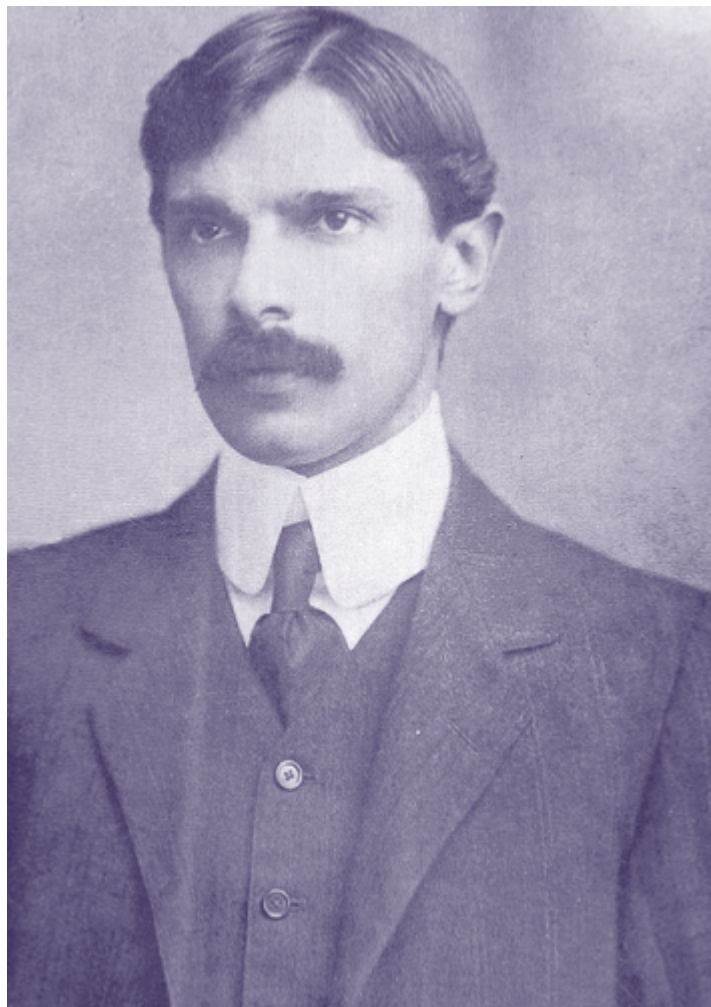


Quaid-i-Azam Mohammad Ali Jinnah

Second phase of his freedom struggle
1924-1934

By: Riaz. Ahmad



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Sani H. Panhwar

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I

INTRODUCTION

Biographers of Quaid-i-Azam Mohammad Ali Jinnah often do not provide much information about his public activities. This information is necessary to understand the complex role he played in a situation dominated by the leaders of the Indian National Congress and the British rulers. This is because, in most cases, the work has not been accomplished by professional or trained historians. The only standard work recently done by a renowned historian is that of Stanley A. Wolpert, the American Professor of History.¹ Even Wolpert's work does not provide full information about a number of very important aspects of Jinnah's whole personality.

M. H. Saiyid's *Mohammad Ali Jinnah: A Political Study*,² published in 1945 was the pioneering work on Quaid-i-Azam. Other commentaries are journalistic writings on Jinnah which appeared during the peak of the Pakistan Movement.³ After the establishment of Pakistan. Hector Bolitho, a British novelist. was officially asked to write the Quaid's biography. He interviewed a number of persons, who lived with the Quaid in India, Pakistan and England, or had been associated with him. On the basis of these interviews and the records made available to him by the Government of Pakistan, Bolitho completed his book *Jinnah, Creator of Pakistan*.⁴

The "Quaid-i-Azam Papers"⁵ and the "All-India Muslim League Papers"⁶ preserved in the National Archives of Pakistan (Islamabad and Karachi) were not discovered until 1966. Naturally they were not seen by Bolitho and others nor did they have access to the papers relating to the transfer of power in India and Pakistan preserved in the India Office Library and Records, London. These papers were published during the nineteen seventies and the eighties.⁷ Then during the Ayub Khan era,⁸ G. Allana compiled his

¹ See his *Jinnah of Pakistan*, New York, 1984.

² M.H. Saiyid, *Mohammad Ali Jinnah: A Political Study*, Karachi, 1986 (first published in 1945).

³ For instance see Z.A. Suleri, *My Leader*, Lahore, 1946; A.A. Ravoof, *Meet Mr. Jinnah*, Lahore, 1944; and S.A. Lateef, *The Great Leader*, Lahore, 1947.

