaiming independence, supported by his Dewan, C.P. Ramaswami Ayar. When he was stabbed by some revolutionary, the Maharaja cabled the Viceroy to sign the Instrument of Accession. The Muslim Nawab of Junagadh, HH Mahabat Khan Rasulkhanji, who had 800 pet dogs, each looked after by one man, and spent three lakh rupees on the occasion of wedding of his two dogs, had signed an accession with Pakistan. He fled to Pakistan when the Indian army entered the State, whose 80 per cent population was Hindu, and the State was surrounded by Hindu States.

The Maharajas and Nawabs signed the Instrument of Accession in great distress. The Maharaja of Bikaner signed in a 'dramatic gesture'. The Maharaja of Baroda wept like a child. One of the princes suffered a heart attack. The Maharaja Hanwant Singh of Jodhpur and the Maharaja of Jaisalmer had secret meetings with Jinnah, but they helplessly signed. The Maharajas of Indore and Dholpur signed on August 14, 1947, in an intolerable situation. The problem of Hyderabad and Kashmir remained.

In West Punjab, the Hindus and Sikhs believed that Lahore would fall in India, but when they knew that Lahore would fall in Pakistan, they fled to the east in panic seeking only to save their lives. Mountbatten flew to Lahore on Sunday, July 20, and suggested the Punjab Partition Committee that "the new government of east Punjab's 'unessential personnel" all be moved out to Simla by August 10, but Radcliffe's final award would remain top secret till the eve of partition and Independence"[236].

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234. MB 194, Interview No. 177, Maharaja of Indore and Nawab of Bhopal, August 4, 1947.

235. MB 144, Shahaji Chhatrapati to Viceroy, August 11, 1947.

236. Stanley Wolpert, n. 50, p. 334.

On August 5, Khwaja Nazimuddin, assuring cordial attitude to the minorities in East Pakistan, said: "I can assure Dr. Ghosh and the members of the minority community living in the Eastern Pakistan State that insha allah (God willing) we will not only give them protection, but we shall be generous towards them and we shall make them feel that they are one of us".[237]

On August 7, before departure to Pakistan, Jinnah, seeking excuse for being unable to reply individually to the thousands of messages of greetings and good wishes on the establishment of Pakistan owing to enormous pressure of work involved in the division of India, stated: "I bid farewell to the citizens of Delhi amongst whom I had many friends of all communities and I earnestly appeal to every one to live in this great and historic city with peace. The past must be buried and let us start afresh as two independent sovereign States of Hindustan and Pakistan".[238] He wished Hindustan prosperity and peace.

Jinnah and his sister, Fatima, flew out of New Delhi in the Viceroy's Dakota on the morning of August 7, 1947. They reached Karachi where thousands of admirers cheered them with slogan of "Pakistan Zindabad". The first constituent assembly of Pakistan met in Karachi on August 11, and unanimously elected Jinnah to preside over its meetings. Jinnah thanked the assembled delegates for electing him as the first President of Pakistan. He emphasised that the partition was "unprecedented cyclonic revolution, which has brought about the plan of creating and establishing two independent Sovereign Dominions in this sub-continent... This mighty sub-continent with all kinds of inhabitants has been brought under a plan which is titanic, unknown, unparalleled[239] ...".

Birth of India and Pakistan

Mountbatten reached Karachi on August 13, 1947, and inaugurated the Dominion of Pakistan on August 14, 1947.[240] Delivering the message of greetings to the Pakistan Constituent Assembly, Mountbatten said:[241]

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237. The Civil and Military Gazette (Lahore), August 8, 1947.
238. Ibid.
239. Stanley Wolpert, n. 50, p. 337.
240. See for more details Wali Khan, n. 81, pp. 167-76.
241. H.V. Hodson, n. 54, p. 387.

> "Tomorrow two new sovereign states will take their place in the Commonwealth; not young nations, but bears of old and proud civilisation ... not immature governments or weak, but fit to carry their great share of responsibility for the peace and progress of the world".

Jinnah was sworn in as Governor-General of Pakistan and Mountbatten as Governor-General of India. Pakistan cabinet was headed by Liaquat Ali Khan. In September, as desired by Jinnah, Liaquat Ali Khan moved the Cabinet to Lahore.

After addressing the Pakistan Constituent Assembly, the Viceroy flew back to New Delhi, and inaugurated the Dominion of India on August 15, 1947. Thus, the British Raj came to an end in India leading to the freedom of one-fifth of mankind. Communicating the message of goodwill and greetings from the British Crown to the Indian Constituent Assembly, Mountbatten, paid homage to Gandhiji as the architect of India's freedom through non-violence and said:[242]

> "Your first Prime Minister, Pandit Jawaharlal Nehru, you have a world renowned leader of courage and vision. His trust and friendship have helped me beyond measures in my task. Under his able guidance, assisted by the colleaques whom he has selected, and with the loyal cooperation of the people, India will now attain a position of strength and influence and take her rightful place in the comity of nations".

Dr. Rajendra Prasad was elected President of the Assembly and the Indian Cabinet was headed by the Prime Minister Jawaharlal Nehru, who made a famous broadcast at midnight of August 15, 1947:[243]

> "At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom ...".

Maulana Azad had said:[244]

> "The division is only on the map of the country and not in the hearts of the people, and I am sure it is going to be a short-lived partition".

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242. Ibid., p. 395.

243. V.P. Menon, n. 80, p. 413.

244. The Leader (Allahabad), June 16, 1947.

Radcliffe's Boundary Awards[245]

Mountbatten handed the Radcliffe Award to the leaders of both dominions in Delhi on August 16, 1947.

On June 27,1947, the Viceroy invited Jinnah, Nehru, Patel,Liaquat and Baldev, and proposed a Boundary Commission consisting of four high court judges, two chosen by Congress and two by the League, to sit on each commission for partitioning the Punjab and Bengal. As suggested by Jinnah, the British Barrister, Sir Cyril Radcliffe, was invited to chair both the Commissions. Radcliffe reached New Delhi on July 8, 1947. During July 16-24, the Bengal Boundary Commission, and during July 21-31, the Punjab Boundary Commission, were in session. In view of disturbances and bloodshed, the Partition Council announced a Punjab Boundary Force to be set up and both the governments pledged themselves to accept the awards of the Boundary Commission and guaranteed protection of the minorities. On August 1, the Punjab Boundary Force was set up to protect the refugees. During August 4-6, the Bengal Boundary Commission considered the partition of Sylhet, and on August 6, the Partition Council met for the last time. On August 13, the Radcliffe Award was ready and made public on August 16, 1947. The terms of reference of either Commission were to demarcate the boundaries "on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims, In doing so, it will also take into account other factors"[246].

The partition was made according to 1941 census of the districts. The Muslim majority districts in general which formed East Pakistan were: in Chittagong Division - Chittagong, Noakhali and Tippera; in Dacca Division - Bakarganj, Dacca, Faridpur and Mymensing; in Presidency Division - Jessore, Murshidabad and Nadia; and in Rajshahi Division - Bogra, Dinajpur, Malda, Pabna, Rajshahi and Rangpur. Two-thirds portion of Nadia (Muslims 61.4%) and Malda (Muslims 56.2%), about one half of Dinajpur (Muslims 50.2%), two police stations of Jessore, four police stations of Sylhet, and the whole district of Murshidabad (Muslims 56.6%) were transferred by Radcliffe to India. According to terms of reference,

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245. See for details Appendix XIV (Sir Cyril Radcliffe's Boundary Awards).

246. Reports of the Members and Awards of the Chairman of the Boundary Commissions (Alipore: Superintendent, Government Printing, West Bengal Government Press, 1950), p. 153 (Bengal Sylhet) and p. 303 (Punjab).

in case the referendum in Sylhet was in favour of Pakistan, Muslim majority areas of "the adjoining districts of Assam"[247] were to be awarded to Pakistan, but Radcliffe did not transfer to Pakistan even an inch of such areas, although there were a number of such areas. The non-Muslim majority districts in Bengal, which were transferred to East Pakistan were: the Chittagong Hill Tracts (Total population - 247,053; 94.5% tribes, 3% Muslims and 2.5% Hindus and others), Khulna (Muslims 49.36% and non-Muslims 50.64%) and from Jalpaiguri three Muslim majority and two non-Muslim majority police stations.

The Muslim majority districts in the Punjab, which constituted West Pakistan were: in Lahore Division - Gujranwala, Gurdaspur, Lahore, Sheikhupura, and Sialkot; in Rawalpindi Division - Attock, Gujrat, Jhelum, Mianwali, Rawalpindi and Shahpur; and in Multan Division - Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan and Muzaffargarh. The portions which were transferred to India out of the districts of Gurdaspur and Lahore were:

Gurdaspur - Non-Muslim majority tehsil (sub-district) of Pathankot and two Muslim majority tehsils - Gurdaspur (Muslims 52.1%) and Batala (Muslims 55.1%)-joining Kashmir.

Lahore - A portion of Muslim majority tehsil of Kasur (Muslims 57.2%).

Radcliffe may be charged as victim of anti-Islamic pathogenic spirit when we find no reason why he did not transfer to Pakistan the Muslim majority portions of the Non-Muslim majority districts of the borders of Ferozepore, Amritsar and Jullundur, given below:-

Ferozepore - Zira Tehsil (Muslims 65.6%) and Ferozepore Tehsil (Muslims 55.2%).

Amritsar - Ajnala Tehsil (Muslims 59.4%).

Jullundur - Nakodar Tehsil (Muslims 59.4%); Jullundur Tehsil (Muslims 51.1%).

The transfer of the above Tehsils to India cut off the Muslim majority state of Kapurthala from the Pakistan border line.

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247. Ibid., p. 153.

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Comments on the Awards

Dewan Bahadur S.P. Singha wrote: "It is a one-sided award, and most unfair to Pakistan. The principles of the contiguity of majority areas have been completely overlooked"[248]. Abdur Rab Nishtar said: "It is extremely unfair and unjust to Pakistan and is based on no principles. We believe it is a parting kick of the British"[249]. Hasan Ispahani remarked: "The award is abominable. It violates the fundamental and accepted principles of contiguous majority areas. It is devoid of justice and Muslims have been the sufferers"[250]. Jinnah spoke[251]:

> "No doubt, we feel that the carving out of this great independent, sovereign Muslim State has suffered injustices. We have been squeezed in as much as it was possible and the latest blow that we have received was the Award of the Boundary Commission. It is an unjust, incomprehensible and even perverse Award. It may be wrong, unjust and perverse and it may not be a judicial but political award, but we had agreed to abide by it and it is binding upon us".

The Pakistan Times, at length, wrote that Radcliffe took undue advantage of the clause "other factors" and militated against the Muslims while dividing Bengal and the Punjab. The paper writes[252]:

> "...where the Muslim right to non-Muslim territory on grounds of "other factors" was fully established as for instance over certain canal head-works this brilliant lawyer has suggested joint control and we fail to see why similar joint control could not have worked for the non-Muslims ... The final line, however, while it has taken away a lot from the Muslims, has done little for the Sikhs. They still remain more or less equally divided between Pakistan and India, their shrines for which so much noise was made in India and in London still remain in Pakistan".

The paper further observes that the British purpose of the "wrong, unfair and unjust" award was to fish in troubled waters of weakened Pakistan, which could ever depend on the goodwill and help of the British

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248. The Times (London), August 18, 1947.

249. The Statesman (Calcutta), August 19, 1947.

250. Ibid.

251. From speech broadcast from Radio Pakistan, Lahore, on October 30, 1947, Quaid-i-Azam Mahomed Ali Jinnah: Speeches as Governor-General of Pakistan, 1947-1948 (Karachi: Pakistan Publications), pp. 32-33.

252. The Pakistan Times (Lahore), August 19, 1947.

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and the Hindu capitalism and tension between Pakistan and India. The Kashmir and Indus River water issues are permanent threat of war between the two countries. The motive of the Viceroy and Radcliffe was otherwise towards Pakistan. They had planned earlier to accede Kashmir to India and for this purpose they intentionally gave Gurdaspur to India.According to the 'Instructions', the district should have gone to Pakistan being a Muslim majority district. This is a good example for Indians and Pakistanis to realise that the Britishers were not their friends as they laid seeds of communal disharmony on the land of Gurdaspur. This finds support on the fact that instead of determining the boundary line according to natural barriers like rivers, mountains, canals or hills, he went from village to village sowing seeds of enternal discord between the two Dominions. However, the resultant boundary gave to East Pakistan was 54,501 sq. miles with 41.8 million population; to West Pakistan 8,03,943 sq. miles and India 32,87,782 sq. miles.

Impact of the Partition

Before coming into existence of the two dominions, there were already communal violence, loot, arson, massacre, bloodshed, loss of life and property and continuous disorder and riots, the roots of which, may be said, was the Direct Action Policy of Jinnah. The situation in Punjab and Bengal,due to its plan of partition, was most serious.There was even a Sikh Plan to assassinate Jinnah on the day Pakistan was born, but the Viceroy brought him back with himself in an open carriage.When they reached inside the Government House, the Viceroy said:"Thank God I was able to bring you back alive"[253]. While the Armed Sikhs in Amritsar began killing every Muslim they could find, the Muslim gangs - many of them 'police', stabbed and gunned down every Hindu and Sikh in Lahore. The entire trainloads of refugees were gutted and turned into rolling coffins and funeral pyres, smokes and flames everywhere in Punjab darkened the skies. In Bengal, Gandhiji held fast on the Independence Day, when all business houses were closed in Calcutta. The Hindu Mahasabha raised black flags against the vivisection of Mother India- Akhand Bharat. The Calcutta Muslims fled and hid in panic and crowded in predominantly Muslim areas. General Tuker reported: "deserted, leaderless, depressed and on the defensive"[254]. However, peace was restored when

253. Stanley Wolpert, n. 50, p. 342.

254. Ibid., pp. 342-43.

Gandhiji undertook a fast-unto-death recalling to stop killing of the innocents. The Ramazan ended on August 18, 1947, and Jinnah in his Id Message rejoiced the establishment of Pakistan.[255] He, on receipt of reports of mass killing, rape, arson and looting, wept and "his handkerchief furtively often went to his moist eyes ...".[256]

The horror stories told by the Hindu and Sikh refugees gave vent to the Sikhs of the Akali sect and the Hindu fanatics of the RSS in Delhi to launch a wave of terror on the morning of September 3, 1947, the day Gandhiji ended his fast in Calcutta. Max Olivier Lacamp saw the Hindus looting Muslims' shops and butchering owners and Nehru above their heads "in a white Congress cap whirling a lathi, beating the rioters, showering them with curses, trying by his actions to arouse the dozen indifferent policemen behind him".[257] The RSS burnt a Muslim woman at the gate of Nehru's York Road residence "as a protest against their Prime Minister's efforts to protect India's Moslems".[258] The collapse of order in Delhi had menaced the whole sub-continent. By the evening of September more than 1000 had died. Nehru in anger called Pakistan " a 'carbuncle' that had settled on the back of India's body politic".[259]

Pakistan After Independence

The Christie's note had defined the formula for sharing all pre-partition assets of the British raj, but Patel and Baldev Singh "were specially loathe to "arm" Pakistan with the wherewithal to fight India-whether in the Punjab, Sind, Kashmir, or Bengal",[260] and, in consequence, Pakistan's position was very precarious. Jinnah guarded each rupee. He once told Begum Shah Nawaz that he had "only twenty crores (200 million) rupees in the treasury and nearly rupees forty crores of bills

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255. Speeches by Quaid-i-Azam Mohamed Ali Jinnah, Governor-General of Pakistan: 3rd June 1947 to 14 August 1948 (Karachi: n.d.), p.16.

256. M.A. Jinnah, "My Brother", in Stanley Wolpert, n.50, p. 343.

257. See for details of riots, Larry Collins and Dominique Lapierre, Freedom At Midnight (New Delhi: Vikas Publishing House, Pvt.Ltd., 1981), p. 311.

258. Ibid., p. 312.

259. D.H. Bhutani, The Future of Pakistan (New Delhi: Promilla and Company, Publishers, 1984), p. ix (Introduction).

260. Stanley Wolpert, n. 50, p. 344.

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lying on the table"[261]. Jinnah on August 24, 1947, issued a statement to the press urging calm in the face of the "grave unrest" assuring people to "give succour and relief to the victims". The people "kept their heads cool and lived amicably". As the goods and services due to over-flowing of bureaucrats, refugees, workers and merchants were in high demand, their prices skyrocketed and property values soared. However, Sind began to blossom with Karachi. On the other hand, "the sick and dying brought every need, demand and physical blight with their battered bodies to a city whose housing shortage had been tripled by arson and whose water supply was infested with the worst diseases of dead and disintegrating corpses thrown into its arteries. Its spacious mosques and once beautiful Mughal gardens were turned into crowded camps for Muslim refugees fleeing Sikh persecution"[262]. Had India not withheld the agreed share of Reserve Bank's cash balances amounting to some Rs.55 crores, Pakistan could not have suffered this serious blow of the circumstance. Ismay reported that "Jinnah was full of wrath against Congress, saying that he could never understand these men's hatreds and was now beginning to feel that there was no alternative but fight it out"[263].

The Fate of Hyderabad

The Nizam of Hyderabad was trying to purchase "armaments in Czechoslovakia"[264]. Sir Walter Monckton resigned as Constitutional Adviser to the Nizam as he was being attacked by the Hyderabad press. Kasim Razvi declared that Hyderabad would never surrender her independence and if plebiscite would be enforced, the sword would be the final arbiter. The Nizam became so indifferent that he even did not like the Viceroy to visit Hyderabad. The Nizam by two ordinances prohibited export of previous metals from Hyderabad to India and acceptance of Indian currency in Hyderabad. Further, the Hyderabad Government advanced a loan of Rs.20 crores to Pakistan, at the moment when India hoped that Pakistan would die due to their acute economic and financial crises. The leaders

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261. Begum Shah Nawaz, "The Quaid As I Knew Him", in Khurshid Khan(ed.), Quaid-i-Azam and Muslim Women (Karachi: National Book Foundation, 1976), p. 18.

262. Stanley Wolpert, n. 50, p. 344.

263. Ibid., p. 347.

264. Alan Campbell-Johnson, n. 51, September 8, 1947, p. 183.

of India were "furious over it"[265]. The Razakars, led by Kasim Razvi, began to invade Madras, Bombay and Central Provinces. It was said that the Razakars ruled by day and the Communists ruled by night. K.M. Munshi, who was sent to Hyderabad under a 'Standstill Agreement' signed on November 29, 1947, between India and Hyderabad, was imprisoned in his house. On March 31, 1948, Razvi urged the Razakars to march forward with the Koran in one hand the sword in the other to hound the enemy, and that "the forty-five million Muslims in the Indian Union would be our fifth columnists in any showdown"[266]. On April 12, 1948, he declared "The day is not far off when the waves of the Bay of Bengal will be washing the feet of our Sovereign"[267] and Asaf Jahi Flag would fly on the Red Fort. He threatened that if India would invade Hyderabad, they would find only the bones of 1½ crores of Hindus. Lord Mountbatten left India on June 21, 1948, without solving the problem of Hyderabad. There spread a reign of terror and killing of Hindus forced India to invade. The Indian army entered Hyderabad on September 13, and the Hyderabad army surrendered on September 17, 1948. On September 19, Kasim Razci was arrested and Razakars were disbanded.