⁴ Hector Bolitho, *Jinnah: Creator of Pakistan*, London, 1954.

⁵ Quaid-i-Azam Papers, NAP, Department of Archives, Govt. of Pakistan Islamabad.

⁶ AIML Papers, FMA, University of Karachi, recently put under the control of Dept. of Archives, Ministry of Culture, Govt. of Pakistan.

⁷ See Nicholas Mansergh and Penderel Moon, *The Transfer of Power 1942-7*, 12 vols., London, 1976-83.

work entitled *Quaid-i-Azam Jinnah: the Story of a Nation* published in 1967 on the basis of the papers provided to him by Mohtarma Fatima Jinnah.

As a matter of fact, Allana was originally engaged by Mohtarma Fatima Jinnah to help her in the compilation of a standard biography of her brother Quaid-i-Azam Mohammad Ali Jinnah. For that purpose he was given sufficient material by Mohtarma Fatima Jinnah. She offered her cooperation to Allana and sought his help only on one condition which was that Allana would assist her in this noble task without letting Ayub Khan know about it. Somehow or the other the information passed on to Ayub Khan, who was then President of Pakistan. Ayub Khan was able to buy the loyalty of Allana by sending him on a U.N. mission in Europe. For Fatima Jinnah this was a breach of contract, because Allana had joined the Ayub Khan party: hence he could not, according to Fatima, be trusted with the task of writing a biography of the Quaid along lines devised by her and she disassociated herself from the Allana's biography of the brother. When Mohtarma Fatima Jinnah died she had, with Allana's assistance, only been able to write three chapters of the planned biography. This in the form of manuscript is now preserved in the National Archives of Pakistan under the title of "*My Brother*"⁹. After the death of Fatima Jinnah, Allana managed to publish his own aforementioned work.

Though this book is another milestone in providing new material on the life and times of the Quaid, it still fails to furnish the reader with full information. Then during 1970s a number of new books were published, but most important of them was that of Rizwan Ahmed's *Quaid-i-Azam key Ibtadai Tees Saal 1876-1906 (Urdu)* Karachi, 1976¹⁰. However, this covers only Jinnah's life upto 1906. Rizwan made use of great deal of new material on Jinnah's early career which he attained from Shireen Bhai, Jinnah's other sister who came from Bombay to Karachi after Fatima's death. On the publication of this work high hopes were cherished around Rizwan Ahmad that he would accomplish the task in which he had made a good beginning. After a number of years this hope vanished because Rizwan could not continue his work for lack of source material.

This was a challenge to many young scholars who felt that greater efforts should be made to search for more source material to continue the work left incomplete by

⁸ General (later Field Marshal) Mohammad Ayub Khan remained President of Pakistan from October 1958 to March 1969.

⁹ These chapters are actually an incomplete story of a brother by his sister. They were later edited and published by the Quaid-i-Azam Academy, Karachi in 1987. See Fatima Jinnah, *My Brother*, Karachi, 1987.

¹⁰ Aziz Beg, *Jinnah and His Times*, Islamabad, 1986. Also see this author's *Quaid-i-Azam as Magistrate*, Rawalpindi, 1985; *Quaid-i-Azam as an Advocate*, Rawalpindi, 1986; *Quaid-i-Azam's Role in South Asian Political Crisis 1921-24*, Rawalpindi, 1989; and *Quaid-i-Azam's Perception of Islam and Pakistan*, Rawalpindi, 1990.

Rizwan Ahmad. I chose the early life and career of Jinnah as my research topic for the Ph.D. and completed it in 1983, and published it in 1986 as *Quaid-i-Azam M.A. Jinnah; the Formative Years 1892-1920*. Other works on this subject appeared during this period notably that of Aziz Beg's "Life and Times of Jinnah".

During the Pakistan Movement considerable interpretative work on Jinnah was done by writers, journalists and historians sympathetic to the Indian National Congress. They tried to belittle him and treated him as a stooge of the British rulers. After the establishment of Pakistan such slanderous interpretations of Jinnah continued in India in the garb of scholarly objective assessments of the man who divided India into two states. In Pakistan the best interpretative work has been done by Prof. Sharif al-Mujahid, former Director, Quaid-i-Azam Academy, Karachi.¹¹ During the struggle for Pakistan partisan lines were clearly drawn. The partisan propaganda was understood for what it was, and laid no claim to being objective historical analysis. After 1947, however, it became more and more confusing for the younger generation to sift historical facts from propaganda. Young scholars found it difficult to trace to their sources certain opinions and analysis of past events. Two Pakistani (one a historian and the other a politician) writers have continued to propagate the old Congress theory in the post-Pakistan period. Abdul Wali Khan's (son of Khan Abdul Ghaffar Khan of the Frontier Province and leader of the Awami National Party) book, *Facts are Facts*,¹² published both from India and Pakistan in 1987, is a clear manifestation of the old Congress they try to project Jinnah as a 'stooge' of the British. The second work of importance is by Ayesha Jalal, daughter of Hamid Jalal, former Pakistani civil servant. Ayesha Jalal's work *The Sole Spokesman*,¹³ was originally a Ph.D. thesis submitted at the Cambridge University completed under the supervision of Anil Seal, a historian born of a Hindu father and a British mother. This book mainly deals with the last phase of Jinnah's political career and is obviously biased. It continues the old Congress propaganda supported by the skillful use of new records largely obtained from British sources. Both these books presented to the world as scholarly history are in fact familiar Congress propaganda. It is a case of "old wine in new bottles".

The Muslim League in Pakistan has done little or nothing substantial to counter the pernicious falsification of history, nor has it done much to vindicate the honor and sincerity of Quaid-i-Azam. It has not published a definitive and authentic biography of the Quaid nor has it supported or encouraged scholars and historians to continue thorough research on Quaid-i-Azam. In India, the Indian National Congress has

¹¹ Sharif al Mujahid, *Quaid-i-Azam Jinnah*. Studies in Interpretation, Karachi, 1981.

¹² Wali Khan, *Facts are Facts*, New Delhi, 1987. The Pakistani edition was published as *Facts are Sacred* in the same year.

¹³ Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge, 1985.

consistently given substantial academic support to its version of events that led to the partition of the country and to its perception of the role and character of M.A. Jinnah. While India thought it important to publish *The Collected Works of Mahatma Gandhi*¹⁴, our leaders were reluctant to perform a similar task in respect of the works of Quaid-i-Azam M.A. Jinnah. On the contrary there are people, scholars and governments who have tried to collect and publish some of the writings and speeches of the Quaid from the records.

In this respect Syed Sharifuddin Pirzada did a pioneering job by editing *Foundations of Pakistan* in two volumes in 1969 and 1970¹⁵ and three volumes of *The Collected Works of Quaid-i-Azam M.A. Jinnah* in 1986.¹⁶ Another work of importance was by Professor Dr. M. Rafique Afzal of Quaid-i-Azam University:¹⁷ The Government of Pakistan also did commendable job in 1948 by asking the Ferozsons Ltd. to publish *The Speeches and Statements of Quaid-i-Azam as Governor-General 1947-48*.

The main obstacle in the way of a definitive biography of the Quaid comes from governments which have deviated far from the principles and ideas dear to the Quaid. With this brief overview of the major works on the Quaid, I felt the need to record some errors of facts and judgments in regard to the Quaid's life during 1924-34 made by some writers. This is the period, being the second phase of the life of the Quaid which is the subject of the present work. The labor involved in patient research was amply rewarded when I was able to get together irrefutable evidence to correct these errors.

Congress leaders were most unhappy with Jinnah's departing from the Congress after 1920. His success in reviving the All-India Muslim League (AIML) in 1924 to make it a popular mass party, strong enough to resist the machinations of the Indian National Congress, and to safeguard the legitimate rights of Muslims. This naturally aroused the ire of the Congress leaders.¹⁸ Through such efforts Jinnah enjoyed an unchallenged position both in the central legislature and the Indian political scene during 1924-25. Nothing could have displeased the wily Congress leaders more than the political eminence of Jinnah in this period. The powerful Congress press propaganda machinery

¹⁴ *The Collected Works of Mahatma Gandhi*, 90 vols., Ministry of Information, Govt. of India, New Delhi, 1957-1984.

¹⁵ Syed Sharifuddin Pirzada (ed.), *Foundations of Pakistan: All-India Muslim League Documents 1906-1947*, 2 vols., Karachi, 1969-70.

¹⁶ Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, 1906-31*, 3 vols., Karachi, 1986.

¹⁷ M. Rafique Afzal (ed.), *Selected Speeches and Statements of Quaid-i-Azam Mohammad Ali Jinnah, 1906-37, 1947-48*, Lahore, 1967.