Accession of Kashmir

The strategic importance of Jammu and Kashmir was alluring to India and Pakistan. In the State of the three million voiceless subjects, the Muslims were in majority (75%) and in Ladakh the Buddhists. Maharaja Hari Singh's Prime Minister, in 1947, was Pt. Ram Chandra Kak. Like other rulers of the princely states, the Maharaja had also to accede to one or other dominion. He refused to join either dominion. He feared that Jinnah would dethrone him for religious reasons and hated "Nehru with a bitter hatred" because of his socialist proclivities and democratic demands"[268]. Nehru, Gandhi and Patel, who were not allowed to visit Kashmir, had lost patience with him[269], while the Maharaja went on his way quite

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265. Mir Laik Ali, "Reminiscences of the Quaid", in Ziauddin Ahmad(ed.), Mohammad Ali Jinnah (Karachi: Ministry of Information and Broadcasting, 1976), pp. 61-70.

266. V.D. Mahajan, Modern Indian History : From 1707 to the Present Day (New Delhi: S. Chand & Co. Ltd., 16th edn., 1986), p. 572.

267. Ibid.

268. Stanley Wolpert, n. 50, p. 335.

269. MB 194, Interview No. 170(A), Gandhi, Nehru, Patel, July 29, 1947.

unconcerned. Gandhiji went to Kashmir on August 1, but the Maharaja stood his ground, due to which Kak resigned and Major-General Nanak Singh was appointed in his place on August 11, 1947. The new Prime Minister was inclined towards India. Pro-Congress Sheikh Abdullah was in prison and Nehru wanted his release to influence upon the Maharaja to accede to India. After the announcement of June 3rd Plan, Mountbatten had visited Kashmir and assured the Maharaja that Patel would have no objection to his joining Pakistan. But his mission failed. After August 15, Lord Ismay also persuaded him, but he also could not succeed. The Maharaja was in a state of mental dilemma. If he joined India, the Muslim population had threatened to revolt, and if he joined Pakistan, the Hindus of Gilgit and other places had adversely acted. He, therefore, announced to enter into Standstill Agreements both with India and Pakistan, and signed a Standstill Agreement with Pakistan.

The flood of refugees brought blood-curdling tales of tragedy, that fired the Frontier Muslims, famous for bravery, zeal and Islamic brotherhood, who demanded revenge against the "infidels" i.e. the Hindus in India. As a revenge they planned to occupy Kashmir and dethrone the Maharaja (who, they afraid, could accede to India being a Hindu) and, thus, to make Pakistan stronger and able to take revenge of killings of Muslims coming to Pakistan. Meanwhile, Poonch revolted against the Maharaja, who sent forces to crush the uprising. The Frontier Muslims (tribes) occupied the highway roads that served transit of petrol and other vital needs which Pakistan had to supply to Kashmir under the 'Standstill Agreement' with her. Further, the Pakistani Muslims(Frontier tribals) crossed the Poonch border to help their co-religionists and by mid-October all supplies from Pakistan was stopped. Jinnah sent his British Military Secretary thrice to Srinagar, wrote himself to Hari Singh, and also sent Major Shah to Kashmir, to incude the Maharaja to accede to Pakistan, but failed. Under this circumstance, Justice Mehr Chand Mahajan took over as Prime Minister of the State. Mahajan, on October 15, complained to the British Minister about the breach of 'Standstill Agreement' as supplies had discontinued and pointed out that the State border from Gurdaspur to Gilgit was threatened by Pakistan with invasion, but received no response. When complained to Jinnah, he charged the tone and language.

To relieve the State from material crisis, India sent salt,

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kerosene and sugar to "blockaded" Srinagar,[270] disregarding the "Standstill Agreement" of Kashmir with Pakistan. Pakistan sensed it a pretext of India for occupying Kashmir. Therefore, Pakistan invaded India with 5000 armed Pathan Afridi, Waziri and Mahsud tribesmen of the NWFP, who committed acts of rape and pillage. Belgian Mother Superior, Sister Mary Adeltrude succumed to her wounds.[271] On October 24, Pakistan informed New Delhi that "tribal volunteers" had "entered" Kashmir. "Their advance guard ... only 35 to 40 miles from Srinagar".[272] On October 24, the raiders had occupied the Mahura Power House and had plunged Srinagar in darkness. They declared to reach Srinagar on October 26, and celebrate the Id celebrations in the Srinagar Mosque. On October 24, the Maharaja appealed to India for help. India did not take any action on the information and appeal. However, on October 25, 1947, as decided by the Defence Committee meeting, presided over by Mountbatten, sent V.P. Menon to Srinagar to study the situation. Menon met with Mahajan and sent the Maharaja from Srinagar to Jammu as there were news that the raiders had started infiltration in Srinagar. Menon returned to New Delhi in the morning of October 26, 1947, and brought Mahajan with himself. Menon reported to Nehru and Patel that the Maharaja "had gone to pieces completely" and could "come to no decision". Mahajan recalls:[273]

> "I requested immediate military aid on any terms ... Give us the military force we need. Take the accession and give whatever power you desire to the popular party. The army must fly to save Srinagar this evening or else will go to Lahore and negotiate terms with Mr. Jinnah".

Nehru angrily said, "go", but Patel consoled and Sheikh Abdullah supported him. Nehru became peaceful. The result of the morning discussion was that the Indian Cabinet agreed to accede Kashmir to India and send its army on October 27th morning. Menon and Mahajan again flew to Jammu and met with the Maharaja, who after some discussions, signed the Instrument of Accession to accede to India. Menon took the documents immediately back to India. Patel took them from the aerodrome and went straight to the meeting of the Defence Committee, which finally decided to accede Kashmir to India subject to a plebiscite later on.

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270. November 7, 1947, Mountbatten's Personal Report, p. 339.

271. Lary Collins and D. Lapierre, F n.257, p. 357.

272. November 7, 1947, Mountbatten's Personal Report, p. 340.

273. Mehr Chand Mahajan, Looking Back (London: Asia Publishing House, 1963), pp. 151-52.

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As decided by the Defence Council, the First Sikh Battalion of 329 flew from New Delhi to Srinagar in the night and landed at dawn on October 27, and at 9.00 A.M. news of their action came to New Delhi. Jinnah hearing the news of Kashmir's accession to India, ordered General Gracey, the Acting Commanding-in-Chief of the Pakistan Army, to send troops to Kashmir, but the latter refused as in that case the British officers were to be withdrawn; hence, Jinnah cancelled the plan and on October 30, 1947, issued a statement that accession of Kashmir to India was "based on fraud and violence and as such cannot be recognised"[274] and declared establishment of her control over Gilgit which was a part of the State of Jammu and Kashmir. On January 1, 1949, a ceasefire was ordered by the United Nations. Since then many efforts have been made to solve this dispute, but they have not succeeded.

Conclusion

On February 20, 1947, Attlee declared the intent to transfer power not later than June 1, 1948, and if the Indians failed to form a fully representative Constituent Assembly, the British Government would hand over power as desired by them and replaced Wavell by Lord Mountbatten in March, 1947. Mountbatten called the leaders at Simla. Menon's proposal for 'Dominion Status' to both India and Pakistan became acceptable. The Congress and the League accepted the partition of the sub-continent. The Viceroy on June 3, 1947, in a broadcast declared August 15, 1947, for Independence of India and Pakistan and the Congress and the League leaders declared their acceptance. Two Interim Governments- one for India and the other for Pakistan were formed. The Partition Council divided the armed forces. On August 14 and 15, 1947, Pakistan and India respectively came into being. Radcliffe handed over the 'Boundary Awards' on August 16, to India and Pakistan. The princely states joined India. Hyderabad was forcibly accessioned to India and Kashmir agreed her accession to India.

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274. November 7, 1947, Mountbatten's Personal Report, pp. 347-52.

CONCLUSION

In the foregoing chapters, various aspects of socio-political, religious and constitutional issues leading to the partition of India have been studied. The events and policies pertaining to the Congress and the Muslim League raise a number of questions in mind with respect to the right or wrong measures and reactionary steps of the two parties and their responses to the demands and aspirations of the other. The voice of other minorities - Sikhs, Depressed Classes and Parsis, was considered negligible in the hue and cry of partition politics. While the causes of the partition of the sub-continent are numerous, some of the most important ones involving the Indian National Congress and the Muslim League, on the one hand, and the leadership and mass responses of the two communities on the other, have been perused through these pages.

During the second half of the nineteenth century, due to Dev Nagri movement, Sir Syed Ahmad Khan, who was once a great prophet of Hindu-Muslim unity, realized that the Hindus and the Muslims "would not be able to participate in any work with a sincere heart"[1]. The Congress which was dominated by the Hindus was not favoured by Sir Syed. His opposition to the Congress was because of Muslim backwardness. He wanted that the Hindus and Muslims should go side by side in all walks of life and he did not like any interference in his programme from any corner. Not to say the Congress, Sir Syed even opposed the Central National Mohammadan Association of Justice Ameer Ali who stood for political training to the Muslims. To Sir Syed only the academic pursuits were needed by the Muslim community and when they were well-up in academics, politics would itself find its course in Muslim community. On the other hand, Muslim Conferences evolved pan-Islamism and even Khan Abdul Ghaffar Khan contemplated to launch an Islamic movement in recognition of the religious temperament of the Pushtu nation[2]. This situation was militant "against

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1. Altaf Husain Hali, Hayat-i-Jawaid (Urdu), (Lahore: Lahore Academy, 1965), p. 142.

2. S. Farish Bukhari, Bacha Khan (Peshawar: 1957), p. 95; in Moin Shakir, Khilafat to Partition (New Delhi: Ajanta, 1970), p. 257.

the improvement of communal relationships in other directions[3] and led to the Muslims' demand of a 'separate identity'.

The influential groups of ulema and Muslim religious institutions played an important role in the partition politics. Ghulam Ahmed Qadiyani, Maulana Abul Ala Maudoodi, Maulana Ashraf Ali Thanvi, Allama Mashriqui, Dr. Hamidullah, who were anti-modern, led the 'reactionary revivalism' and strengthened the idea of Muslim communalism. The ulema of Bareilly School (of Maulana Ahmad Reza Khan), Madarsa Nizamia at Firangi Mahal (of Maulana Abdul Bari), Darul-Uloom of Deoband (of Maulana Mahmudul Hasan), Bahrul-Uloom at Firangi Mahal at Lucknow (of Abdul Majid and Abdul Hamid - brothers), Nadwat-ul-Ulema, Lucknow (of Maulvi Abdul Karim Khan(orthodox)) and Dar-ul-Musannafin, Azamgarh (of Maulana Shibli Nomani) turned the 'Muslim communalism' into 'Muslim nationalism' and developed the concept of a separate identity of Muslims.

The reactionary ulema regarded the Qur'an as the most perfect, precise and correct Divine book[4] superior to all other scriptures, such as, Bible, Ved and Gita. Their orthodoxism lined the Hindus and the Christians against them. The Hindus regarded the sub-continent as their 'Bharat Mata' and they wanted to liberate it from the British at all costs. These Muslims did not regard India religiously as pious, spiritual and attached to their, as the Hindus. Ghulam Ahmad Qadiyani advocated obedience and loyalty to the British Government[5]. Maudoodi favoured Islamic rule, prejudicial to the Hindu Raj. Maulana Thanvi and Dr. Hamidullah supported the British. Allama Mashriqui thought inderendence of India as "wishful thinking"[6]. He said that the British tule was "far better and it was the duty of the Muslims to convince the British government that they should never accept the rule of the

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3. Clifford Manshradt, The Hindu-Muslim Problem in India (London: 1936), p. 126.

4. Allama Mashriqui, Tazkara (Amritsar: 1924), pp. 33 and 59; in Moin Shakir, n. 2, p. 250.

5. Ilyas Burni, Qadiani Mazhat ka Ilmi Mabahesa (Urdu), pp.241-45; in Moin Shakir, n. 2, p. 250.

6. Allama Mashriqui, Al-Islah, October 1, 1937, p. 11; in Moin Shakir, n. 2, p. 250.

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majority. The real inheritors of power were Muslims and not the Hindus"[7]. The aim of his Khaksar Movement was "to be once again kings, rulers, world conquerers and supreme masters on earth"[8]. The Hindus became conscious of these sentiments and they organised themselves to counter the Muslims. This Hindu-Muslim divide influenced at every step the course of political process up to the partition of the sub-continent.

The liberal reformists in their own way contributed towards the development of religious and political separatist ideas. Sir Syed, a great guide and inspirer, criticised the orthodox ulema for misleading the community[9]. He justified that "politics and religion are two different entities and that they should keep apart"[10]. He used the term 'nationalism' to denote the people[11] and regarded all the Indians as "one single nation"[12]. Sir Syed, however, in 1893, characterised Hindus and Muslims as two "different nationalities"[13], when Jinnah was practising law in London. Iqbal and Jinnah were inspired by this view of Sir Syed and they made it their ideological basis. Jinnah, at the 1938 Muslim League Session remarked that although a few Muslims in the past had seriously thought about the Muslims' interest, but their contributions must be gratefully acknowledged.

Hasrat Mohani published Urdu-e-Mualla propagating anti-British ideas and was expelled from the Aligarh College in 1903. Hakim Ajmal Khan, Maulana Abul Kamal Azad, Dr. M.A. Ansari, Syed Mahmud and Dr. Zakir Husain were the other prominent pro-Congress Muslims. Viqar-ul-Mulk and Mohsin-ul-Mulk, the right and left arms of Sir Syed, were afraid of the rising extremist activities of the Congress and wanted to save Muslims from indulging in the Congress. To save the

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7. Allama Mashriqui, Hukumat ki Bunyad (Urdu), p.10; in Moin Shakir, n. 2, p. 251.
8. W.C. Smith, Modern Islam in India (Lahore: 1943), p. 278.
9. Moin Shakir, 'Political Ideas of Sir Syed', Quest (Bombay), Spring, 1968, p. 59.
10. Sir Syed; Maqalat-e-Sir Syed (ed. S.M. Ismail), (Urdu), (Lahore: 1951), p. 4.
11. Moin Shakir, n. 2, p. 253.
12. Ibid.
13. Stanley Wolpert, Jinnah of Pakistan (New York: Oxford University Press, 1984), p. 19.

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Muslim interests which were not being given due consideration in the Congress the Muslim leaders like The Aga Khan, Mohsin-ul-Mulk and Viqar-ul-Mulk were in search of a political platform to highlight the Muslim grievances. Viqar-ul-Mulk said: "We ... being in the minority, have our own special needs and require some means through which we can place them before the Government"[14]. In 1906, the Muslim Address given to Lord Minto contained a warning that if the representative institutions were not adopted with care and caution, it was likely, among other evils, to place 'our (Muslims) national interests at the mercy of an unsympathetic majority' (Hindus), and had, hence, appealed to the British rulers for help. They requested for reservation of separate seats for Muslims on Viceregal and provincial councils, high court benches, and municipalities, as well as on university senates and syndicates.

The Hindu organizations also added to the cause of partition. First, the Arya Samajists declared against cow-slaughter and promulgated 'Suddhi Movement', which became a source of chronic feud between Hindus and Muslims. The Hindus were waiting for the day when they would settle their account with Moslems and the Britishers. Secondly, they found in English education a means of getting rid of the reign of Muslim Nawabs. Thirdly, the teaching of Vivekanand that the Hinduism is the spiritual master of all the world gave them a pride and honour, while the Muslims, who had lost land, offices and honour and were avoiding to learn English, were reduced to a state of utter poverty and ignorance, but the fall of their former greatness rankled in their hearts.

The cause of the differences between the Hindus and the Muslims are also deeply rooted in the false and twisted representation of historical facts, such as, Muhammad Ghauri captured Delhi after killing Prithvi Raj Chauhan and Ghaznavi attacked Somnath having hatred against the Temple; 3,000 Brahmins committed suicide as Tipnu wanted to convert them forcibly into the fold of Islam; Aurangzeb order demolition of Vishwanath temple of Varanasi; Shivaji (the Hindu) was a sore enemy of Aurangzeb (the Muslim); the battle of Haldighati between Rana Pratap

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14. Advocate (Lucknow), August 22, 1903, UPNNR, 1903.

Singh and Akbar was a religious war; and Guru Govind Singh was an enemy of Muslims. All these twisted stories were made public by the British to activate their policy of Divide and Rule, which lasted until independence.

The Muslim religious schools were either pro-British[15] or anti-British[15]. The ulema of Bareilly School and Bahrul-Uloom of Lucknow were pro-British. Madarsa Nizamia (Lucknow), Deoband School, Mazharul Uloom (Saharanpur) and Qasimul-Uloom (Moradabad) were anti-British. These institutions played insignificant role in partition politics, but the Firangi Mahal ulema, led by Maulana Abdul Bari, created such an atmosphere, in which the Muslim began to breath the communal politics. Abdul Bari founded the Majlis-e-Muid-ul-Islam mainly with the aim to establish the injunctions of the shariat; also founded the Anjuman-i-Khuddam-i-Kaaba to protect the holy places during the First World War and ignited the Khilafat Movement in association with the Ali Brothers and Gandhiji. Dr. M.A. Ansari and Hakim Ajmal Khan wanted a religious sanction for the demands concerning the Khilafat and Holy Places, which Abdul Bari endorsed and gradually entered the Muslim League and dominated the Muslim politics. At the Congress X-mas Session, 1920, at Nagpur, of the 4,582 (including Congressmen) delegates, 72 per cent were Muslims (including Hasrat Mohani), which gave it a "Muslim colour"[16]. The Muslims (Ulema) supported the adoption of Non-Cooperation led by Gandhiji. In protest Jinnah resigned from the Congress due to harsh attitude of Gandhiji. This was the first shock to Jinnah's heart, which made him to oppose the Congress making pathway to Pakistan.

Pressurised by the Khilafatists, Gandhiji launched the Civil Disobedience Movement on February 6, 1922, but due to Chauri Chaura incident he called off the movement on February 11-12, 1922, at Bardoli The Khilafatists urged Hakim Ajmal Khan and Dr.M.A. Ansari to begin the civil disobedience movement, but since they refused, they were threatened with extreme measure. In consequence, both the nationalists resigned from the Khilafat Committee. Motilal Nehru warned Abdul Bari to refrain meddling in politics and to go back to the madrasas and

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15. See for details Francis Robinson, Separatism (Delhi:Vikas,1975).

16. C. Khaliquzzaman, Pathway to Pakistan (Lahore: Longmans Green & Co., 1961), p. 57.

maktabs. At last ulema took to spreading their views from mosque to mosque and village to village and up to the remotest and farthest to propagate that the Congress was an enemy of the Muslims, which created a gulf between the Hindus and the Muslims on the Indian sub-continent.

The role of the Princely states in the politics of partition was very shady and distinctly conducive to dismemberment of the country. After the Great Revolt, the Rajas, Maharajas and Nawabs accepted the British Rule in India. During 1940s, there were 565 Princely States - all subservient allies of the King Emperor George VI, under supremacy of the Viceroy, to which the Secretary of State said "admits of no dispute"[17]. The princes, who acknowledged the paramountcy of the British Crown only, were enjoying the status and luxuries of monarchs within their own knogdoms. The Congress ideologies threatened the very basis of the princely order. The princes had made a cause with the British Government that political power, after Independence, would be retained by them. The Nehru Committee, commenting the Butler Committee Report (1927) charged that the British Government was seeking to convert the Indian States into an Indian Ulster. At the Round Table Conferences, the Maharaja of Bikaner demanded 'equal status' and 'dominion status'. The Nawab of Bhopal declared: "We can only federate with a self-governing and federal British India". The Indian states were not agreeable to accession with the federation according to the scheme of 1935 Act and their continued opposition delayed the prospects of not only freedom but even autonomy in India. Their tangible and intangible blessings and patronage to the revivalist and communal movements and organizations in the country did strengthen the communal interests. Being apprehensive of absorption of their states to free India, they supported the Muslim League. The Muslim League accepted their support to meet its ends though it, like the Congress, regarded the Ruling Princes "as reactionaries, autocratic and enemies of democracy"[18].