¹⁸ Riaz Ahmad, *Quaid-i-Azam's Role in South Asian Political Crisis 1921-24*, op.cit., pp. 40-57.

launched a vicious campaign of character assassination of the upright and straightforward leader of the Muslim League. The virulent slander campaign of the Congress was a miserable feature and made no difference to reputation of the Quaid, who continued to dominate the political scene as the President of the AIML and as a national leader up to March 1927. When all the intrigues to dislodge him from that powerful political position failed they approached him in a supplicatory tone to surrender the Muslim right of separate electorates in the name of Hindu-Muslim settlement. For that purpose Jinnah was given widest choice for the Muslim demands to be accepted by the Congress. As a gesture of liberal mindedness and goodwill the Quaid invited all the important leaders of the Muslims including Sir Muhammad Shafi, to a meeting in Delhi in March 1927 and convinced them to surrender Muslim right of separate electorates on the following conditions:

- i) One-third of the Central Assembly seats were reserved for Muslims,
- ii) Sindh was separated from Bombay Presidency and carved out as a separate province,
- iii) Reforms were introduced in the N.W.F.P. and Baluchistan to make them similar to the other advanced provinces of British India.¹⁹

By persuading the Quaid to surrender the Muslim right of separate electorates, the Congress leadership became very happy because this was the very issue on the basis of which the AIML later became divided into two groups: 1) Jinnah group, and 2) Shafi group.²⁰ This division within the AIML shook Jinnah from the powerful position as President of the Muslim League. To make the things worse and without fulfilling the promises made to Jinnah the Nehru Committee rejected all the Muslim demands on the basis of which they had agreed to give up separate electorates forever.²¹ Naturally Jinnah felt most dejected and betrayed by the Congress. He was forced to plan a new course for the Muslims which led him to frame his Fourteen Points, discussed in Chapter V, by which politics developed to a point of no return. By his Fourteen Points, Jinnah gained the lost ground among the Muslims. Consequently, he became the main target of the Congress attack. The nationalist Muslims led by Maulana Abul Kalam Azad and others were mobilized by the Congress to challenge Jinnah on his Fourteen Points when they were presented in the AIML session in March 1929.²² They tried to exploit the situation fully and did manage to create some confusion in

¹⁹ *Times of India*, 22 March 1927.

²⁰ Pirzada, *Foundations of Pakistan*, vol.11 op.cit., pp. 107-178.

²¹ All Parties Conference 1928 Report, popularly known as the Nehru Report, Allahabad, 1928.

²² *Times of India*, 1 April 1929.

the Muslim League meeting. Thus the Congress lackeys were mainly responsible for the disturbances in the Muslim League session. The position became so bad that Jinnah had to order postponement of the session. A lot of confusion was created on the instigation of the Congress. It took Jinnah one whole year to persuade the majority of the Muslim leaders to agree to his 14 points and by March 1930 he was able to convince Sir Shafi about the viability of his 14 points and finally making him agree to work for the Muslim future on the basis of his points. Thus the AIML was again united when Shafi and Jinnah groups merged to make one united AIML.²³ This united Muslim League elected Allama Muhammad Iqbal, great poet-philosopher, to preside over the Allahabad session of the AIML held in December 1930. But this proved a short-lived unity. While the Quaid was in England during 1931-34 the AIML again became divided into two other groups - Hidayat group and Aziz group.²⁴ It was in spring 1934 when Jinnah came on a special visit to India that these two groups were united and merged into one AIML, which unanimously elected Jinnah as its President.²⁵ After 1934 Jinnah continuously functioned as the permanent President of AIML and he made AIML a force to be reckoned with. This period, however, is outside the scope of this study.

During 1924-34 Jinnah played a significant role both in the British Indian politics as well as in the AIML. It was mainly because of Jinnah that Muslim leadership averted the dark future for the Muslims envisaged by the Nehru Report. Had Jinnah not tactfully handled the situation by his careful dealings with the Hindu leaders, Muslim leaders and above all the British Viceroys and Secretaries of State for India, the Muslims and other minorities would not have won the Communal Award in 1932 nor the White Paper in 1933 by which the Muslim right for separate electorates was secured, which was later constitutionally protected under the Government of India Act 1935. Without this the Muslim nation would have been fragmented and disunited at the mercy of its opponents. Thus Jinnah's role in this period is very important for the Muslim nation.

The Congress leaders and writers made unceasing efforts to distort the image of Jinnah and to belittle his political importance in their writings. A start in this direction was made by Jawaharlal Nehru himself in January 1936 when his *An Autobiography*²⁶ was published from London. Nehru tried to prove that after leaving Congress Jinnah "became a rather solitary figure in Indian politics".²⁷ The following chapters will refute

²³ *Times of India*, 3 March 1930.

²⁴ Pirzada, *Foundations of Pakistan*, vol. II, op.cit., pp. 194-228.

²⁵ *Ibid.*, pp. 229-233.

²⁶ Jawaharlal Nehru, *An Autobiography*, London, 1936.

²⁷ *Ibid.*, p. 68.

this opinion and show Jinnah continued to play an important role in India. This opinion was unimaginatively carried further even by Jinnah's biographers and other writers of the freedom movement. Kanji Dwarkadas writes that after leaving the Congress "Jinnah withdrew from politics and went full speed ahead with his practice at the bar".²⁸ Bolitho writes that by 1929 Jinnah was so frustrated that he went to England in exile during 1930-34.²⁹ This period is depicted by Ravooof as the period of 'disillusionment' for Jinnah.³⁰ According to G. Allana, "Jinnah was a very disappointed man".³¹ Similarly, Jinnah's going to England is linked with his disappointments in India. Referring to this Bolitho goes on to say:

It seems that by the end of the second RTC, Jinnah had retired into a state of stubbornness and eclipse. He had made no important speeches during either of the first two sessions, and he was not included in the third Conference because he was not thought to represent any considerable school of opinion in India. He stayed in England, haunted by the memory of his unfortunate marriage, and discouraged as a politician. All that remained to him out of this disorder was his talent as an advocate. Abandoning all other interests, he decided to make his home in London and to practice at the Privy Council Bar.³²

Bolitho's observation, was simply based on Jinnah's speech delivered to students of Aligarh in 1938 in which the Quaid himself admitted: "I felt so much disappointed and so depressed that I decided to settle down in London".³³ Here the job of historian starts. Should he naively accept on its face value the public utterances of the man he is studying, or should he probe into the record and examine the context and purpose of his words to arrive at his own conclusions? Such an approach is all the more necessary in the case of a political leader. Despite his transparent honesty and sincerity Jinnah has often been misunderstood by his closest associates and of course grossly misinterpreted by his opponents and rivals. The historian has to keep in mind the context and intention of the utterances of a political leader, especially when he speaks about himself. When Jinnah addressed the Aligarh students in 1938 his main objective was to inculcate unity amongst the Muslims, so he presented his own career for this purpose. But this should not be taken as the only reason for his stay in England. As a matter of fact the British Government and the public had become hostile to the Indian demand for freedom

²⁸ Kanji Dwarkadas, *India's Fight for Freedom 1913-1937: An Eyewitness Story*, Bombay, 1966, p. 320.

²⁹ Bolitho, *op.cit.*, pp. 96-98.

³⁰ Ravooof, *op.cit.*, pp. 65-70.

³¹ G. Allana, *Quaid-i-Azam Jinnah: The Story of a Nation*, Lahore, 1967, p. 210.

³² Bolitho, *op.cit.*, p. 99.

³³ *Ibid.*, p. 100.

particularly towards the Muslims. Moreover, by holding the RTCs in London the game of power politics had shifted to London and the British were in no hurry to grant the next installment of reforms. The Congress, under the influence of M.K. Gandhi, was growing hostile towards the Muslims. The Congress was striving for the transfer of power to the Indian National Congress which had not the slightest desire to share power with the Muslim League. Jinnah and other Muslim leaders could not of course accept this. Furthermore the Muslims were also divided into various groups. All these factors made Jinnah to shift his residence to London during 1930-34. As far as Bolitho's point that Jinnah "had made no important speeches during either of the first sessions of the RTC is concerned, Bolitho does not appear to have gone through the proceedings of the RTCs preserved in the IOLR, London. If he had studied Jinnah's voluminous speeches which had a significant impact on the important constitutional issues, especially based on his fourteen points being the united demand of the Indian Muslims, he would have commented differently. In this connection Jinnah's contribution in the RTCs is depicted in Chapter VI. As to the question that Jinnah "was not included in the third conference because he was not thought to represent any considerable school of opinion in India. this is totally false and baseless. As a matter of fact Lord Willingdon, Viceroy, was already hostile to Jinnah because of his leading anti-Willingdon demonstration in 1918 when Willingdon was leaving his charge as Governor of Bombay.³⁴ By the time the recommendations were invited for the third RTC, Willingdon had been appointed the Viceroy of India in 1932. Because of Lord Willingdon's intense dislike of Jinnah, he did not include his name in the list of leaders to be invited to the third R.T.C.