The factor of separate electorate and reservation is also of

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17. Reginald Coupland, The Constitutional Problem in India, Part II (Madras: Oxford University Press, 1945), p. 3.

18. R.C. Majumdar, Struggle for Freedom (Bombay: Bharatiya Vidya Bhavan, 1969), p. 575.

crucial significance. In 1889, Charles Braudlaugh moved a bill in the British Parliament for establishment of a responsible government in India and recommended 'joint electorate'. Beck, the Aligarh College Principal, got 20,735 signatures of Muslims, representing that the Hindus wanted to stop cow slaughter and sent it to the Government demanding 'separate electorate'.[19] The Muslims demanded equal number of seats because if the Hindus had "numerical superiority", the Muslims had "historical position".[20] The Morley-Minto Reforms(1909) conceded separate electorate to the Muslims. The Congress rejected the Act as it had provided for separate representation to the Muslims as a community.[21] Further, according to the Lucknow Pact in December, 1916, the Congress and the League agreed to 40% representation to the Muslims in Bengal and 30% in U.P., to which Malaviya and Chintamani were opposed. The Pact ensured that if in any province two-thirds of a community was against any measure or bill it should be dropped by both the communities.[22] The Government made assertive provision for separate electorate in the Government of India Acts of 1919 and 1935, which lasted up to 1947. The Government conceded to communal electorate to drive a wedge between Hindus and Muslims, which inescapably caused partition of India.

The question arises whether the Nehru Report or Jinnah's amendments thereto abetted partition? The Report proposed joint electorate with reservation of seats for minorities on population basis with the right to contest additional seats. No seats were reserved for any community in the Punjab and Bengal. Protection to Muslim religious and cultural interests were given. Muslim majority and Hindu majority provinces were to be created on linguistic basis. In 1927, Jinnah's resolution for amendment were: (1) one-third of the elected representatives of both the Houses of the Central Legislature should be Muslims; (2) reservation of seats in Bengal and the Punjab

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19. I. Prasad and S.K. Subedar, Hindu-Muslim Problems (Allahabad: Chuge Publications, 1974), p. 15.
20. Rafiq Zakaria, Rise of Muslims in Indian Politics: An Analysis of Developments from 1885-1905 (Bombay: Somiya Publications,1970), pp. 138-42.
21. K.H.Qadiri,Hasrat Mohani (Delhi: Idara-i-Adabiyat-e-Delli, 1st edn., 1985), p. 212; see also I.Prasad and S.K.Subedar, n.19, p. 27.
22. The Leader (Allahabad), December 28-29, 1916.

on population basis for ten years, having no right to contest additional seats; (3) residuary powers should vest in the provinces. These were lost though Sir Tej Bahadur Sapru pressed the conference to accept, which M.R. Jayakar prejudicially opposed. Jinnah, disheartened by this Congress attitude, presented his Fourteen Point demand in 1929 to safeguard the rights and interests of the Muslims.

Jinnah's emergence as the strongest spokesman of the Muslims was another important factor with a direct bearing on partition. Jinnah in December, 1938, at Patna threatened direct action. Nehru and Bose negotiated with Jinnah, who made the novel demand that the Muslim League should be recognised as the one and only organization that represented the entire Muslim community in India and that the Congress should speak only on behalf of the Hindus. Nehru claimed that there were about 100,000 Muslims on the Congress rolls and he could not accede to Jinnah's arguments. However, Jinnah exploited the Muslim sentiment and the Congress at last had to yield to Jinnah's claim.

Not a religious leader by personal disposition, Jinnah exploited the ulema for achieving the League's objectives. Jinnah's association with the ulema like Maulana Shaukat Ali and Bahadur Yar Jang was not secular and was not in accord with Iqbal's desire "to humanize politics through religion"[23]. Jinnah claimed to be the heir of Sir Syed's rational and progressive thought on religion and politics. The essence which came to Jinnah was that politics and Islam are the same. Therefore, he did not hesitate in propagating that the Congress domination would mean a great harm to Islam. Forcing Muslim children in schools to sing Bande Mataram song, Hindi-Urdu controversy, music before mosque etc. strengthened Jinnah's proclamation. Religion became 'big politics'. To keep aloof the Muslims from the Congress, he created a feeling of hatred in the hearts of Muslims against the Hindus and raised the slogan "Islam in danger" during the 1937 by-election, on the ground of false allegations of Congress atrocities[24]. Nehru was shocked. Jinnah

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23. M.H. Rahman, Pakistan Review, April, 1954, p. 27.

24. See for details The Hindustan Times (New Delhi), November 7, 1988, under the head, 'League Spread Lies - Azad'.

ignited the Muslim passion for the safeguards of Muslim interests in India. Jinnah followed this policy and won success, which proves that Pakistan is not based on facts or principles but it has all the romance of a battle-cry and all the potentiality of a crusade.

If Jinnah introduced religion in politics, the Congress, the Hindu Mahasabha and the RSS are also responsible for creating an euphoria of a Hindu Raj. Arvindo and Pal argued that the people should worship Bharat Mata. The Arya Samaj movement for cow protection was associated with politics. The Muslim important papers - Comrade, Zamindar, Tauhid, Muslim Gazette, Al-Hilal etc. and the Hindu important papers - Bengalee, Amrita Bazar Patrika (old), Yugantar, Sandhya, Vandamatram (new) etc. aroused the Muslim and Hindu sentiments respectively and lined up the Congress and the League against each other. Further, the speeches of Muslim and Hindu orthodox leaders drew a barrier between the Muslims and the Hindus. The Congress objection to the Muslims joining the League (dual membership) and allowance to the Hindus joining the Congress and the Hindu Mahasabha strengthened the idea that the Congress wanted to wipe out the Muslim League as a Muslim political platform. The leaders of RSS and Hindu Mahasabha - Malaviya, Lajpat Rai, Moonje and Jayakar - jointly forced the Congress nationalists - Nehru, Sapru and Gandhi - to be guided by them. The concept of Hindu supremacy in religion and culture, Gandhiji's using Hindu symbols and values and the Congress fight for majority interests on the pretext of retaining India's unity made Jinnah to a great extent to fight vigorously for a separate Muslim nation. "Gandhiji more than anyone else helped to transform Jinnah from a keen Indian nationalist into the architect of Pakistan"[25].

Jinnah's personal factor and pessimism also appear to have promoted him to pursue the goal of Pakistan. Jinnah's first wife, Emibai, died when he went to England. His second wife, a Parsi girl younger to him by twenty years, died in 1929, after separation. In 1928, he failed to secure any support for his view at the All-Parties Conference and his proposals and position were challenged. He with tears in his eyes said: "Jamshed, this is the parting of the ways"[26].

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25. Gunnar Myrdal, Asian Drama : An Inquiry into the Poverty of Nations (New York: Pantheon, 1968), Vol. I, pp. 236-37.

26. H. Bolitho, Jinnah: Creator of Pakistan (London: John Murray, 1954), p. 95.

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Suffering from humiliation, he felt himself very low and was in a state of utter hopelessness. In 1934, Jinnah was offered the League's Presidentship and he returned to India in 1935. Though he was quite hopeless about getting any concession from the Congressmen, he was pleased at the prospects of reconciliation between the Congress and the Muslim League, but having failed, he desparately decided 'once and for ever', for creation of a separate Muslim homeland i.e.Pakistan.

Did the ineffectiveness of the Federal Plan of the Government of India Act, 1935, helped partition? It is understood that the Act meant to give freedom and unity, but in reality it was not so. It meant to divert the demand of the Congress and the Indian Liberals for an early transfer of power at the centre. The Act envisaged central responsibility with reservation and safeguards upon the creation of an All-India Federation[27], but none was given a palpable share of power. It was not practically possible, as the Congress aimed a federation to control the provinces and the Muslim League and the British wanted a federation which be unable to control the provinces. The Congress, after the 1937 elections, began to favour the Federal Scheme, but opposing the Act, inviting the Princely States to enter the Federation to strengthen the Congress position, because there were more Hindu States than the Muslims. On the other hand, the Muslim League favoured the Act but opposed the Federal Scheme. In October, 1938, the Muslim League had resolved for the division of India on the basis of two federations - the federation of Muslim states and the federation of non-Muslim states. The League overambitiously demanded full independence of the Muslim majority states and permission to admit any other Muslim State beyond the Indian frontiers to join the federation. The League further demanded a block of autonomous states in the east and north-west and an extremely loose federation of sovereign states[28]. Naturally, the Congress could not accept it and the federation failed to materialise.

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27. R.J. Moore, 'The Making of India's Paper Federation, 1927-1935', in C.H. Philips and M.D. Wainwright (eds.), The Partition of India: Policies and Perspectives, 1935-1947 (London: George Allen and Unwin Ltd., 1970), p. 63.

28. M. Gwyer and A. Appadorai(eds.), Speeches and Documents on the Indian Constitution, 1921-47 (Bombay: London: Oxford University Press, 1957), Vol. I, pp. 178-79; 198-200.

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The political atmosphere had been rendered bitter. The Muslim League established committees, which reported atrocities against Muslims in states where the Congress had formed its ministry. The allegation was, as Azad states, "wrong"[29]. Thus, it was a planned activity of the League to appeal the Muslims to desist from the Congress rule and defame the Congress nationalist policy. However, two incidents shocked the Muslims. First, after the 1937-elections, Nariman, a Parsi, was an acknowledged leader of the Congress Party in Bombay and it was expected that he would be elected as Chief Minister, but the majority of the members being Hindu in the Congress Assembly Party, Sardar Vallabhbhai Patel brought B.G. Kher into the picture and elected him the leader of the Congress Assembly Party in Bombay. The responsibility of this tragic event rests with Nehru, who was afraid of Patel's criticism[30]. Secondly, in Bihar, Dr. Syed Mahmud, then General Secretary of the AICC, was the top leader and was expected that he would be elected Chief Minister, but instead Sri Krishna Sinha and Anugraha Sinha were called back to Bihar and Dr. Rajendra Prasad groomed them to the position of Chief Minister[31]. These incidents spread a feeling that the Congress nationalism was doubtful and the position of Muslims would always be at stake under the Congress rule. In consequence, the League won all the Muslim seats in 1946, and by implication a sort of verdict from the community in favour of partition.

Whether Nehru's rejection of the League's proposal to form the coalition ministry in 1937 helped partition? Obviously, one rejects the others proposal due to some differences and opposition. It applies to Nehru's rejection too. The Congress and the League had contradictory urges: the Congress stood for democracy, secularism and common Indian nationality, while the Muslim League claimed to safeguard the interests of Muslims in India as a separate political entity. Further, there were heated exchange of statements between Nehru and Jinnah during the 1937 election campaign. In spite of differences, Khaliquzzaman (ML) helped Rafi Ahmad Kidwai (Congress)

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29. The Hindustan Times (New Delhi), November 7, 1988; Azad's '30-Page document'.
30. Ibid.
31. Ibid.

to return in U.P. They created an understanding between the Congress and the League and, hence, the League looked forward to forming a coalition ministry in U.P., but the Congress, after its unexpectedly sweeping victory in U.P. also, became power-mad and refused to give even two seats in the Cabinet to the Muslim League and rather started a 'Muslim mass contact', pressed for winding up of the League and imposed unacceptable conditions upon the League to join the coalition ministry, which caused great antagonism between the two parties and resulted in the resignation of the Congress Ministry.[32] It further established that the Congress would not cooperate with the League in forming a coalition ministry, which proved a nail in the plank of future constitutional development and rendered partition inevitable. In fact, Nehru made a grave mistake of refusing to take the Muslim League and the communal problem seriously. Had the Congress been generous enough to take the two League members in the U.P. Cabinet, the Muslim League would have been disintegrated in U.P., which was its stronghold. Thus, gradually, becoming weaker and weaker it could have been lured to either merge with the Congress or at least there would have been no demand for Pakistan. In view of this, Maulana Azad in his 30-page document has held Nehru responsible for the partition.[33]

The differences between the Congress and the Muslim League on important issues were also conducive to partition. Although the 'Election Manifestos' of the Congress and the League released during the 1937 elections were accidentally identical because both promised all sorts of things to all sorts of men, they differed in many ways. Jinnah's four[34] and fourteen[35] point demands were not acceptable to the Congress. They were in complete disagreement on important issues also: separate electorate, the communal award, the safeguards for the minorities, the Act of 1935, the idea of a constituent assembly

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32. See for details The Leader (Allahabad), August 4, 1937; see also S.R. Mehrotra, 'The Congress and the Partition of India', in C.H. Philips and M.D. Wainwright, n. 27, pp. 198-99.

33. See for details The Hindustan Times (New Delhi), October 30, 1988 (Sunday).

34. See p. 57, Chapter II.

35. See pp. 62-63, Chapter II.

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British sometimes lured the Congress and sometimes the Muslim League to have their support in the War Aims. The Muslim League gave unconditional support hoping British favour. The Congress tended to support on condition of immediate transfer of power. As the independence was not forthcoming, Gandhiji launched the 'Quit India' or 'Do or Die' Movement, opposed by the Muslim League, which thought it a forced pressure on the British for transfer of power to the Hindu majority, while Jinnah wanted the transfer after full constitutional settlement. Further, Wavell's February, 1944 declaration[38] emphasised a 'united India', which Jinnah opposed. While the Congress wanted a strong centre, the League wanted a loose centre. The British could have solved the problem on some principles and norms such as that in the United States or in the USSR. However, the British policy only inflamed the Hindu-Muslim antagonism.

The newspapers also, perhaps inadvertently, lent credit to the League's demand for Pakistan. The Lahore Resolution did not mention 'Pakistan', as a single Muslim state or two separate 'autonomous' independent states. It was the Indian press, which next day, headlined the 'Lahore Resolution' as 'Pakistan Resolution', which was so retained. However, it was "a very effective response to Congress as it torpedoed the Congress claim to speak for India"[39].

The Lahore Resolution was the offshoot of intense Congress-League disintegration and ill-feeling against each other. The Resolution embodied Jinnah's decision that partition was the only long-term solution of India's foremost communal problem. The efforts of the Congress leaders to reconcile Jinnah failed. Actually, the root of the resolution lay in the League's grievances against the Congress atrocities and its leaders steadfastness for a united India sacrificing the Muslim interest, which was intolerable to Jinnah, and which had set them poles apart. Jinnah's two-nation theory and his demand for division of India into "autonomous national States"[40] resulted in

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38. See p.215, Chapter V (Wavell's declaration) and his opinion, p.219.

39. John Glendevon, The Viceroy at Bay: Lord Linlithgow in India 1936-1943 (London: Collins, 1971), p. 167.

40. S.S. Pirzada, Foundations of Pakistan : All India Muslim League Documents, Vol. II (1924-47), (Karachi: National Publishing House, 1969), pp. 335-37.

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partition. The Congress refusal to the League's demand gave momentum to the demand for Pakistan.

It is alleged that Jinnah was solely responsible for the partition. In fact, the idea of dividing the country was not new. The partition scheme was based on the assumption that Hindu-Muslim differences were irreconciliable. The "terrible suffering"[41] of the Muslims during the Congress ministries (1937-39) strengthened the fears of the Muslims that their religion and culture would be unsafe in the united India, dominated by the Hindus. Therefore, Khaliquzzaman was the first to convert Jinnah to the ideal of Pakistan in May, 1939, on the ground that partition was the only solution to the communal problem[42]. Therefore, the partition of India should be viewed "against the background and in the context of nationalism as a living ideal or force"[43]. As other leaders were also voicing the same feeling, Jinnah became convinced of the idea of partition[44]. Jinnah wanted a separate Muslim homeland to preserve Islamic instincts. He said: "I do not wish to quarrel with any community. We want to preserve and guard our inherent rights. Some Hindu leaders are, however, out to crush Muslims and I must warn them that this cannot be tolerated"[45]. Pandit Sunderlal held the Hindus responsible for the creation of Pakistan[46]. Earlier, Jinnah did like a united India. When his demand for one-third of Muslims' representation in the Central legislature was rejected, he said: "I am not speaking on this question as a Mussalman but as an Indian ... The communities have got to be reconciled, united and made to feel that their interests are common ... We are sons of this land, we have to live together, we have to work together and whatever our differences may be let us not arouse bad blood. Nothing will make me more happy than to see Hindus and Muslims united"[47]. But it was Gandhiji who made Jinnah disappointed.

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41. Dawn (New Delhi), November, 1945; quoted by A.B. Rajput, Maulana Abul Kalam Azad (Lahore: 1946), p. 198.
42. Ch. Khaliquzzaman, n. 16, pp. 210-11.
43. Al-Hamza, Pakistan : A Nation , p. 127; in Moin Shakir, n.2, p.192.
44. Ch. Khaliquzzaman, n. 16, p. 132.
45. The Times of India (New Delhi), January 24, 1940, p. 7.
46. D.G. Tendulkar, Mahatma, Vol. IV (1920-1929), (New Delhi: Government of India Publications Division, 1969), p. 191.
47. Kanji Dwarkadas, India's Fight for Freedom (Bombay: 1966), p. 341.

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N.M. Dumasia says: "It was Mr. Gandhi who was the father of Pakistan, not Mr. Jinnah. Mr. Gandhi had driven everybody to desperation"[48].

What was the support structure of Jinnah's demand for Pakistan? The Muslims in the higher strata were divided into two groups-educated and landlords; and at the lower strata were the artisans and traders. The former was rich, forceful and influential in society and politics, while the latter, living throughout the length and breadth of the country, was "financially bankrupt, economically zero and educationally at the bottom of the ladder"[49]. The bulk of the rural Muslims of lower strata were ignorant of the political game being played for the partition of the country. They were only the onlookers guided by some eminent persons. Only a very few were able to purchase and read the newspapers. Therefore, Jinnah, for their emancipation spoke "of the economic and social grievances of the Muslims"[50], because without their assistance, the Pakistan Resolution could not be materialised. "The Muslim bourgeoisie class was not happy about the competition which it had to face from its Hindu counterpart"[51]. Jinnah to attract the latter group to the league's objective of Pakistan declared: "I am an old man. God has given me enough to live confortably at this age, why should I turn my blood into water ... run about and take so much trouble. Not for the capitalists, but for you, the poor people"[52]. In 1945, he assured 'decent living' to all those who did not get food even once a day. Jinnah was assisted by the educated people to fulfil this task. Thus, the Muslim League paid lip services to the ideal of socialism for the welfare of the people. The Raja of Mahmoodabad at the League Session inLucknow declared: "the Muslims should follow the socialist programme for that would be in accordance with the Islamic principle"[53] to attract the average Muslims in the name of Islam. Those who advocated Jinnah's socialism were "big landlords,

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48. The Times of India (New Delhi), December 3, 1941, p. 6.

49. Jamil-ud-Din Ahmad, Recent Speeches and Writings of Mr. Jinnah (Lahore: Ashraf, 1964), Vol. II (1943-1947), p. 127.

50. Moin Shakir, n. 2, p. 193.

51. Ibid., p. 196.

52. Hector Bolitho, n. 26, p. 158.

53. Mohammed Noman, Muslim India : Rise and Growth of All India Muslim League (Allahabad: Kitabistan, 1942), pp. 357-59.

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title-holders and selfish people, who looked to their class and personal interests[54]". Thus, the object of the establishment of Pakistan to a great extent was determined "by the class affiliations of the leadership[55]" and not "by the bourgeoisie class".

The British favour to the Muslim League proved a milestone in the history of creation of Pakistan. Gandhiji and Rajendra Prasad met Jinnah in New Delhi on November 1, 1939, but a new round on communal talks did not last long. Gandhiji remarked: "Janab (Mr.) Jinnah Saheb (Sir) looks to the British power to safeguard the Muslim rights. Nothing that the Congress can do or concede will satisfy him[56]". Further, the British August Offer (1940) assured the League that no constitutional development would be made without the consent of the Muslim League. The League declared that the British masters were better than the Congress and the Hindus; hence, there could be no unity between the Muslims and the Hindus. Cripps also favoured the Muslim League. Cripps explained that "in case a majority of less than 60 per cent of members of Provincial Assembly voted in favour of accession or non-accession, the minority legislators would have the right to demand a plebiscite ...". The Muslim League accepted the proposal, but Nehru and the Congress leaders refused to accept it, as they thought that the Muslim majority provinces would accord accession to form Pakistan. Had the Congress accepted the Cripps proposal[57], the Muslim majority provinces and many Princely States, at later stage, could have joined the Congress. However, the Cripps Mission formally accepted the principles of Pakistan for the first time and sowed the seeds of partition.

After the departure of the Cripps Mission, the Congress and the League began to accuse each other and the gulf of differences got very much widened. Rajagopalachari recognised that the root of all the catastrophe was the Congress-League differences on the question of Pakistan. Therefore, he began to advocate the acceptance of Pakistan. Rajaji's acceptance of Pakistan paved the way for other

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54. Ch. Khaliquzzaman, n. 16, p. 141.
55. Moin Shakir, n. 2, p. 197.
56. October 30, 1939, CWMG (III, 15), Vol. IXX, pp.318-19.
57. See p. 179, Chapter IV.

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leaders to present their own proposal for solution of this problem and the Congress began to tend towards the acceptance of Pakistan.

Another question which comes to one's mind is whether Jinnah's rejection of the Federal Scheme, which he once accepted, was a political intrigue for partition? Jinnah in his fourteen points[58] had demanded a federal system and provincial autonomy. Gandhiji and Maulana Azad agreed to the transfer of power to the League and offered the August, 1943 proposal[59], which envisaged the formation of government by Jinnah and the largest measure of autonomy to the federal states with the right for secession; thus, accepting the basic demand of the League included in Jinnah's fourteen points. The Congress anticipated that in case of injustice, there would be riots and the League government would become impracticable. Further, the Hindu majority states could have joined together and the Muslim majority states, being weak, could have been forced to join the Congress federal states. Moreover, there was no assurance that the Muslim majority states would join together under the leadership of Jinnah; hence, Jinnah opposed the proposal at the cost of India's unity in order to save his position and the Muslims in India, at large.

Gandhi-Jinnah talks commenced on September 9, 1944, and ended on 27th. Before the talks, the Hindu Mahasabha severely opposed the League's demand for Pakistan, and both the Hindu Mahasabha and the Muslim League threatened 'direct action', but none of them ventured beyond duelling in words. On the other hand, the British Government was antagonised with the Congress policies against the British War Aims and Gandhiji was denied interview with the Viceroy. Gandhiji realised that the only solution lay in an agreement with Jinnah on the basis of Rajagopalachari's formula, which Jinnah had turned down. Therefore, Gandhiji negotiated with Jinnah to talk with him on the basis of partitioning India, which caused provocation of Hindus and the Sikh minorities in Punjab. Savarkar asserted: "The Indian provinces were not the private properties of Gandhiji and Rajaji so that they could make a gift of them to anyone they liked"[60]. Gandhiji did his

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58. See p. 62, Chapter II.

59. See p. 212, Chapter V.

60. R.C. Majumdar, n. 18, p. 713.

best to bring Jinnah down to a settlement but Jinnah rejected all the proposals of Gandhiji, which had even the slightest possibility of deprecating the creation of Pakistan.

The Viceroy held that though communalism was deplorable, but it was a standing fact. He aimed at the protection of minorities. Wavell had to carry out Churchill's directives that no constitutional agreement should be made without the consent of the Muslim League. Thus, Jinnah had the power of veto, which he exploited shrewdly to ensure the creation of Pakistan. Jinnah's manipulation of the power of veto caused an impasse to constitutional development. Jinnah proposed the number of representatives in the Executive Council for forming an interim government i.e. 5 Muslims, 5 Hindus, one Sikh, one Scheduled Caste and two others, with the assertion to retain the right to nominate all the Muslim members, to which the Congress objected as it claimed the right to include in their quota members of all communities. Jinnah demanded that all the five Muslims should be taken from the Muslim League and "no decision objected to by the Muslims should be taken except by a clear two-thirds majority, or something of the kind". [61] As the Congress did not agree to it, the Simla Conference failed to reach an agreement. The cause of the failure of the Conference was that it did not include representatives of the Hindu Mahasabha, the Krishak Proja Party, Momins etc., and the other leaders played, more or less, the part of dumies. However, the failure of the Conference, all the more, immensely strengthened the position of the League, which could make or mar the fortunes of the Muslims in India. Therefore, the Muslim leaders had no chance of a political career in future remaining outside the League's circle. The Muslim League became the only door for the Muslims to enter into positions of power and profit. Consequently, 'wavering and middle-of-the-door Muslim politicians tended to gravitate to the Muslim League, which helped in the process of the partition of the country.

The Muslim League had acquired a mass Muslim following by the end of 1945. In the 1945-46 elections to the Central Legislative Assembly, the League won 96.6 per cent of the total votes cast in the Muhammadan constituencies and the Congress secured 91.3 per cent

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61. See p. 263, Chapter VI.

of the total votes cast in the non-Muhammaden constituencies. The results of the elections of the Provincial Legislative Councils established the Congress and the League as the two major political parties in India. The success of the Muslim League "loaded the dice heavily in favour of Pakistan", while the Congress hoped to thwart the Muslim League even after creation of Pakistan to make a united India. But since the Muslim League refused to take part in the Interim Government, the British sent a Parliamentary Delegation to envisage principle for settlement. At last, Attlee on March 15, 1946, declared that "it would be a great mistake to stake out the claims of rival communities"[62], which ended the veto power of Jinnah on constitutional process. Had Attlee's declaration come in the thirties, the League being weaker could have come down to a settlement preserving the unity of India. However, since Churchill's government did not intend to grant independence before the end of the War and the Congress and the League and other minorities could not reach a common solution, Jinnah's power of veto made the League so strong that even after Attlee's declaration the partition became inevitable.

As to the long-term plan (May 16, 1946) of the Cabinet Mission, the Congress and the League first accepted but later shied away from it. First, the Plan was not acceptable to the Muslim League as it did not envisage formation of Pakistan including the six provinces (Assam, Bengal, the Punjab, Sind, NWFP and Baluchistan). The League also did not agree that Pakistan should consist of only the Muslim majority areas. The Muslim League threatened 'Direct Action', if power was transferred to the Congress. Secondly, Maulana Azad's view that the Indian federation should deal with defence, foreign affairs and communications granting maximum autonomy to the provinces, was accepted by Gandhiji, but was opposed by Sardar Patel[63]. The Mission had to reconcile these two rival standpoints. Cripps opined that "the gulf between these two points of view is by no means unbridgeable"[64]. The Muslim League wanted common subjects like defence and foreign affairs to be dealt with by treaty arrangement, and the Congress wanted a

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62. See p. 293, Chapter VI.

63. Sudhir Ghosh, Gandhi's Emissary (Calcutta: Rupa & Co., 1967), p.196.

64. Ibid.

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federal centre for administering these two subjects. On April 29, 1946, AIML had forwarded a resolution to the Mission reiterating the Pakistan demand, but in his proposal forwarded on May 11, he did not provide for the partition of India, but for a confederation of Pakistan and the rest of India. On May 6, 1946, the Congress informed the Mission that it totally opposed the idea of sub-federation within a federation[65], and on May 12, communicated that "groups of Provinces may be formed". Gandhiji stated that the constituent assembly to be set up under the Congress-League agreement would not be bound by the terms of settlement but would be free to alter them[66]. However, as the League did not agree to a 'bigger Pakistan' within a constitution of 'Indian Union', and the Congress did not agree to 'Indian Unity' at the risk of division of India into many parts, the Long-Term Plan failed. However, the Short-Term Plan for establishment of a constituent assembly and the interim central government, was implemented.

On July 7, 1946, Nehru, regarding the acceptance of the Cabinet Mission Plan in toto, in a militant tone said: "We are not bound by a single thing except that we have decided for a moment to go to the Constituent Assembly[67]". Azad ridiculed that "he (Nehru) had every intention of modifying the Plan[68]". With regard to going to the Constituent Assembly[69], Nehru, on July 10, emphasised the sovereign character of the Constituent Assembly and said: "but what we do there we are entirely and absolutely free to determine[70]". He also stated that the

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65. Papers Relating to the Cabinet Mission to India, 1946 (Delhi: Manager of Publications, Government of India, 1946), p. 13.

66. Gandhi's Correspondence with the Government, 1944-1947 (New Delhi: Manager of Publications, Government of India, 1959), p. 187.

67. V.P. Menon, The Transfer of Power in India (Delhi: Orient Longmans, 1957), p. 280.

68. A.K. Azad, India Wins Freedom (Calcutta: Orient Longmans, 1959), pp. 154-55; see also Nehru's statement, M.A.H. Ispahani,'Factors Leading to the Partition of British India', in C.H. Philips and M.D. Wainwright, n. 27, p.350; see also B.R. Nanda, 'Nehru, the Indian National Congress and the Partition of India, 1935-47', in C.H. Philips and M.D. Wainwright, n. 27, pp. 178-82; see also A.G. Noorani, 'The Cabinet Mission and Its Aftermath', in C.H. Philips and M.D. Wainwright, n. 27, pp. 108-10.

69. Bombay Chronicle (Bombay), July 11, 1946.

70. V.P. Menon, n. 67, p. 280.

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problem of minorities was domestic. Nehru made a great tactical blunder in making these statements. Maulana Azad says that "this was not the first time that he did immense harm to the national cause. He had committed an almost equal blunder in 1937"[71]. Jinnah later stated: "The Congress and the League were both parties to the agreement, and it was on the basis of distribution among the Centre, the provinces and the groups that the League had accepted the Plan. Congress was neither wise nor right in raising doubts. It should have accepted the Plan unequivocally if it stood for the unity of India"[72]. Vacillation gave Jinnah the opportunity to divide India.

Nehru's statement caused Jinnah's uproar and the AIMI Council on July 27, withdrew its acceptance, and drew up a plan of direct action, which ultimately led to the failure of the interim government and the Mission Plan. Had the Congress and the League accepted the Mission Plan faithfully, as Maulana Azad stated, 'the history might have been different'. Stalvad deplored that the Mission Plan was smashed by the 'wobling and vacillating attitude' of the Congress leaders. He commented: "The cherished boon of a United India had fallen into their lap, but they by their own want of political wisdom threw it out and made it beyond their reach"[73]. The Mission also is to be blamed for changing its stand which caused disappointment to Jinnah, who had thought that the Plan would be a stepping stone to an independent Pakistan.

To say that as the object of the Muslim League was no less than the institution of Pakistan and, hence, they would not have worked, in any case, tor the goal of preserving the unity of India, does not hold ground in view of the fact that the League accepted the Mission's Long-Term Plan with groups of provinces, which had to retain the unity of India, but due to outbursts of the Congress leaders, Jinnah changed his mind and stuck to the determination for having Pakistan. The League had anticipated that, at the later stage, the groups of Muslim provinces would opt for creation of Pakistan, but the Congress adhered

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71. The Hindustan Times (New Delhi), November 7, 1988.
72. Ibid.
73. A.G. Noorani, n. 68, p. 116.

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to its policy of 'united India'being proud of their majority position and its hold on Assam and NWFP. The Congress accepted the 'grouping' as optional because the Mission proposal, being deliberately vague,[74] had at one place stated that it might[75] form groups (i.e. optional grouping) and at other place stated would[76] form groups (i.e.compulsory grouping). The Muslim League accepted the compulsory grouping.However, the British Government supported the League's interpretation to make its position stronger. The Congress made a wise decision by rejecting the compulsory grouping. Had the Congress accepted it, the provinces in groups (B) and (C) would have given the Muslim League after ten years a 'big Pakistan' and India would have been left with a weak minimal centre.

The British interest in partition is also viable. The British wanted to create Pakistan to make India and Pakistan a weak country to exploit their economic resources in their own interest. The Indians had realised that the British foreign policy was reactionary and interventionist. The Soviet liberal policy towards China and Persia, economic planning and social welfare attracted the Indian socialists. They recognised the British as capitalist and exploitative; and the Soviet Union as progressive standing for peace and freedom. The Indians' hope was dashed to the ground when the US President Roosevelt,remained silent when the Soviet Union advocated at the UN San Francisco Conference (April, 1945) for freedom of Asia and African countries. The members of the British Cabinet were divided on the question of granting independence to India. The Parliamentary Delegation had recommended acceptance of Pakistan, the sooner the better, while Arthur Bottomley wanted to preserve British trade interests in India and Turnbull desired an economic price for acceding to Moslem demand for Pakistan. Therefore, Attlee and the Cabinet Mission decided to divide India and accordingly made their declaration. On the one hand, they wanted to retain the British interests to revitalise their economic position, which had become poor after the Second World War

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74. S.R. Mehrotra, Towards India's Freedom and Partition (New Delhi: Vikas Publishing House, 1979), p. 231.

75. Clause 15(5) of the Cabinet Mission Plan.

76. Clause 19(v) of the Cabinet Mission Plan.

and, on the other hand, they saw that India was boycotting the British goods and the Muslim League had expressed willingness to have trade relations with the British. The British anticipated that they would exploit Pakistan as it would be too weak to defend its boundaries and to strengthen its economic position. This policy affected the Pakistan boundary, reducing it to a 'moth-eaten Pakistan'.

The failure of the interim government, the League's boycott of the Constituent Assembly, the failure of the London Conference, antagonism and disagreement between the Congress and the Muslim League, communal orgy, arson and destruction in recurrent riots had created a state of civil war beyond control during 1940s. Therefore, to hand over power as early as possible, Attlee on February 20, 1947, declared that power would be transferred to responsible Indian hands by a date not later than June, 1948, without entertaining veto of any party. Mountbatten succeeded in bringing the Congress and the League and leaders of other minorities to agree to a partition plan and preponed the date of independence to August, 1947.

During March 31 and April 4, 1947, Gandhiji had proposed to Mountbatten that Jinnah should be given the option to form a Cabinet and the Congress would guarantee its cooperation freely and sincerely. If Jinnah rejects this offer, the same offer to be made mutatis mutandis to the Congress. The suggestion involved replacement of Jinnah in place of Nehru; hence, Jawaharlal Nehru and Sardar Patel called the proposal 'unrealistic' and forced Gandhiji to withdraw. As a result Gandhiji on April 11, 1947, withdrew the proposal. Had the proposal been put into action after acceptance by Jinnah, the partition could perhaps still have been avoided. Further, with the passage of time, Jinnah's government, being that of minority, could have weakened after the British had left, and the power could have come to the Congress hand, but Nehru and Patel did not like to wait so long. If on the one side Jinnah wanted power in forming Pakistan, Nehru and Patel wanted their rule in India as early as possible.

Some critique charged Jinnah that his failure in life was the cause of transferring his private motives into public purposes. His role in politics proves, as the critiques accept, that he was "a man

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of ambition", which has the characteristics of being "strong-headed, insistence, hard won", whose "mind raced years ahead of most of his contemporaries, British and Indian alike"[77], which helped him to gain Pakistan.

To sum up most important causes of the partition of India, among others, in short, are: the deep rooted antagonism between the Hindus and the Muslims, fundamental differences between them i.e. difference in culture and civilization, language and literature, art and architecture, name and nomenclature, sense of values and proportion, laws and jurisprudence, social and moral codes, customs and calender, history and traditions, aptitudes and ambitions, outlook on life, mentality etc., which made the Congress and the League antagonistic to each other causing, on the one hand, Jinnah's rise as an uncompromising leader of the Muslims and, on the other, Nehru's and Patel's zest for power, and, ultimately, the partition of the Motherland.

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77. Stanley Wolpert, n. 13, p. 48.

APPENDIX I

SALIENT FEATURES OF SCHEME OUTLINED BY SIKANDER HYAT KHAN in 1937

"(1) Instead of bringing British Indian Provinces and Indian States into the Federation as two distinct components, it provided for their entering it together on a regional basis which would be conducive to the solidarity of the country and the stability of the central government.

(2) It would encourage collaboration between contiguous units, including British Indian Provinces and Indian States, whose geographical proximity, common language and affinity of economic and other interests formed natural ties to bind them together. For instance,

(a) In administrative matters, particularly those pertaining to law and order, this scheme would encourage the various units in a zone to make reciprocal arrangements and when necessary to devise a common line of action.

(b) In the economic field it would enable the units to share in common arrangement for the establishment of institution for industrial and agricultural research, for experimental and demonstrative forms and other similar matters.

(3) By thus encouraging collaboration between British Indian Provinces and Indian States it would tend to reduce causes and occasions for friction which would otherwise be constantly present if British Indian and Indian States units were kept in two watertight compartments.

(4) By confining the jurisdiction of the Federal Executive and Legislature to a few specified subjects of common concern, it would enable both the British Indian units and the Indian States to enter the Federation on a uniform basis. At the same time it would allay the doubts and misgivings of the units by eliminating the possibility of undue interference by the Centre in their internal affairs.

(5) It would ensure the willing and loyal co-operation of the units with the Federal Centre and thus avoid the growth of any fissiparous tendency among the units.

(6) It would effectively safeguard the integrity and autonomy of British Indian and Indian States units; and

(7) It would give to the Minorities a greater sense of security.

For the establishment of an All-India Federation on a regional basis, the country was to be demarcated into seven 'zones' as under:-

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Source: Uma Kaura, Muslims and Indian Nationalism (New Delhi: Mahonar Book Service, 1977), pp. 155-57.

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Zone 1 : Assam and Bengal (minus one or two Western Districts in order to reduce the size of the 'Zone' with a view to approximate it to other zones) Bengal States and Sikkim.

Zone 2 : Bihar and Orissa (plus the areas transferred from Bengal to Orissa). This would benefit Orissa which was handicapped to some extent on account of its limited resources and area.

Zone 3 : United Provinces and U.P. States.

Zone 4 : Madras, Travancore, Madras States and Coorg.

Zone 5 : Bombay, Hyderabad, Western Indian States, Bombay States, Mysore and C.P. States.

Zone 6 : Rajputana States (minus Bikaner and Jaisalmer), Gwalior, Central Indian States, Bihar and Orissa States, C.P. and Berar.

Zone 7 : Punjab, Sind, NWF Province, Kashmir, Punjab States, Baluchistan, Bikaner and Jaisalmer".

"... there would be a regional legislature for such zone consisting of both British Indian and Indian States units. One-third of the total number of members of the various regional legislatures were to constitute the Central Federal Assembly[1]".