Despite being a good writer Wolpert also committed certain errors. He wrote that in 1930 Jinnah "had lost almost as much faith in his Muslim colleagues as in the Hindus. They could agree on virtually nothing".³⁵ Wolpert made this observation as he could not see the newspaper records of that period preserved in the Colindale Newspaper Library (British Newspaper Library) London. In March 1930 it was reported in the newspapers that Shafi and Jinnah groups merged into one unified AIML on the basis of fourteen points.³⁶

³⁴ After completing his tenure in 1918 as Governor of Bombay, Lord Willingdon was transferred as Governor of Madras. In the name of Bombay Citizen's a farewell was arranged for Willingdon. Jinnah considered it a farce because most of the citizens were against Willingdon. Still the lackeys of the Government arranged the farewell. Being the most popular leader of Bombay, Jinnah led the anti-Willingdon demonstration on the date and time the farewell was arranged. The stage and the hall were occupied by Jinnah and the Bombay public in the early hours of the morning and the reception could not be arranged. It was disturbed. In memory of this event Jinnah Hall was later constructed by the Bombay public instituting a "One Rupee Public Fund". Willingdon knew that it was Jinnah who was the organizer and moving spirit behind his public humiliation.

³⁵ Wolpert, *op.cit.*, p. 118.

³⁶ For instance see *Times of India*, 3 March 1930. Also see Chapter V.

Ayesha Jalal's attitude has been most derogatory to Jinnah. Her remarks about the Quaid were even more contemptuous than those of his Hindu opponents. Ayesha Jalal wrote: "During most of the 1920s Jinnah spent his life in relative political isolation". Her tone becomes even unworthy of a scholar when she comments:

His 'fourteen points' were simply a recitation of the demands raised at the Punjabi dominated All-India Muslim Conference in December 1928. Yet Jinnah's real intentions were revealed by his willingness to bargain on the question of separate electorates provided the other Muslim demands were accepted by the Congress. Unfortunately for Jinnah, the Congress dismissed his formula for a Hindu-Muslim settlement. Motilal Nehru considered the 'fourteen points' to be 'preposterous' and thought Congress could safely 'ignore Mr. Jinnah'. This may have been a short-sighted conclusion, but for the time being it did toss Jinnah into wilderness. For the next few years Jinnah was in self-imposed exile in London.³⁷

This is not a fair observation, and far away from reality. Throughout her book she seems openly hostile to Jinnah. For that purpose she has heavily relied on anti-Jinnah sources. Even the newspaper records, depicting the true picture of all shades of political opinion have been ignored by Ayesha Jalal. She has mainly relied upon the Congress and the British sources and paid little attention to the Muslim or other sources. What is depicted in chapters V to VII of this study is a refutation of Ayesha Jalal's assessment.

Representing the Congress viewpoint, Nehru and Gandhi made it clear that in British India there were two main parties - the Government and the Congress" - to settle the issue of transfer of power in India.³⁸ The Muslims were completely ignored. Gandhi and Nehru expected that Muslims would remain a non-entity in Indian politics because of their internal dissensions and inability to unite in one organization. For that purpose leaders of Jamiat-ul-Ulama-i- Hind were duly backed and used by the Congress against the Muslim League leaders.

This was a logical corollary of the Nehru Report which did not give any status to the Muslims other than one of the minorities of British India. Jinnah well understood the real intentions of the Hindu Congress leaders. As presented in the sixth chapter of this study, Jinnah, on the eve of his departure from India to attend the first RTC, made it clear in a forceful manner that there were four "principal" political forces in India: 1) British Government; 2) Indian States; 3) Hindus; and 4) Muslims.³⁹ Thus, while the

³⁷ Jalal, *op.cit.*, p. 9.

³⁸ Nehru, *op.cit.*, p. 197.

³⁹ *Times of India*, 3 October 1930.

Congress was busy trying to oust Muslims from the political life of the country, a fact least understood by the Congressite Muslims like Abul Kalam Azad even after the publication of the Nehru Report, Quaid-i-Azam floated the idea of Muslims being one of the main political forces without whose consent no decision about the future of the country could be taken. All other Muslim leaders ultimately followed the Quaid. Thus the Muslims, belonging to different denominations, ultimately united at all the three RTCs on the basis of Jinnah's Fourteen Points as discussed in the sixth chapter. But the delegates of the Indian states at these RTCs could not play any significant role. Naturally they lost their separate identity. They finally came to side with either of the other three parties. After 1933, in Jinnah's views, there were three political forces, but Nehru continued to assert that there were only two political forces in India. But the historical march of events made them ultimately accept the fact. The same was the case with Nehru, Gandhi and other Congress leaders who were compelled to accept the Quaid's opinion about the Muslims being one of the three main political parties of South Asia. They refused to give the Muslims the status of a separate political force. But the Quaid was determined to unite all Indian Muslims to prove to the Hindu dominated Congress and the British that the Muslims of India constituted the third party in British India.