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1. Henry Craik to Linlithgow, June 5, 1938, Linlithgow Collection, NAI.

APPENDIX II

SALIENT FEATURES OF SCHEME OUTLINED BY SYED ABDUL LATIF OF HYDERABAD in 1939

"He contended that India was not a composite nation and Hindus and Muslims belonged to two distinct social orders and prescribed the division of India into four cultural zones for the Muslims and eleven zones for the Hindus. The Indian States were to be distributed between the different zones in accordance with their natural affinities. Each zone would form a homogeneous State with a highly centralized form of government. The following zones were demarcated to be assigned to the Muslims:

1. North-West Blok: There was a great Muslim block in the North-East consisting of Sind, Baluchistan, the Punjab, North-West Frontier Province and Kashmir, the Indian States of Khairpur and Bahawalpur. This area might be converted into a single autonomous state formed on the basis of federal relationship between the six units thereby allowing over 25 million of Muslims a free home of their own.

2. North-East Block: Right on the other side of India, the North-East, there was also a solid block of Muslims in Eastern Bengal and Assam of over 30 millions, who might be assigned a free political existence.

3. Delhi-Lucknow Block: In between the two blocks mentioned above the Muslims were unevenly distributed. Those of this area living close to each of the two blocks should be attracted for neutralization to the one nearer to them. The rest, the great bulk, belonging to the United Province and Bihar numbering about 12 million might be concentrated in a block extending in a line from the eastern border of Patiala to Lucknow and rounding up Rampur on the way. The block was carved out to allow the Hindu nationality to keep within its zone all its great religious centres like Banares, Hardwar, Allahabad and Mathura. To shift it on to any other part of the North would defeat that purpose.

4. The Deccan Block: The case of the Muslims below the Vindhyas and Satpuras called for a special consideration. They were scattered all over the South in colonies of varying size and exceeded 12 million in number. From them a zone was to be carved. The Dominion of Hyderabad might provide such a zone with a strip of territory in the South running through the districts of Kurnool, Cuddapah, Chitoor, North-Arcot and Chingleput down to the city of Madras. Such a strip with an opening to the sea would be found absolutely necessary to settle the large Muslim mercantile and marine community living for ages on the Coromandel and Malabar coasts.

According to this scheme, exchange of population was also desired "to assure Hindus and Muslims freedom to live their own cultural lives in homelands of their own and to promote the cause of India's unity[1]".

Source: Uma Kaura, Muslims and Indian Nationalism, op.cit., pp.157-58

1. The Indian Annual Register, 1939, Vol. I, pp. 366-70.

APPENDIX III

SALIENT FEATURES OF THE ALIGARH SCHEME PROPOSED BY SYED ZAFRUL HASAN AND MOHAMMAD AFZUL HUSSAIN QADRI IN 1939.

The scheme "aimed at the division of the country into Hindu India and Muslim India". The principles on which it was based were as follows:

(1) The Muslims of India were a nation by themselves. They had a distinct national unity wholly different from the Hindus and other non-Muslims. Indeed, they were more different from the Hindus than the Sudetan Germans were from the Czechs.

(2) The Muslims of India had a separate national future and had to make their own contributions to the betterment of the world.

(3) The future of the Muslims of India lay in complete freedom from the domination of the Hindus, the British, or for the matter of that, any other people.

(4) The Muslim majority provinces could not be permitted to be enslaved into a single All India Federation with an overwhelming Hindu majority at the Centre.

(5) The Muslims in the minority provinces should not be allowed to be deprived of their separate religious, cultural and political identity and should be given full and effective support by the Muslim majority provinces.

The scheme envisaged the division of India into several wholly independent and sovereign states:

1. Pakistan comprising the Punjab, NWFP, Sind, Baluchistan and the States of Kashmir and Jammu, Mandi, Chamba, Saket, Sumin, Kapurthala, Malerkotla, Chitral, Dir, Kalat, Loharu, Bilaspur, Simla Hill States, Bahawalpur etc.

   Population - 3,92,74,244
   Muslims - 2,36,97,538; 60.3 per cent

2. Bengal (excluding Howrah and Midnapore districts), Purnea district (Bihar), Sylhet division (Assam):

   Population - 5,25,19,232
   Muslims - 3,01,18,184; 57.0 per cent

3. Hindustan comprising the rest of India and Indian States (excluding Hyderabad, Pakistan, Bengal and the States included therein):

   Population - 21,60,00,000
   Muslims - 2,09,60,000; 9.7 per cent

Source: Uma Kaura, Muslims and Indian Nationalism, op. cit., pp. 160-62.

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Source: Uma Kaura, Muslims and Indian Nationalism, op. cit., pp. 160-62.

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4. Hyderabad comprising Hyderabad, Berar and Karnatak (Madras and Orissa):

Population	-	2,90,65,098
Muslims	-	21,44,010; 7.4 per cent

(a) Delhi Province including Delhi, Meerut Division, Rohilkhand division and the district of Aligarh (Agra division):

Population	-	1,26,60,000
Muslims	-	35,20,000; 28.0 per cent

(b) Malabar Province consisting of Malabar and adjoining areas i.e. Malabar and South Kanara:

Population	-	49,00,000
Muslims	-	14,40,000; 27.0 per cent

The author of this scheme also desired that the three States of Pakistan, Bengal and Hindustan should enter into a defensive and offensive alliance on the following basis:-

1. Mutual recognition and reciprocity.

2. That Pakistan and Bengal be recognized as the homeland of Muslims and Hindustan as the homeland of Hindus to which they could migrate respectively if and when they wanted to.

3. In Hindustan the Muslims were to be recognised as a nation in minority and part of a larger nation inhabiting Pakistan and Bengal.

4. The Muslim minority in Hindustan and the non-Muslim minority in Pakistan and Bengal would have:

   (i) representation according to population, and

   (ii) separate electorates together with effective safeguards guaranteed by all the three States.

   (iii) separate representation according to population might be granted to all considerable minorities in the three states, e.g., Sikhs, non-caste Hindus, etc.

5. An accredited Muslim political organization would be the sole official representative body of the Muslims in Hindustan.

Each of the three independent states of Pakistan, Hindustan and Bengal was to have separate treaties of alliance with Great Britain and separate Crown representation. There would be a joint court of arbitration to settle any dispute that might arise between the different states or between them and the Crown. Unlike the other schemes which treated Hyderabad also as one of the Indian states, it claimed for it a sovereign status.[1]

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1. Rajendra Prasad, Pakistan (Bombay and Calcutta: Allied Publishers, 1940), (edited by Yusuf Meherally), pp. 38-41.

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APPENDIX IV

Extract from M.A. Jinnah's Presidential Address at the Twenty-seventh Annual Session of the All-India Muslim League, Lahore, March 22-24,1940. (elucidating 'Two Separate Nations in India)

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... The British Government and Parliament, and more so the British nation, have been for many decades past brought up and nurtured with settled notions about India's future, based on developments in their own country which has built up the British constitution, functioning now through the Houses of Parliament and the system of cabinet. Their concept of party government functioning on political planes has become the ideal with them as the best form of government for every country, and the one-sided and powerful propaganda, which naturally appeals to the British, has led them into a serious blunder, in producing a constitution envisaged in the Government of India Act of 1935. We find that the most leading statesmen of Great Britain, saturated with these notions have in their pronouncements seriously asserted and expressed a hope that the passage of time will harmonise the inconsistent elements in India.

A leading journal like the London Times, commenting on the Government of India Act of 1935, wrote that "undoubtedly the difference between the Hindus and Muslims is not of religion in the strict sense of the word but also of law and culture, that they may be said indeed to represent two entirely distinct and separate civilizations. However, in the course of time the superstitions will die out and India will be moulded into a single nation'. (So according to the London Times the only difficulties are superstitions). These fundamental and deep rooted differences, spiritual, economic, cultural, social and political have been euphemised as mere 'superstitions'. But surely, it is a flagrant disregard of the past history of the sub-continent of India as well as the fundamental Islamic conception of society vis a vis that of Hinduism to characterise them as mere 'superstitions'. Notwithstanding thousand years of close contact, nationalities which are as divergent today as ever, cannot at any time be expected to transform themselves into one nation merely by means of subjecting them to a democratic constitution and holding them forcibly together by unnatural and artificial methods of British Parliamentary statutes. What the unitary government of India for 150 years had failed to achieve cannot be realised by the imposition of a central federal government. It is inconceivable that the fist or the writ of a government so constituted can ever command a willing and loyal obedience throughout the sub-continent by various nationalities except by means of armed force behind it.

The problem in India is not of an intercommunal character, but manifestly of an international one, and it must be treated as such. So long as this basic and fundamental truth is not realised, any constitution that may be built will result in disaster and will prove destructive and harmful not only to the Mussalmans, but to the British and Hindus also. If the British Government are really in earnest and sincere to secure peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by

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Source:- All-India Muslim League Lahore Session, March, 1940:Presidential Address by Mr.M.A. Jinnah and Text of Resolution on the Future Constitution of India and the Position of Mussalmans under it Together with Brief Summary of Speeches Delivered on the Occasion (Delhi:1940),pp.19-25.

dividing India into 'autonomous national states'. There is no reason why these states should be antagonistic to each other. On the other hand, the rivalry and the natural desire and efforts on the part of one to dominate the social order and establish political supremacy over the other in the government of the country will disappear. It will lead more towards natural good will by international pacts between them, and they can live in complete harmony with their neighbours. This will lead further to a friendly settlement all the more easily with regard to minorities by reciprocal arrangements and adjustments between Muslim India and Hindu India, which will far more adequately and effectively safeguard the rights and interests of Muslim and various other minorities.

It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religious in the strict sense of the word, but are, in fact, different and distinct social orders and it is a dream that the Hindus and Muslims can ever evolve a common nationality, and this misconception of one Indian nation has gone far beyond the limits and is the cause of most of our troubles and will lead India to destruction if we fail to revise our notions in time. The Hindus and Muslims belong to two different religious philosophies, social customs, literature. They neither intermarry, nor interdine together and, indeed they belong to two different civilisations which are based mainly on conflicting ideas and conceptions. Their aspects on life and of life are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, different heroes and different episodes. Very often the hero of one is a foe of the other and, likewise their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state.

History has presented to us many examples such as the Union of Great Britain and Ireland, Czechoslovakia and Poland. History has also shown to us many geographical tracts, much smaller than the sub-continent of India, which otherwise might have been called one country but which have been divided into as many states as there are nations inhabiting them. Balkan Peninsula comprises as many as 7 or 8 sovereign states. Likewise, the Portuguese and the Spanish stand divided in the Iberian Peninsula. Whereas under the plea of unity of India and one nation which does not exist, it is sought to pursue here the line of one central government when we know that the history of the last 12 hundred years has failed to achieve unity and has witnessed, during these ages. India always divided into Hindu India and Muslim India. The present artificial unity of India dates back only to the British conquest and is maintained by the British bayonet, but the termination of the British regime, which is implicit in the recent declaration of His Majesty's Government, will be the herald of the entire break up with worse disaster than has ever taken place during the last one thousand years under Muslims. Surely that is not the legacy which Britain would bequeath to India after 150 years of her rule, nor would Hindu and Muslim India risk such a sure catastrophe.

Muslim India cannot accept any constitution which must necessarily result in a Hindu majority government. Hindus and Muslims

brought together under a democratic system forced upon the minorities can only mean Hindu Raj Democracy of the kind with which the Congress High Command is enamoured would mean the complete destruction of what is most precious in Islam. We have had ample experience of the working of the provincial constitutions during the last two and a half years and any repetition of such a Government must lead to civil war and raising of private armies as recommended by Mr. Gandhi to Hindus of Sukkur when he said that they must defend themselves violently or non-violently, blow for blow, and if they could not they must emigrate.

Mussalmans are not a minority as it is commonly known and understood. One has only got to look round. Even today according to the British map of India, out of 11 provinces 4 provinces, where the Muslims dominate more or less, are functioning notwithstanding the decision of the Hindu Congress High Command to non-co-operate and prepare for civil disobedience. Mussalmans are a nation according to any definition of a nation and they must have their homelands, their territory and their state. We wish to live in peace and harmony with our neighbours as a free and independent people. We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals and according to the genius of our people. Honesty demands and vital interest of millions of our people impose a sacred duty upon us to find an honourable and peaceful solution, which would be just and fair to all. But at the same time we cannot be moved or diverted from our purpose and objective by threats or intimidations. We must be prepared to face all difficulties and consequences, make all the sacrifices that may be required of us to achieve the goal we have set in front of us ...

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APPENDIX V

HIS MAJESTY'S GOVERNMENT'S DRAFT DECLARATION ON THE FUTURE OF INDIA

(March, 1942)

His Majesty's Government, having considered the anxieties expressed in this country and in India as to the fulfilment of the promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which they propose shall be taken for the earliest possible realisation of self-government in India.

The object is the creation of a new Indian Union which shall constitute a Dominion, associated with the United Kingdom and the other Dominions, by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any respect of its domestic or external affairs.

His Majesty's Government, therefore, make the following declaration:

(a) Immediately upon the cessation of hostilities, steps shall be taken to set up in India, in the manner described hereafter, an elected body charged with the task of framing a new Constitution for India.

(b) Provision shall be made, as set out below, for the participation of the Indian States in the constitution-making body.

(c) His Majesty's Government undertake to accept and implement forthwith the Constitution so framed subject only to:

(i) The right of any province of British India that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides.

With such non-acceding provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution, giving them the same full status as the Indian Union and arrived at by a procedure analogous to that here laid down.

(ii) The signinf of a treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with the undertakings given by His Majesty's Government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in future its relationship to other Member States of the British Commonwealth.

Whether or not an Indian State elects to adhere to the constitution, it will be necessary to negotiate a revision of its Treaty arrangements so far as this may be required in the new situation.

Source: The Civil and Military Gazette(Lahore), 30 March 1942.

(d) The constitution-making body shall be composed as follows, unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of the hostilities:

Immediately upon the result being known of the provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of the Provincial Legis latures shall, as single electoral college, proceed to the election of the Constitution-making body by the system of proportional representation. This new body shall be in number about 1/10th of the number of the electoral college. Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of representatives of British India as a whole and with the same powers as the British Indian members.

(e) During the critical period which now faces India and until the new constitution can be framed, His Majesty's Government must inevitably bear the responsibility for and retain the control and direction of the defence of India as part of their World War effort, but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the people of India.

His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.

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APPENDIX VI

CRIPPS MISSION SCHEME
(March, 1942)

The Object

"The object of His Majesty's Government is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and other Dominions by a common allegiance to the Crown but equal to them in every respect and in no way subordinate in any aspect of its domestic or external affairs".[1]

The Terms of the Declaration

"(a) Immediately upon the cessation of hostilities, steps shall be taken to set up in India, in the manner described hereafter, an elected body charged with the task of framing a new constitution for India.

(b) Provision shall be made, as set out below, for the participation of the Indian States in the constitution-making body.

(c) His Majesty's Government undertake to accept and implement forthwith the Constitution so framed subject only to:

(i) the right of any Province of British India or princely States that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession if it decides so. With such non-acceding provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution giving them the same full status as Indian Union, and arrived at by a procedure analogous to that here laid down:

(ii) the signing of a Treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This Treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with the undertaking given by His Majesty's Government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in the future its relationship to the other Member States of the British Commonwealth. Whether or not an Indian state elects to adhere to the Constitution, it will be necessary to negotiate a revision of its Treaty arrangements, so far as this may be required in the new situation.

Source: The Civil and Military Gazette (Lahore), March 30, 1942.

1. Sandhya Chaudhri, Gandhi and the Partition of India, pp. 72-74; see also N. Mansergh, The Transfer of Power, 1942-47, Vol.I, pp.462-63.

(d) The constitution-making body shall be composed of as follows; unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities:

Immediately upon the result being known of the provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of the Provincial Legislatures shall, as a single electoral college, proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about one-tenth of the number of the electoral college.

Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of the representatives of British India as a whole, and with the same powers as British Indian members.

(e) During the critical period, which now faces India and until the new constitution can be framed His Majesty's Government must inevitably bear the responsibility for and retain control and direction of the defence of India as part of their world war effort but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the cooperation of the peoples of India. His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations".2

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2. Sandhya Chaudhri, Gandhi and the Partition of India, pp. 72-74; see also Nicholas Mansergh (Chief Editor), The Transfer of Power, 1942-47, Vol. I, pp. 565-66.

APPENDIX VII

RESOLUTION OF THE MUSLIM LEAGUE WORKING COMMITTEE ON THE DRAFT DECLARATION ANNOUNCED BY MR. CHURCHILL, THE BRITISH PRIME MINISTER IN THE HOUSE OF COMMONS ON 11 APRIL 1942.

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"The Committee appreciate that the British Prime Minister, in his pronouncement, made it clear that the Draft Declaration embodied only the proposals of His Majesty's Government and not their decision, and that they are subject to agreement between the main elements in India, thus maintaining the validity of the Declaration of the 8th of August, 1940, which had promised to the Musalmans that neither the machinery for the framing of the constitution should be set up, nor the constitution itself should be enforced without the approval and consent of Muslim India.

The Committee, while expressing their gratification that the possibility of Pakistan is recognised by implication by providing for the establishment of two or more independent Unions in India, regret that the proposals of His Majesty's Government, embodying the fundamentals, are not open to any modification and therefore no alternative proposals are invited. In view of the rigidity of the attitude of His Majesty's Government with regard to the fundamentals not being open to any modification, the Committee have no alternative but to say that the proposals in their present form are unacceptable to them for reasons given below:

(1) The Musalmans, after 25 years of genuine efforts for the reconciliation of the two major communities and the bitter experience of the failure of such efforts, are convinced that it is neither just nor possible, in the interest of peace and happiness of the two peoples, to compel them to constitute one Indian Union, composed of the two principal nations - Hindus and Muslims which - appears to be the main object of His Majesty's Government, as adumbrated in the preamble of the Draft Declaration, the creation of more than one Union being relegated only to the realm of remote possibility and is purely illusory.

(2) In the Draft Declaration a constitution making body has been proposed with the primary object of creating one Indian Union. So far as the Muslim League is concerned, it has finally decided that the only solution of India's constitutional problem is the partition of India into independent zones, and it will, therefore, be unfair to the Musalmans to compel them to enter such a constitution-making body, whose main object is the creation of a new Indian Union. With conditions as they are, it will be not only futile but on the contrary may exacerbate bitterness and animosity amongst the various elements in the country.

Besides, the machinery which has been proposed for the creation of the constitution-making body, namely, that it will consist of members elected by the newly elected Lower House of the eleven provinces, upon the cessation of hostilities, as a single Electoral College by the system of proportional representation, is a fundamental departure from

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Source:- Resolutions of the All India Muslim League from April 1942 to May 1943 (published by (Nawabzada) Liaquat Ali Khan, M.A. (Oxon.), M.I.A.(Central), Barrister-at-Law, Honorary Secretary, All-India Muslim League, Delhi, pp. 1-6.

the right of the Musalmans hitherto enjoyed by them, to elect their representatives by means of separate electorates, which is the only sure way in which true representatives of Musalmans can be chosen.

The constitution-making body will take decisions by a bare majority on all questions of most vital and paramount character involved in the framing of the constitution, which is a departure from the fundamental principles of justice and contrary to constitutional practice so far followed in the various countries and Dominions; and the Musalmans, by agreeing to this will, instead of exercising their right and judgment as a constituent factor, be at the entire mercy of the constitution-making body, in which they will be in a minority of about twentyfive per cent.