The seventh chapter focuses upon Jinnah's stay in London, his activities outside the RTC including the cases he pleaded before the judicial bench of the Privy Council. These aspects, as is the case in other chapters, have totally been ignored by the biographers of the Quaid. They have not gone beyond a brief description of some of his activities. Jinnah remained active even after the RTCs. This chapter also falsifies Bolitho's argument that by the end of the second RTC, Jinnah had retired into a state of stubbornness and eclipse".⁴⁰ It also refutes the story of Bolitho that it were Mr. and Mrs. Liaquat Ali Khan who finally convinced Jinnah to return to India.⁴¹ The Quaid was not a leader who could be convinced without the change of political atmosphere. A number of leaders including Allama Iqbal, Liaquat, Mian Fazle Hussain and a host of others were demanding Jinnah's return home. But he would not return unless Aziz and Hidayat groups of the Muslim League did not finally decide to merge themselves into one united AIML.⁴² Moreover, there was no further need for Jinnah's remaining in England as the majority of the Muslim demands had been accepted under the Communal Award which were given constitutional protection in the Government of India Act 1935.

⁴⁰ Bolitho, *op.cit.*, p. 99.

⁴¹ *Ibid.*, p. 104.

⁴² Pirzada, *Foundations of Pakistan*, vol. II, *op.cit.*, pp. 229- 33.

II

IN THE ELECTIONS

Quaid-i-Azam Mohammad Ali Jinnah was a firm believer in the democratic process in which elections of peoples' representatives is the basis of all governments. He not only believed but practically participated in the elections throughout his political life. He never feared going into elections at all critical times. For making democracy work in the country, Jinnah paved the way for healthy growth of the electoral process. For this he desired that the politicians should work to promote healthy public opinion in favor of the human ideals to be achieved by the political governments. The role of the mass media, particularly the newspapers and the journals, was highly emphasized as a means to build up the desired political public opinion. He believed that all means should be used to arouse and educate the masses so that they become aware of their political rights. For that purpose he had helped in establishing an independent newspaper in the English language, the *Bombay Chronicle* (1915-21). Afterwards he helped in the promotion of other newspapers for the purpose of arousing the desired political awakening in the country. Through the newspapers, journals, pamphlets and public meetings and door-to-door canvassing he always effectively carried his electoral campaign.

Since his participation in the Bombay politics in 1897, Jinnah aligned himself with a political group of the Indian National Congress headed by Sir Pheroze Shah Mehta, a Parsi leader. Their grand patron in politics was Dadabhai Naoroji a Parsi Grand Old Man of India, but he was too old to keep himself involved in the busy schedule of politics. His name was only used as a blessing in politics. All the practical side of politics was looked after in Bombay by Mehta. By the dawn of the 20th century the Mehta group thought that Jinnah had matured as a political leader and was popular enough among the people of Bombay to ensure his victory at the polls.

Sixteen members of the Bombay Municipal Corporation, named as Justices of the Peace, were elected for a term of two years. In the Corporation elections of 1904 Jinnah participated and won. Thus he became member of the Corporation.⁴³ After the expiry of his tenure in 1906 when there were again elections in the same year Jinnah was reelected to the Bombay Municipal Corporation as member of the Mehta group. Most of the members of the Mehta group were elected in the elections, but their leader Mehta himself was defeated. The politicians accused the Government of using unfair influence to defeat Mehta. Mehta, Jinnah and their associates felt so bitter that they took the matter to the courts to redress their grievances. It was Jinnah's legal acumen which

⁴³ Riaz Ahmad, *Quaid-i-Azam Mohammad Ali Jinnah: the Formative Years 1892-1920*, Islamabad. 1986, p. 69.

proved the contention in the courts and a favorable verdict was achieved making Mehta return to the Corporation.⁴⁴ In order to facilitate the conduct of the law suit in favor of Mehta, Jinnah had resigned from the membership of the Bombay Corporation immediately after election in 1906 and never went for it again.