(3) The right of non-accession to the Union, as contemplated in the Draft Declaration, has been conceded, presumably, in response to the insistent demands by the Musalmans for the partition of India, but the method and procedure laid down are such as to negative the professed object; for, in the Draft proposals, the right of non-accession has been given to the existing provinces, which have been formed from time to time for administrative convenience and on no logical basis.

The Musalmans cannot be satisfied by such a Declaration on a vital question affecting their future destiny, and demand a clear and precise pronouncement on the subject. Any attempt to solve the future problem of India by the process of evading the real issue is to court disaster.

In the Draft proposals no procedure has been laid down as to how the verdict of the province is to be obtained in favour of or against accession to the one Union; but in the letter dated the 2nd of April from the Secretary of Sir Stafford Cripps, addressed to the President of the All India Muslim League, it is stated that "a province should reach the decision whether or not to stand out of the Union by a vote in the Legislative Assembly on a resolution to stand in. If the majority for accession to the Union is less than sixty per cent, the minority will have the right to demand a plebiscite of the adult male population." In this connection it must be emphasised that in the provinces where the Musalmans are in a majority, as in the case of the major provinces of Bengal and the Punjab, they are in a minority in the Legislative Assemblies, and in the Assemblies of Sind and the North-West Frontier Province, the total number, namely sixty and fifty respectively, is so small and weightage given to the non-Muslims so heavy that it can be easily manipulated, and a decision under such conditions cannot be the true criterion of ascertaining the real opinion of the Musalmans of those provinces.

As regards the suggested plebiscite in the provinces in which the Musalmans are in a minority, in the event of the requisite majority not being available in the Legislative Assmblies, the procedure laid down is that reference shall be made to the whole adult population of the provinces and not to the Musalmans alone, which is to deny them the inherent right to self-determination.

(4) With regard to the Indian States, it is the considered opinion of the Committee that it is a matter for them to decide whether to join or not to join or form a Union.

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(5) With regard to the treaties to be negotiated between the Crown and the Indian Union or Unions, the proposals do not indicate as to what would happen in case of disagreement on the terms between the contracting parties; nor is there any provision made as to what would be the procedure when there is a difference of opinion in negotiating a revision of treaty arrangements with the Indian States in the new situation.

(6) With regard to the interim arrangement, there is no definite proposal except the bare statement that His Majesty's Government desire and invite the effective and immediate participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth, and of the United Nations. The Committee are, therefore, unable to express their opinion until a complete picture is available. Another reason why the Committee are unable to express their opinion on the interim arrangements for participation in the counsels of the country is that Sir Stafford Cripps has made it clear that the scheme goes through as a whole or is rejected as a whole, and that it would not be possible to retain only the part relating to the immediate arrangements at the Centre and discard the rest of the Draft scheme; and as the Committee has come to the conclusion that the proposals for the future are unacceptable, it will serve no useful purpose to deal further with the question of the immediate arrangements.

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APPENDIX VIII

RESOLUTION OF THE MUSLIM LEAGUE WORKING COMMITTEE ON THE CONGRESS 'QUIT INDIA' RESOLUTION OF AUGUST 8, 1942
(August 20, 1942)

The Working Committee of the All India Muslim League, having given their deep and anxious consideration to the present political development in the country, deplore the decision arrived at by the All-India Congress Committee on August 8, 1942, to launch an 'open rebellion' by resorting to a mass civil disobedience movement in pursuance of their objective of establishing Congress-Hindu domination in India, which has resulted in lawlessness and considerable destruction of life and property.

It is the considered opinion of the Working Committee that this movement is directed not only to coerce the British Government into handing over power to a Hindu oligarchy and thus disabling them from carrying out their moral obligations and pledges given to the Mussalmans and other sections of the peoples of India from time to time, but also to force the Mussalmans to submit and surrender to the Congress terms and dictation. Ever since the beginning of the war and even prior to that the sole objective of Congress policy has been either to cajole or coerce the British Government into surrendering power to the Congress - a Hindu body with a microscopic following of other communities - in utter suppression of one hundred millions of Mussalmans, besides millions of other peoples of this vast sub-continent of India. While claiming the right of self-determination for 'India', which is a mere Congress euphemism for a Hindu majority, it has persistently opposed the right of self-determination for the Muslim nation to decide and determine their own destiny.

On May 1, 1942, the All-India Congress Committee, by their resolution emphatically repudiated the Muslim league demand for the right of self-determination for Muslims and thus closed the door for the settlement of the communal problem, which is a condition precedent to the attainment of the freedom and independence of India. The Congress had also recognised this as an indispensable condition and had, therefore, made it a prominent plank in the Congress programme for over 20 years, but by their recent decisions have suddenly thrown it overboard and substituted the fantastic theory that the solution of the Hindu-Muslim problem can only follow the withdrawal of British power from India.

The negotiations of Sir Stafford Cripps with the Congress broke down not on the issue of independence but because of the refusal of the British Government to hand over the Muslims and the minorities to the tender mercies of the Congress. Any acquiescence in this on the part of the British would have been strenuously resisted by the minorities and particularly by the Muslim nation, with memories of tyranny in the Congress governed provinces still fresh and vivid in their minds.

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Baulked in their effort to cajole Sir stafford Cripps to agree to the transfer of power to the Congress caucus, they decided upon a slogan - 'Quit India' - accompanied by the threat of mass civil disobedience. This slogan is a mere camouflage and what is really aimed at is supreme control of the Government of the country by the Congress.

The Muslims are not a whit less insistent on freedom for the country and the achievement of independence of the people of India, which is the creed of the All India Muslim League. They are, however, firmly convinced that the present Congress movement is not directed for securing the independence of all the constituent elements in the life of the country but for the establishment of a Hindu Raj and to deal a death blow to the Muslim goal of Pakistan.

... The Muslim League, as it has been repeatedly made clear, stands not only for Pakistan and the freedom of Muslims, but also for the freedom and independence of Hindustan and Hindus.

The Muslim League has been and is ready and willing to consider any proposals and negotiate with any party on a footing of equality for the setting up of a provisional Government of India in order to mobilize the resources of the country for the purpose of the defence of India and successful prosecution of the war provided the demands of Muslim India, as indicated above, are conceded unequivocally.

In these circumstances, the Working Committee of the All India Muslim League, after anxious and careful consideration, call upon the Muslims to abstain from any participation in the movement initiated by the Congress and continue to pursue their normal peaceful life. The Working Committee hope that no attempt shall be made from any quarter to intimidate, coerce, molest or interfere in any manner with the normal life of the Muslims, otherwise the Muslims would be compelled to offer resistance and adopt all such measures as may be necessary for the protection of their life, honour and property.

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APPENDIX IX

SUGGESTED POINTS FOR AGREEMENT BETWEEN THE CONGRESS & THE MUSLIM LEAGUE PUT FORWARD BY THE CABINET MISSION, May 8, 1946

1. There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights and having the necessary powers to obtain for itself the finances it requires for these subjects.

2. All the remaining powers shall vest in the Provinces.

3. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

4. The groups may set up their own Executives and Legislatures.

5. The Legislature of the Union shall be composed of equal proportions from the Muslim-majority Provinces and from the Hindu-majority Provinces whether or not these or any of them have formed themselves into groups; together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The constitutions of the Union and the groups (if any) shall contain a provision whereby any Province can 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.

   For the purpose of such reconsideration a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided upon.

8. The constitution-making machinery to arrive at a constitution on the above basis shall be as follows:-

   A. Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that Assembly on the basis of 1/10th of their numbers.

   B. Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India.

   C. The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi.

Source: Papers Relating to the Cabinet Mission to India, 1946 (Delhi: Manager of Publications, 1946), pp. 14-15.

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D. After its preliminary meeting at which the general order of business will be settled it will divide into three sections, one section representing the Hindu-majority Provinces, one section representing the Muslim-majority Provinces and one representing the States.

E. The first two sections will then meet separately to decide the Provincial constitutions for their group and, if they wish, a group constitution.

F. When these have been settled it will be open to any Province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the constitution for the Union on the lines agreed in paragraphs 1-7 above.

H. No major point in the Union constitution which affect the communal issue shall be deemed to be passed by the Assembly unless a majority of both the two major communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.

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APPENDIX X.

TERMS OFFERED BY THE MUSLIM LEAGUE AS A BASIS OF AGREEMENT
May 12, 1946

1. The six Muslim Provinces (Punjab, North-West Frontier Province, Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications, necessary for Defence, which may be dealt with by the constitution-making bodies of the two groups of Provinces - Muslim Provinces (hereinafter named Pakistan Group) and Hindu Provinces - sitting together.

2. There shall be a separate constitution-making body for the six Muslim Provinces named above, which will frame constitution for the Group and the Provinces in the Group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces.

3. The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group.

4. After the constitutions of the Pakistan Federal Government and the Provinces are finally framed by the constitution-making body, it will be open to any Province of the Group to decide to opt out of its Group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint constitution-making body as to whether the Union will have a legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two constitution-making bodies, but in no event shall it be by means of taxation.

6. There should be parity of representation between the two Groups of Provinces in the Union Executive and the Legislature, if any.

7. No major point in the Union constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body of the Hindu Provinces and the majority of the members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

9. In Group and Provincial constitutions fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

10. The constitution of the Union shall contain a provision whereby any Province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the constitution, and willh have the liberty to secede from the Union at any time after an initial period of ten years.

Source: Papers Relating to the Cabinet Mission to India, 1946, pp.20-21.

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APPENDIX XI

TERMS OFFERED BY THE CONGRESS AS A BASIS OF AGREEMENT
May 12, 1946

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1. The Constituent Assembly to be formed as follows:-

   (i) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth of the number of members of the Assembly and they may be members of the Assembly or others.

   (ii) Representatives from the States on the basis of their population in proportion to the representation from British India. How these representatives are to be chosen is to be considered later.

2. The Constituent Assembly shall draw up a constitution for the Federal Union. This shall consist of an All-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the power to raise revenues in its own right. The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

3. All the remaining powers shall vest in the Provinces or Units.

4. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

5. After the Constituent Assembly has decided the constitution for the All-India Federal Union as laid down in paragraph 2 above, the representatives of the Provinces may form groups to decide the Provincial constitutions for their group and, if they wish, a group constitution.

6. No major point in the All-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present in Assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue, the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

7. In the event of a dispute arising in the process of constitution-making, the specific issue shall be referred to arbitration.

8. The constitution should provide machinery for its revision at any time subject to such checks as may be desired. If so desired, it may be specifically stated that this whole constitution may be reconsidered after ten years.

Source: Papers Relating to the Cabinet Mission to India, 1946, pp.22-23.

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APPENDIX XII

THE CABINET MISSION PLAN

May 16, 1946

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1. On the 15th March last, just before the dispatch of the Cabinet to India, Mr. Attlee, the British Prime Minister, used these words:

"My colleagues are goint to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision ...

"I hope that the Indian people may elect to remain whtin the British Commonwealth. I am certain that she will find great advantages in doing so ...

"But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible".

2. "... This statement is made with the full approval of His Majesty's Government in the United Kingdom.

3. "We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India, and an Interim Government may be set up at once to carry on the administration of British India until such time as a new constitution can be brought into being ..."

4. It is not intended in this statement to review the voluminous evidence which has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire, outside the supporters of the Muslim League, for the unity of India.

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule. This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion and economic or other interests.

6. We therefore examined in the first instance the question of a separate and fully independent sovereign state of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas: one in

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Source: Papers Relating to the Cabinet Mission to India, 1946, pp.1-7.

the North-West consisting of the provinces of the Punjab, Sind, North-West Frontier and British Baluchistan; the other in the North-East consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a separate state of Pakistan was based, first, upon the right of the Muslim majority to decide their method of government according to their wishes, and, secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six Provinces enumerated above would be very considerable as the following figures show:[1]

North-Estern Area	Muslim	Non-Muslim
Punjab	16,217,242	12,201,577
North-West Frontier Province	2,788,797	249,270
Sind	3,208,325	1,326,683
British Baluchistan	438,930	62,701
	22,653,294	13,840,231
	(62.07%)	(37.93%)
North-Eastern Area		
Bengal	33,005,434	27,301,901
Assam	3,442,479	6,762,254
	36,447,913	34,063,345
	(51.69%)	(48.31%)

The Muslim minorities in the remainder of British India number some 20 million dispersed amongst a total population of 188 million.

These figures show that the setting up of a separate sovereign state of Pakistan on the lines claimed by the Muslim League would not solve the communal minority problem; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan can equally, in our view, be used in favour of the exclusion of the non-Muslims areas from Pakistan. This point would particularly affect the position of the Sikhs.

7. We, therefore, considered whether a smaller sovereign Pakistan confined to the Muslim-majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (a) the whole of the Ambala and Jullundur Divisions in the Punjab; (b) the whole of Assam except the district of Sylhet; and (c) a large

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1. All population figures in this statement are from the most recent census taken in 1941.

part of Western Bengal, including Calcutta, in which city the percentage of the Muslim population is 23.6 per cent. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces. Bengal and the Punjab each has its own common language and a long history and tradition. Moreover, any division of the Punjab would of necessity divide the Sikhs, leaving substantial bodies of Sikhs on both sides of the boundary. We have, therefore, been forced to the conclusion that neither a larger nor a smaller sovereign state of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative, economic and military considerations. The whole of the transportation and postal and telegraph systems of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian Armed Forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally, there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British India should be handed over to two entirely separate sovereign States.

12. This decision does not, however, bind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which provinces would have full autonomy subject only to a minimum of Central subjects, such as Foreign Affairs, Defence and Communications.

Under this scheme provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some ministers, who dealt with compulsory subjects, were responsible to the whole of India while other ministers, who dealt with optional subjects, would be responsible only to those provinces who had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central

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Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their provinces were not concerned were under discussion. Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose. This would indeed be no more than the exercise of their autonomous powers in a particular way.

14. Before putting forward our recommendations we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new government. This fact has been fully recognized by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their cooperation will take must be a matter for negotiation during the building up of the new constitutional structure and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow.

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties and would at the same time be most likely to bring about a stable and practicable form of constitution for all India.

We recommend that the constitution should take the following basic form:

(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 Indian 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 all residuary powers shall 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.

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(6) The constitutions of the Union and the groups should contain a provision whereby any province could be a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten-yearly intervals thereafter.

16. It is not our object to lay out the details of a constitution on the above programme but to set in motion machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary, however, for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery, which we propose should be brought into being fortwith in order to enable a new constitution to be worked out.

18. In forming an assembly to decide a new constitutional structure the first problem is to obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would by by election based on adult franchise, but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new constitution. The only practicable course is to utilize the recently elected Provincial Legislative Assemblies as electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of Provincial Legislative Assemblies do not bear the same proportion to the total population in each province. Thus, Assam, with a population of 10 million, has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly, owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the province. Thus the number of seats reserved for Moslems in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent of the provincial population. After a most careful consideration of the various methods by which these points might be corrected, we have come to the conclusion that the fairest and most practicable plan would be:

(a) to allot to each province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage;

(b) to divide this provincial allocation of seats between the main communities in each province in proportion to their population;

(c) to provide that the representatives allocated to each community in a province shall be elected by members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognize only three main communities in India, General, Moslem and Sikh, the 'General' community including all persons who are not Moslems or Sikhs. As smaller minorities would upon a population basis have little or no

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representation, since they would lose the weightage which assures them seats in Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to minorities.

19. (i) We therefore propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislative Assembly (General, Moslem or Sikh) electing its own representatives by the method of proportional representation with single transferable vote:

Table of Representation

Section A

Provinces	General	Muslim	Total
Madras	45	4	49
Bombay	19	2	21
United Provinces	47	8	55
Bihar	31	5	36
Central Provinces	16	1	17
Orissa	9	0	9
Total	167	20	187

Section B

Provinces	General	Muslim	Sikhs	Total
Punjab	8	16	4	28
North-West Frontier Province	0	3	0	3
Sind	1	3	0	4
Total	9	22	4	35

Section C

Provinces	General	Muslim	Total
Bengal	27	33	60
Assam	7	3	10
Total	34	36	70

Total for British India	292
Maximum for Indian States	93
Total	385

Note:- In order to represent the Chief Commissioners' Provinces there will be added to Section A the member representing Delhi in the Central Legislative Assembly, the member representing Ajmer-Merwara in the Central Legislative Assembly and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan.

(ii) It is the intention that the States would be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculation of population adopted for British India, exceed 93; but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a negotiating committee.

(iii) Representatives thus chosen shall meet at New Delhi as soon as possible.

(iv) A preliminary meeting will be held at which the general order of business will be decided, a chairman and other officers elected and an Advisory Committee (see paragraph 20 below) on rights of citizens, minorities and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into three Sections shown under A, B and C in the Table of Representation in sub-paragraph(i) of this paragraph.

(v) These Sections shall proceed to settle provincial Constitutions 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 subjects the group should deal. Provinces should have power to opt out of groups in accordance with the provisions of sub-clause (viii) below.

(vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union constitution.

(vii) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities. The Chairman of the Assembly shall decide which, if any, resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(viii) As soon as the new constitutional arrangements have come into operation it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the Legislature of the province after the first general election under the new Constitution.

20. The Advisory Committee on the rights of citizens, minorities and tribal and excluded areas will contain due representation of the interests affected and their function will be to report to the Union Constituent Assembly upon the list of fundamental rights, clauses for protecting minorities, and a scheme for the administration of tribal and excluded areas, and to advise whether these rights should be incorporated in the provincial, the group or the Union constitution.

21. His Excellency the Viceroy will forthwith request the provincial legislatures to proceed with the election of their representatives and the States to set up a negotiating committee.

It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

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23. While the constitution-making proceeds the administration of India has to be carried on. We attach the great importance therefore to the setting up at once of an Interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy tasks of day-to-day administration, there is the grave danger of famine to be countered, there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future and there are important international conferences in which India has to be represented. For all these purposes a government having popular support is necessary. The Viceroy has already started discussions to this end and hopes soon to form an Interim Government in which all the portfolios, including that of the War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognizing the full significance of the changes, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

24. To the leaders and people of India, who now have the opportunity of complete independence, we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new Constitution under which they will live. Despite the labours which we have shared with the Indian parties and the exercise of much patience and goodwill by all, this has not been possible. We, therefore, now lay before you proposals which, after listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognize with us that, at this supreme moment in Indian history, statesmanship demands mutual accommodation and we ask you to consider the alternative to the acceptance of these proposals. After all the efforts which we and the Indian parties have made together for agreement, we must state that, in our view, there is small hope of a peaceful settlement by the agreement of the Indian parties alone. The alternative would, therefore, be a grave danger of violence, chaos and even civil war. The gravity and duration of such a disturbance cannot be foreseen, but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen and the world as a whole. We, therefore, lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole 400 millions of Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope, in any event, that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be, we look forward with you to your ever-increasing prosperity among the greatest nations of the world and to a future more glorious than your past.

APPENDIX XIII

PROPOSAL FOR THE IMMEDIATE TRANSFER OF POWER

June 3, 1947

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INTRODUCTION

1. On 20th February, 1947, His Majesty's Government announced that their intention of transferring power in British India to Indian hands by June, 1948. His Majesty's Government had hoped that it would be possible for the major parties to co-operate in the working-out of the Cabinet Mission's Plan of 16 May, 1946, and evolve for India a constitution acceptable to all concerned. This hope has not been fulfilled.

2. The majority of the representatives of the Provinces of Madras, Bombay, the United Provinces, Bihar, Central Provinces and Berar, Assam, Orissa and the North-West Frontier Province, and the representatives of Delhi, Ajmer-Merwara and Coorg have already made progress in the task of evolving a new Constitution. On the other hand, the Muslim League Party, including in it a majority of the representatives of Bengal, the Punjab and Sind, as also the representatives of British Baluchistan, has decided not to participate in the Constituent Assembly.

3. It has always been the desire of His Majesty's Government that power should be transferred in accordance with the wishes of the Indian people themselves. This task would have been greatly facilitated if there had been agreement among the Indian political parties. In the absence of such an agreement, the task of devising a method by which the wishes of the Indian people can be ascertained has devolved on His Majesty's Government. After full consultation with political leaders in India, His Majesty's Government have decided to adopt for this purpose the plan set out below. His Majesty's Government wish to make it clear that they have no intention of attempting to frame any ultimate constitution for India; this is a matter for the Indians themselves. Nor is there anything in this plan to preclude negotiations between communities for a united India.

1. It is not the intention of His Majesty's Government to interrupt the work of the existing Constituent Assembly. Now that provision is made for certain Provinces specified below, His Majesty's Government trust that, as a consequence of this announcement, the Muslim League representatives of those Provinces, a majority of whose representatives are already participating in it, will now take their due share in its labours. At the same time, it is clear that any Constitution framed by this Assembly cannot apply to those parts of the country which are unwilling to accept it. His Majesty's Government are satisfied that the procedure outlined below embodies the best practical method of ascertaining the wishes of the people of such areas on the issue whether their Constitution is to be framed -

(a) in the existing Constituent Assembly; or

(b) in a new and separate Constituent Assembly consisting of the representatives of those areas which decide not to participate in the existing Constituent Assembly.

Source: Manmath Nath Das, Partition and Independence of India, pp.311-16.

When this has been done, it will be possible to determine the authority or authorities to whom power should be transferred.

BENGAL AND THE PUNJAB

5. The Provincial Legislative Assemblies of Bengal and the Punjab (excluding the European members) will therefore each be asked to meet in two parts; one representing the Muslim majority districts and the other the rest of the Progince. For the purpose of determining the population of districts, the 1941 census figures will be taken as authoritative. The Muslim majority districts in these two Provinces are set out in the Appendix to this Announcement.

6. The members of the two parts of each Legislative Assembly sitting separately will be empowered to vote whether or not the Province should be partitioned. If a simple majority of either part decides in favour of partition, division will take place and arrangements will be made accordingly.

7. Before the question as to the partition is decided, it is desirable that the representatives of each part should know in advance which Constituent Assembly the Province as a whole would join in the event of the two parts subsequently deciding to remain united. Therefore, if any member of either Legislative Assembly so demands, there shall be held a meeting of all members of the Legislative Assembly (other than Europeans) at which a decision will be taken on the issue as to which Constituent Assembly the Province as a whole would join if it were decided by the two parts to remain united.

8. In the event of partition being decided upon, each part of the Legislative Assembly will, on behalf of the areas they represent, decide which of the alternatives in paragraph 4 above to adopt.

9. For the immediate purpose of deciding on the issue of partition, the members of the Legislative Assemblies of Bengal and the Punjab will sit in two parts according to Muslim majority districts (as laid down in the Appendix) and non-Muslim majority districts. This is only a preliminary step of a purely temporary nature as it is evident that for the purposes of final partition of these Provinces a detailed investigation of boundary question will be needed; and, as soon as a decision involving partition has been taken for either Province, a Boundary Commission will be set up by the Governor-General, the membership and terms of rereference of which will be settled in consultation with those concerned. It will be instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. It will also be instructed to take into account other factors. Similar instructions will be given to the Bengal Boundary Commission. Until the report of a Boundary Commission has been put into effect, the provisional boundaries indicated in the Appendix will be used.

SIND

10. The Legislative Assembly of Sind (excluding the European members) will at a special meeting also take its own decision on the alternatives in paragraph 4 above.

NORTH-WEST FRONTIER PROVINCE

11. The position of the North-West Frontier Province is exceptional. Two of the three representatives of this Province are already participating in the existing Constituent Assembly. But it is clear, in view of its geographical situation, and other considerations, that, if the whole or any part of the Punjab decides not to join the existing Constituent Assembly, it will be necessary to give the North-West Frontier Province an opportunity to reconsider its position.Accordingly, in such an event, a referendum will be made to the electors of the present Legislative Assembly in the North-West Frontier Province to choose which of the alternatives mentioned in paragraph 4 above they wish to adopt. The referendum will be held under the aegis of the Governor-General and in consultation with the Provincial Government.

BRITISH BALUCHISTAN

12. British Baluchistan has elected a member but he has not taken his seat in the existing Constituent Assembly. In view of its geographical situation, this Province will also be given an opportunity to reconsider its position and to choose which of the alternatives in paragraph 4 above to adopt. His Excellency the Governor-General is examining how this can most appropriately be done.

ASSAM

13. Thoush Assam is predominately a non-Muslim Province, the district of Sylhet which is contiguous to Bengal is predominately Muslim. There has been a demand that, in the event of the partition of Bengal, Sylhet should be amalgamated with the Muslim part of Bengal. Accordingly, if it is decided that Bengal should be partitioned, a referendum will be held in Sylhet district, under the aegis of the Governor-General and in consultation with the Assam Provincial Government, to decide whether the district of Sylhet should continue to form part of the Assam Province or should be amalgamated with the new Province of Eastern Bengal, if that Province agrees. If the referendum results in favour of amalgamation with Eastern Bengal, a Boundary Commission with terms of reference similar to those for the Punjab and Bengal will be set up to demarcate the Muslim majority areas of Sylhet district and contiguous Muslim majority areas of adjoining districts, which will then be transferred to Eastern Bengal. The rest of the Assam Province will in any case continue to participate in the proceedings of the existing Constituent Assembly.

REPRESENTATION IN CONSTITUENT ASSEMBLIES

14. If it is decided that Bengal and the Punjab should be partitioned, it will be necessary to hold fresh elections to choose their representatives on the scale of one for every million of population according to the principle contained in the Cabinet Mission's Plan of 16th May 1946. Similar elections will also have to be held for Sylhet in the event of its being decided that this district should form part of East Bengal. The number of representatives to which each area would be entitled is as follows:-

Province	General	Muslims	Sikhs	Total
Sylhet District	1	2	Nil	3
West Bengal	15	4	Nil	19
East Bengal	12	29	Nil	41
West Punjab	3	12	2	17
East Punjab	6	4	2	12

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15. In accordance with the mandates given to them, the representatives of the various areas will either join the existing Constituent Assembly or form the new Constituent Assembly.

ADMINISTRATIVE MATTERS

16. Negotiations will have to be initiated as soon as possible on administrative consequences of any partition that may have been decided upon:-

(a) Between the representatives of the respective successor authorities about all subjects now dealt with by the Central Government, including Defence, Finance and Communications.

(b) Between different successor authorities and His Majesty's Government for treaties in regard to matters arising out of the transfer of power.

(c) In the case of Provinces that may be partitioned as to administration of all provincial subjects such as the division of assets and liabilities, the police and other services, the High Courts, provincial institutions, and c.

THE TRIBES OF THE NORTH-WEST FRONTIER

17. Agreements with tribes of the North-West Frontier of India will have to be negotiated by the appropriate successor authority.

THE STATES

18. His Majesty's Government wish to make it clear that the decisions announced above relate to British India and that their policy towards Indian States contained in the Cabinet Mission Memorandum of 12th May, 1946, remains unchanged.

NECESSITY FOR SPEED

19. In order that the successor authorities may have time to prepare themselves to take over power, it is important that all the above processes should be completed as quickly as possible. To avoid delay, the different Provinces or parts of Provinces will proceed independently as far as practicable within the conditions of this plan, the existing Constituent Assembly and the New Constituent Assembly (if formed) will proceed to frame Constitutions for their respective territories: they will of course be free to frame their own rules.

IMMEDIATE TRANSFER OF POWER

20. The major political parties have repeatedly emphasised their desire that there should be the earliest possible transfer of power in India. With this desire His Majesty's Government are in full sympathy, and they are willing to anticipate the date of June, 1948, for the handing over of power by the setting up of an independent Indian Government or Governments at an even earlier date. Accordingly, as the most expeditious, and indeed the only practicable, way of meeting this desire His Majesty's Government propose to introduce legislation during the current session for the transfer of power this year on a Dominion Status basis to one or two successor authorities according to the decisions taken as a result of this announcement. This will be without prejudice

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to the right of Indian Constituent Assemblies to decide in due course whether or not the part of India in respect of which they have authority will remain within the British Commonwealth.

FURTHER ANNOUNCEMENTS BY GOVERNOR-GENERAL

21. His Excellency the Governor-General will from time to time make such further announcements as may be necessary in regard to procedure or any other matters for carrying out the above arrangements.

APPENDIX

Muslim Majority Districts of Bengal and the Punjab according to the 1941 Census:

1. BENGAL

Chittagong Division

Chittagong
Noakhali
Tippera

Dacca Division

Bakarganj
Dacca
Faridpur
Mymensingh

Presidency Division

Jessore
Murshidabad
Nadia

Rajshahi Division

Dogra
Dinajpur
Malda
Pabna
Rajshahi
Rangpur

2. THE PUNJAB

Lahore Division

Gujranwala
Gurdaspur
Lahore
Sheikhupura
Sialkot

Rawalpindi Division

Attock
Gujarat
Jhelum
Mianwali
Rawalpindi
Shahpur

Multan Division

Dera Ghazi Khan
Jhang
Lyallpur
Montgomery
Multan
Muzaffargarh

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APPENDIX XIV

'SIR CYRIL RADCLIFFE'S BOUNDARY AWARDS

August 12-13, 1947

1

BENGAL

"10. ... The demarcation of the boundary line is described in detail in the schedule which forms Annexure A to this award ...

New Delhi
The 12th August, 1947

The Schedule - Annexure 'A'

1. A line shall be drawn along the boundary between the thana of Phansidewa in the district of Darjeeling and the thana Tetulia in the district of Jalpaiguri from the point where that boundary meets the Province of Bihar and then along the boundary between the thanas of Tetulia and Rajganj; the thanas of Pachagar and Rajganj, and the thanas of Pachagar and Jalpaiguri, and shall then continue along the northern corner of the thana Debiganj to the boundary of the State of Cooch Behar. The district of Darjeeling and so much of the district of Jalpaiguri as lies north of this line shall belong to West Bengal, but the thana of Patgram and any other portion of Jalpaiguri district which lies to the east or south shall belong to East Bengal.

2. A line shall then be drawn from the point where the boundary between the thanas of Haripur and Raiganj in the district of Dinajpur meets the border of the Province of Bihar to the point where the boundary between the districts of 24-Parganas and Khulna meets the Bay of Bengal. This line shall follow the course indicated in the following paragraphs. So much of the Province of Bengal as lies to the west of it shall belong to West Bengal. Subject to what has been provided in paragraph 1 above with regard to the districts of Darjeeling and Jalpaiguri, the remainder of the Province of Bengal shall belong to East Bengal.

3. The line shall run along the boundary between the following thanas:

Haripur and Raiganj; Haripur and Hemtabad; Ranisankail and Hemtabad; Pirganj and Hemtabad; Pirganj and Kaliganj; Bochaganj and Kaliganj; Biral and Kaliganj; Biral and Kushmundi; Biral and Gangarampur; Dinajpur and Gangarampur; Dinajpur and Kumarganj; Chirirbandar and Kumarganj; Phulbari and Kumarganj; Phulbari and Balurghat.

It shall terminate at the point where the boundary between Phulbari and Balurghat meets the north-south line of the Bengal-Assam Railway in the eastern corner of the thana of Balurghat. The line shall turn down the western edge of the railway lands belonging to that railway and follow that edge until it meets the boundary between the thanas of Balurghat and Panchbibi.

4. From that point the line shall run along the boundary between the following thanas:

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1. Reports of the Members and Awards of the Chairman of the Boundary Commission (Alipore: Superintendent, Government Printing, West Bengal Government Press, 1950), pp. 116-20.

Balurghat and Panchbibi; Balurghat and Joypurhat; Balurghat and Dhamairhat; Tapan and Dhamairhat; Tapan and Patnitala; Tapan and Porsha; Bamangola and Porsha; Habibpur and Porsha; Habibpur and Gomastapur; Habibpur and Bholahat; Malda and Bholahat; English Bazar and Bholahat; English Bazar and Shibganj; Kaliachak and Shibganj; to the point where the boundary between the two last mentioned thanas meets the boundary between the districts of Malda and Murshidabad on the river Ganges.

5. The line shall then turn south-east down the river Ganges along the boundary between the districts of Malda and Murshidabad; Rajshahi and Murshidabad; Rajshahi and Nadia; to the point in the north-western corner of the district of Nadia where the channel of the river Mathabanga takes off from the river Ganges. The district boundaries, and not the actual course of the river Ganges, shall constitute the boundary between East and West Bengal.

6. From the point on the river Ganges where the channel of the river Mathabanga takes off, the line shall run along that channel to the northern-most point where it meets the boundary between the thanas of Daulatpur and Karimpur. The middle line of the main channel shall constitute the actual boundary.

7. From this point the boundary between East and West Bengal shall run along the boundaries between the thanas of Daulatapur and Karimpur; Gangani and Karimpur; Meherpur and Karimpur; Meherpur and Tehatta; Meherpur and Chapra; Damurhuda and Chapra; Damurhuda and Kishanganj; Chudanga and Krishanaganj; Jibannagar and Krishnaganj; Jibannagar and Hanskhali; Maheshpur and Hanskhali; Maheshpur and Ranaghat; Maheshpur and Bongaon; Jhikargacha and Bongaon; Sarsa and Bongaon; Sarsa and Gaighata; Gaighata and Kalaroa; to the point where the boundary between these thanas meets the boundary between the districts of Khulna and 24-Parganas.

8. The line shall then run southwards along the boundary between the districts of Khulna and 24-Parganas, to the point where the boundary meets the Bay of Bengal.

[1]

SYLHET

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10. Out of 35 thanas in Sylhet, eight have non-Muslim majorities; but of these eight, two - Sulla and Ajmiriganj (which is in any event divided almost evenly between Muslims and non-Muslims), are entirely surrounded by preponderantly Muslim areas, and must therefore go with them to East Bengal. The other six thanas comprising a population of over 530,000 people stretch in a contiguous line along part of the southern border of Sylhet district. They are divided between two sub-divisions, of which one, South Sylhet, comprising a population of over 515,000 people, has in fact a non-Muslim majority of sone 40,000;while the other, Karimganj, with a population over 568,000 people, has a Muslim majority that is a little larger.

11. With regard to the district of Cachar, one thana, Hailakandi, has a Muslim majority and is contiguous to the Muslim thanas of Badarpur

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1. Reports of the Members and Awards of the Chairman of the Boundary Commissions (Alipore: Superintendent, Government Printing, West Bengal Government Press, 1950), pp. 153-55.

and Karimganj in the district of Sylhet. This thana forms, with the thana of Katlichara immediately to its south, the sub-division of Hailakandi, and in the sub-division as a whole Muslims enjoy a very small majority being 51 per cent of the total population. I think that the dependence of Katlichara on Hailakandi for normal communications makes it important that the area should be under one jurisdiction, and that the Muslims would have at any rate a strong presumptive claim for the transfer of the sub-division of Halakandi, comprising a population of 166,536 from the Province of Assam to the Province of East Bengal.

12. But a study of the map shows, in my judgment, that a division on these lines would present problems of administration that might gravely affect the future welfare and happiness of the whole district, not only would the six non-Muslim thanas of Sylhet be completely divorced from the rest of Assam if the Muslim claim to Hailakandi were recognised, but they form a strip running east and west whereas the natural division of the land is north and south and they effect an awkward severance of the railway line through Sylhet, so that, for instance, the junction for the town of Sylhet itself, the capital of the district would lie in Assam, not in East Bengal.

13. In those circumstances, I think that some exchange of territories must be effected if a workable division is to result. Some of the non-Muslim thanas must go to East Bengal and some Muslim territory and Hailakandi must be retained by Assam. Accordingly I decide and award as follows:

A line shall be drawn from the point where the boundary between the thanas of Patharkandi and Kulaura meets the frontier of Tripura State and shall run north along the boundary between those thanas, then along the boundary between the thanas of Patharkandi and Barlekha, then along the boundary between the thanas of Karimganj and Barlekha, and then along the boundary between the thanas of Karimganj and Beani Bazar to the point where that boundary meets the river Kusiyara. The line shall then turn to the east taking the river Kusiyara as the boundary and run to the point where that river meets the boundary between the districts of Sylhet and Cachar. The centre line of the main stream or channel shall constitute the boundary. So much of the district of Sylhet as lies to the west and north of this line shall be detached from the Province of Assam and transferred to the Province of East Bengal. No other part of the Province of Assam shall be transferred.

New Delhi
The 13th August, 1947

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PUNJAB

7. ... The demarcation of the boundary line is described in detail in the schedule which forms Annexure A, to this award, and in the map attached thereto. Annexure B2. The map is annexed for purposes of illustration, and if there should be any divergence between the boundary as described in Annexure A and as delineated on the map in Annexure B, the description in Annexure is to prevail.

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1. Reports of the Members and Awards of the Charman of the Boundary Commissions (Alipore: Superintendent, Government Printing, West Bengal Government Press, 1950), pp. 303-07.

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12. I am conscious too that the award cannot go far towards satisfying sentiments and aspirations deeply held on either side but directly in conflict as to their bearing on the placing of the boundary. If means are to be found to gratify to the full those sentiments and aspirations, I think that they must be found in political arrangements with which I am not concerned, and not in the decision of a boundary line drawn under the terms of reference of this Commission.

New Delhi
The 12th August, 1947

The Schedule - Annexure'A'

1. The boundary between the East and West Punjab shall commence on the north at the point where the west branch of the Ujh river enters the Punjab Province from the State of Kashmir. The boundary shall follow the line of that river down the western boundary of the Pathankot Tehsil to the point where the Pathankot, Shakargarh and Gurdaspur tehsils meet. The tehsil boundary and not the actual course of the Ujh river shall constitute the boundary between the East and West Punjab.

2. From the point of meeting the three tehsils above mentioned, the boundary the East and West Punjab shall follow the line of the Ujh river to its junction with the river Ravi and thereafter the line of the river Ravi along the boundary between the tehsils of Gurdaspur and Shakargarh, the boundary between the tehsils of Batala and Shakargarh, the boundary between the tehsils of Batala and Narowal, the boundary between the tehsils of Ajnala and Narowal, and the boundary between the tehsils of Ajnala and Shadara, to the point on the river Ravi where the district of Amritsar is divided from the district of Lahore. The tehsil boundaries referred to, and not the actual course of the river Ujh or the river Ravi, shall constitute the boundary between the East and West Punjab.

3. From the point on the river Ravi where the district of Amritsar is divided from the district of Lahore, the boundary between the East and West Punjab shall turn southwards following the boundary between the tehsils of Ajnala and Lahore and then the tehsils of Tarn Taran and Lahore, to the point where the tehsils of Kasur, Lahore and Tarn Taran meet. The line will then turn south-westward along the boundary between the tehsils of Lahore and Kasur to the point where that boundary meets the north-east corner of village Theh Jharolian. It will then run along the eastern boundary of that village to its junction with village Chatianwala, turn along the northern boundary of that village, and then run down its eastern boundary to its junction with village Waigai. It will then run along the eastern boundary of village Waigal to its junction with village Kalia, and then along the southern boundary of village Waigal to its junction with village Panhuwan. The line will then run down the eastern boundary of village Panhuwan to its junction with village Gaddoke. The line will then run down the eastern border of village Gaddoke to its junction with village Nurwala. It will then run along the southern boundary of village Gaddoke to its junction with village Katluni Kalan. The line will then run down

the eastern boundary of village Katluni Kalan to its junction with villages Kals and Mastgarh. It will then run along the southern boundary of village Katluni Kalan to the north-west corner of village Kals. It will then run along the western boundary of village Kals to its junction with village Khem Karan. The line will then run along the western and southern boundaries of village Khem Karan to its junction with village Maewala. It will then run down the western and southern boundaries of village Maewala, proceeding eastward along the boundaries between village Mahaidepur on the north and villages Sheikhupura, Kuhna, Kamapuran, Fatehwala and Mahewala. The line will then turn northward along the western boundary of village Sahjra to its junction with villages Mahaidepur and Machhike. It will then turn north-eastward along the boundaries between villages Machhike and Sahjra and then proceed along the boundary between villages Rattoke and Sahjra to the junction between villages Rattoke, Sahjra and Mabbuke. The line will then run north-east between the villages Rattoke and Mabbuke to the junction of villages Rattoke, Mabbuke and Gajjal. From that point the line will run along the boundary between villages Mabbuke and Gajjal, and then turn south along the eastern boundary of village Mabbuke to its junction with village Nagar Aimanpur. It will then turn along the north-eastern boundary of village Nagar Aimanpur, and run along its eastern boundary to its junction with village Masteke. From there it will run along the eastern boundary of village Masteke to where it meets the boundary between the tehsils of Kasur and Ferozepore.

4. The line will then run in a south-westernly direction down the Sutlej River on the boundary between the districts of Lahore and Ferozepore to the point where the districts of Ferozepore, Lahore and Montgomery meet. It will continue along the boundary between the districts of Ferozepore and Montgomery to the point whete this boundary meets the border of Bahawalpur State. The district boundaries, and not the actual course of the Sutlej River, shall in each case constitute the boundary between the East and West Punjab.

5. It is my intention that this boundary line should ensure that the canal headworks at Sulemanke will fall within the territorial jurisdiction of the West Punjab. If the existing delimitation of boundaries of Montgomery District does not ensure this, I award to the West Punjab so much of the territory concerned as covers the Headworks, and the boundary shall be adjusted accordingly.

6. So much of the Punjab Province as lies to the west of the line demarcated in the preceding paragraphs shall be the territory of the West Punjab. So much of the territory of the Punjab Province as lies to the east of that line shall be the territory of the East Punjab.

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Daily Jung (Karachi)

Daily Telegraph and Morning Post (London)

The Daily Mail (London)

Dawn (New Delhi)

Sirat-i-Hayat Institute

Encounter (London)
The Hindu (Madras)
The Hindustan Times (New Delhi)
Independent (Allahabad)
The Indian Daily Telegraph (New Delhi)
Indian People (Allahabad)
The Leader (Allahabad)
The Manchester Guardian (Manchester)
Mainstream (New Delhi)
The Modern Review (Calcutta)
The Morning Herald (Calcutta)
The Morning News (Calcutta)
Muslim Outlook (Lahore)
Muslim Review (Allahabad)
The New Statesman and Nation (London)
Pakistan Illustrated Weekly (Karachi)
The Pakistan Times (Lahore)
The People's Age (Bombay)
The Pioneer (Allahabad)
New Times (Lahore)
Quest (Bombay)
Radical Humanist (New Delhi), (office shifted from Calcutta)
Saptake (Silchar)
Spectator (London)
The Star of India (Calcutta)
The Statesman (Calcutta/Bombay)
The Times (London)
Times of Assam (Gauhati)
The Times of India (Bombay/New Delhi)
The Tribune (Lahore)
Weekly Observer (Allahabad)
Young India (Ahmedabad)

(B) Urdu

Al-Hilal (Calcutta)
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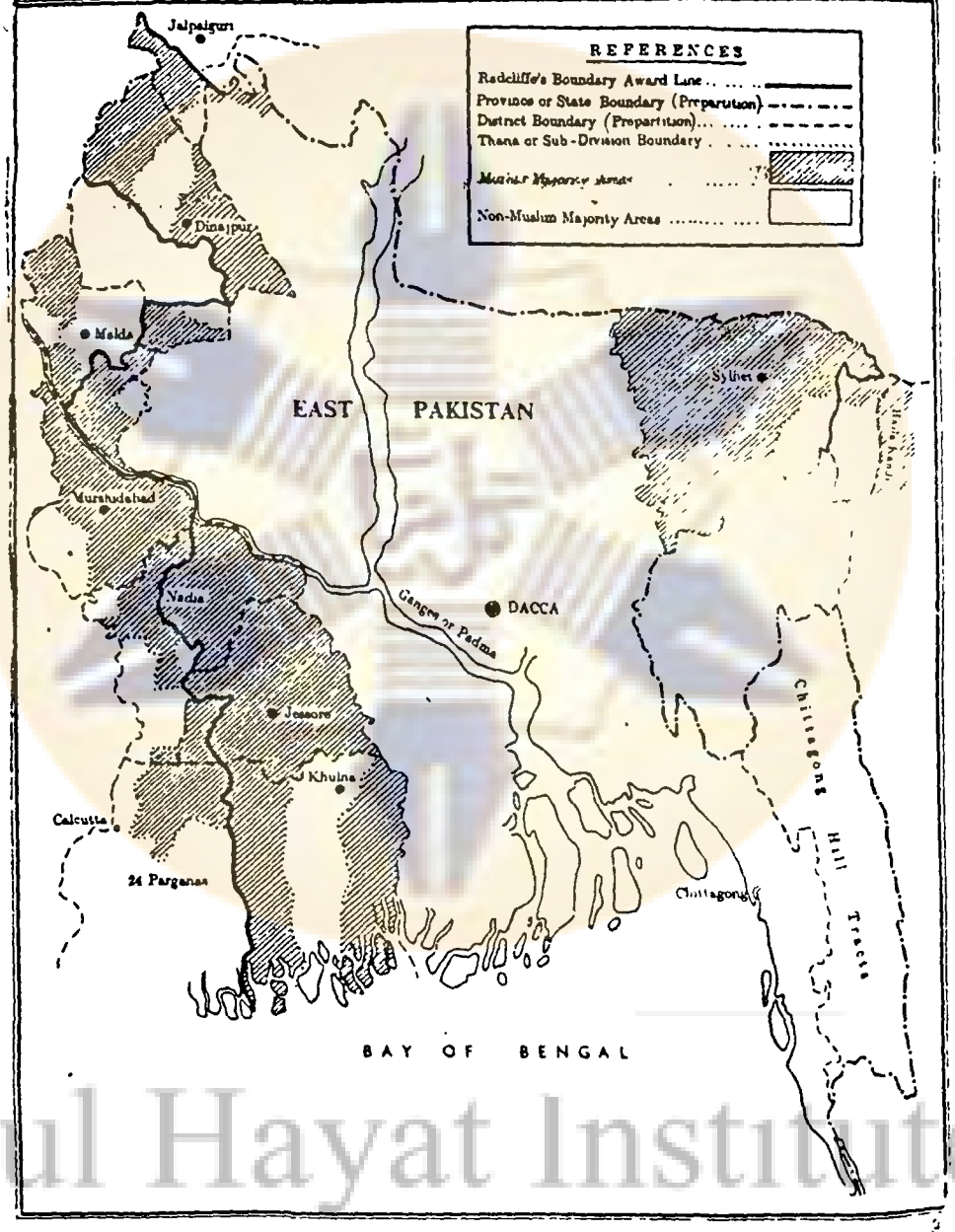
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Hamdam (Lucknow)
Ihsan (Lahore)
Jarida Al-Islah (Lahore)
Jhang Sial (Jhang)
Kaside Mumbai (Akola)
Khalsa (Gujranwala)
Maqalat-i-Shibli (Azamgarh)
Mihir-i-Nimroz (Bijnor)
Milap (Lahore)
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(A)

Radcliffes Boundary Awards in Bengal and Sylhet.

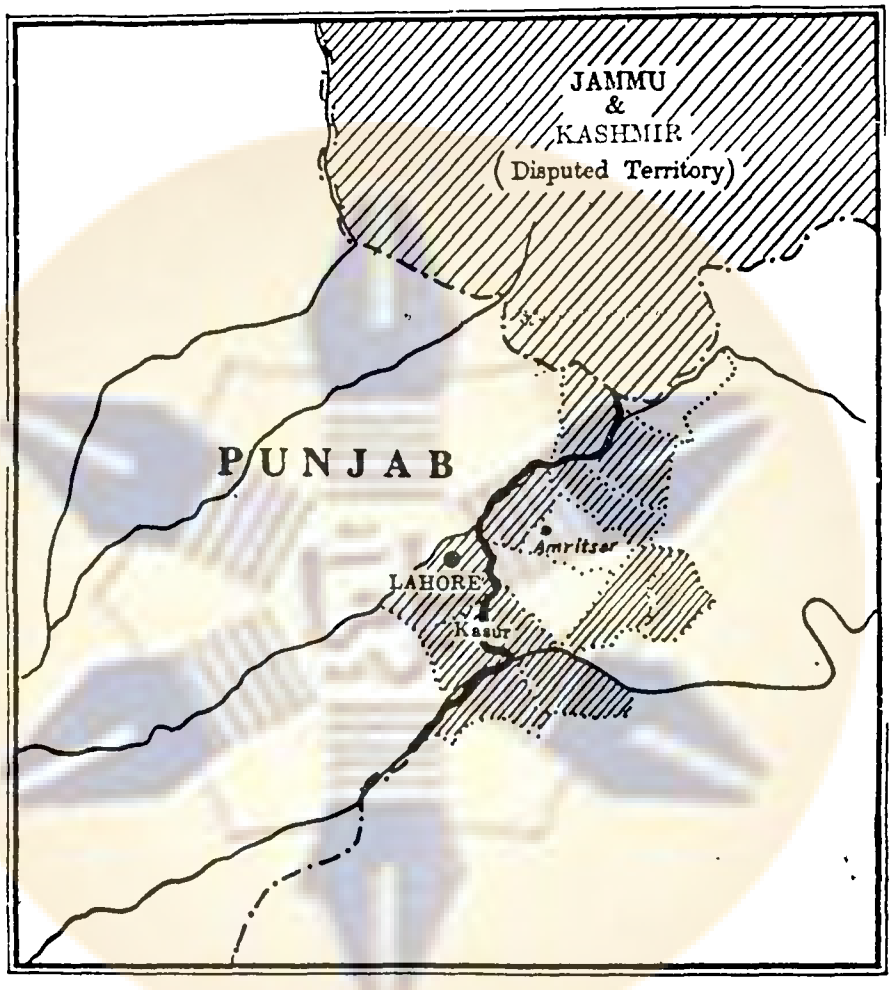


The Chittagong Hill Tracts, situated in the extreme south-east of Bengal and with an almost entirely tribal population, were not claimed by the Hindu leaders as part of West Bengal. Radcliffe himself thought that these Tracts could not be separated from the Chittagong District.

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(B)

Radcliffes Boundary Award in the Punjab (West Pakistan)



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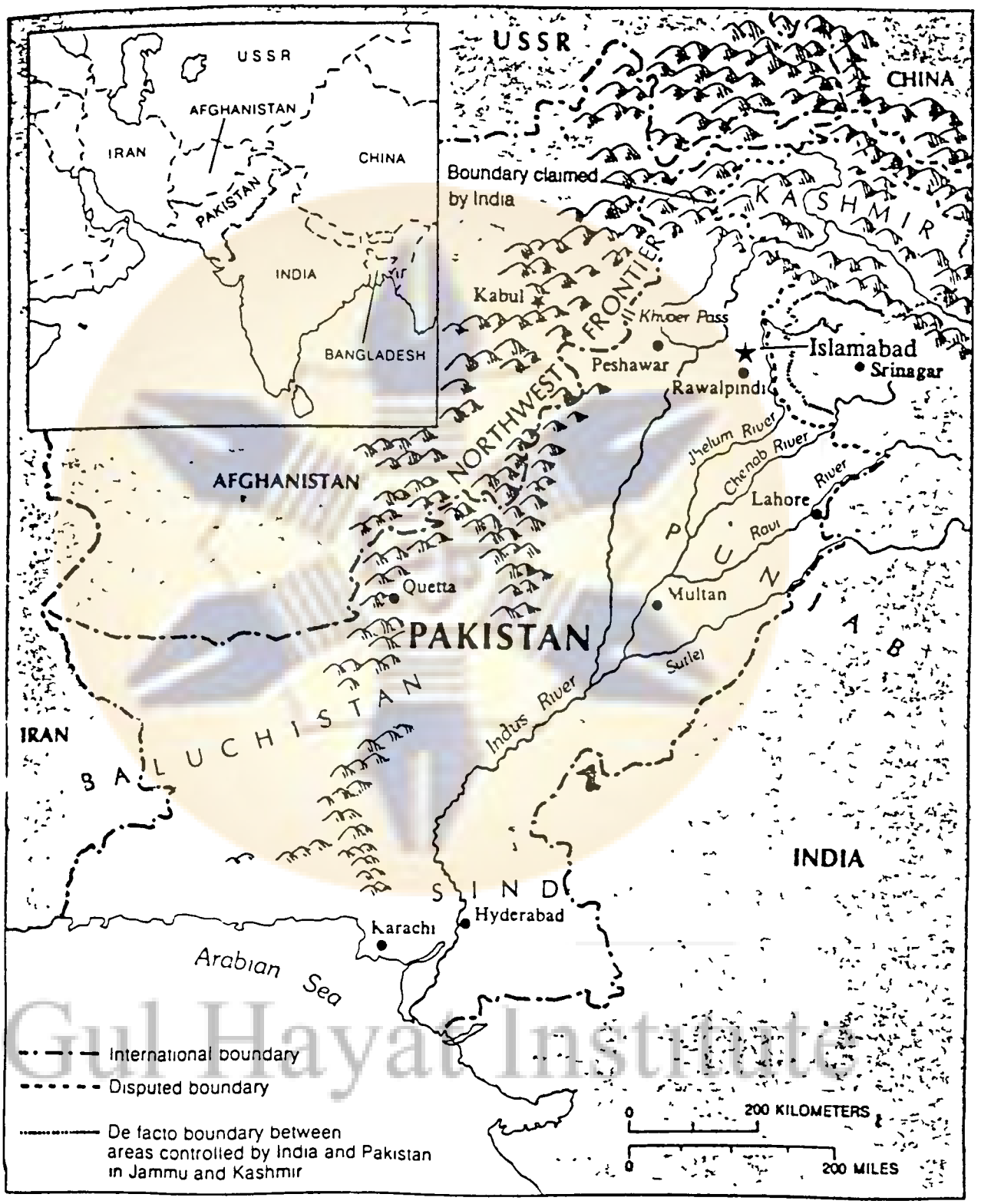
Muslim Majority Areas .....

Non Muslim Majority Areas .....

Both maps have been prepared, with the permission of Mr. M. Allauddin, by Mr. Habibur Rahman Khan under the guidance of the Editor.

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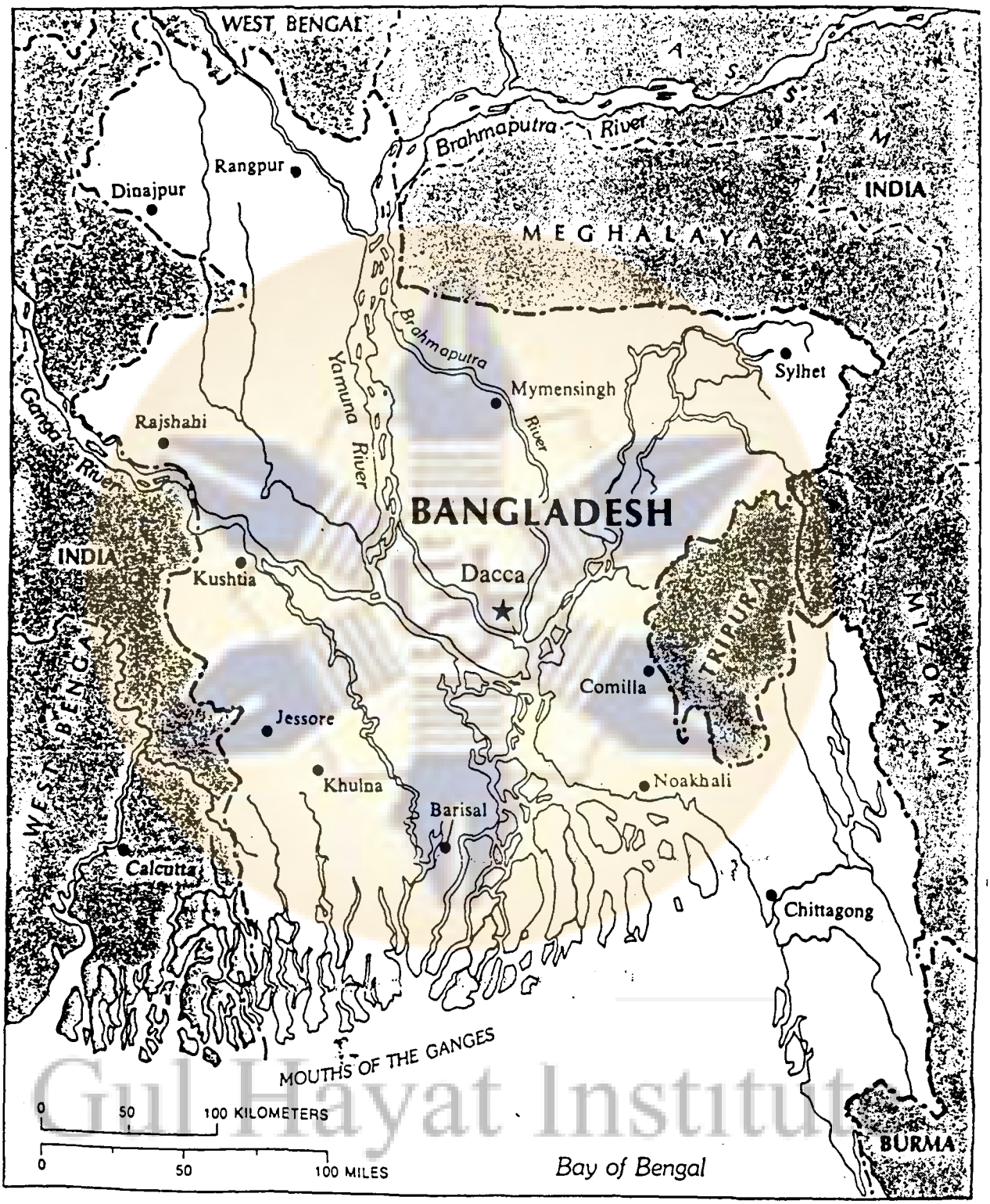
(C)



WEST PAKISTAN from 1947–71

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(D)



EAST PAKISTAN from 1947–71

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