His next target was the membership of the Imperial Legislative Council for which he contested the elections in January 1910 and won.⁴⁵ This was such a beginning in which he never failed throughout his life. He continued to be elected as a member of the national parliament of India which lasted until the membership and Presidentship of the first Constituent Assembly of Pakistan. However, on two occasions in his life he himself decided not to contest the elections. First for the tenure 1913-16 and second for 1920-23. As a matter of fact on both these occasions he refrained from contesting election because of the unfavorable turn of events which have been discussed in this author's earlier books.⁴⁶

During the period of this study Jinnah was returned to the Indian Legislative Assembly on four occasions in 1923, 1926, 1930 and 1934. On three occasions he was returned unopposed. Only once in 1926 he had to contest the election. In the election held in 1926 there were two other contesting candidates. But on the election day, seeing the poor return of voters, these candidates were forced to announce their withdrawal from the contest much before the closing hour of the polling stations.⁴⁷ Still the polling was held as per schedule and Jinnah won the election with an overwhelming majority.

Despite his strong position and being a great leader who had full faith in his voters, Jinnah never believed in the back-door entry into the legislature. In an age when nomination from the Government to the legislature was an easy task, he never desired to be dubbed as the Government's nominee. He always preferred to be the representative of the people. During the elections he issued manifestoes, addressed public meetings, issued press statements, and conducted door-to-door canvassing. This was done by his superb organization of and complete involvement in election activity. He prepared teams of workers who worked with dedication for days and nights; thus ensuring his victory in the election. Above all he was honest and truthful. He never deviated from the truth and scrupulously avoided all tricks and underhand means in his elections. He was always fair in his public dealings. His election schedules were well

⁴⁴ *Ibid.*, pp. 78-81.

⁴⁵ *The Englishman*, 5 January 1910; and *Pioneer*, 6 January 1910.

⁴⁶ See this author's *Quaid-i-Azam Mohammad Ali Jinnah: the Formative Years.*, op.cit., Quaid-i-Azam's Role in South Asian Political Crisis 1921-24, Rawalpindi, 1989.

⁴⁷ *Times of India*, 18 November 1926.

organized and he maintained strict discipline among his workers and never lost sight of moral values in his political work. People loved to work under his guidance. In the elections full organizational capability was thus exhibited by Jinnah and his workers.

The INC realized in 1923 that they were misled by M.K. Gandhi in not participating in the 1920 elections because by not contesting the elections their effective presence was missing both in the central and provincial legislatures. Only the second and third rate politicians had been returned to the assemblies. This reality was further noticed when the Khilafat and Non-Cooperation movements failed in 1922 and the whole Indian political world became divided on various national issues. It was this realization which made the INC Working Committee decide in September 1923 that in the forthcoming elections their party would participate.⁴⁸ The moving force in making the Congress realize this folly was Jinnah and his associates.⁴⁹ Other parties who followed the INC lead such as the Jamiat-ul-Ulama-i-Hind, also decided in favor of Council entry.⁴⁹

Three days after the Congress decision, Jinnah announced his decision to contest election from the Bombay constituency for the membership of the Indian Legislative Assembly. He was elected unopposed.⁵⁰

Despite the fact that there was none to oppose him he passed through the electoral process of giving his manifesto to his people, and continuing canvassing and campaigning for his victory.⁵¹ On 20 September 1923 his election manifesto in the form of "an appeal to the electorate" was published in the newspapers with the headline "Mr. M. A. Jinnah's Manifesto".⁵² In this manifesto he spoke of the national issues in the international context. Emphasizing national "unity amongst various sections" of the population and the communities with a sense of "proper organization" he desired that the majority of the elected members should work jointly for the cause of freedom. He had a firm faith that "if the collective wisdom of the representatives in the Assembly is not listened to or regarded with due respect, there can be only one course open to the Assembly and that is to make the Government by legislation impossible".⁵³ Other main points of Jinnah's manifesto in his own language were:

⁴⁸ *Times of India*, 7, 16-20 September 1923: and *Advocate of India*, 17 September 1923.

⁴⁹ *Ibid.*

⁵⁰ *Advocate of India*, 4 October 1923. The Jamiat took this decision in a meeting presided over by Maulan Abul Kalam Azad on 3 October 1923.

⁵¹ Hecto Bolitho, *Jinnah, Creator of Pakistan*, Karachi, 1964 (first published in 1954), p. 88.

⁵² *Advocate of India*, 20 September 1923.

⁵³ *Ibid.*

- (1) I feel that we have not exhausted the last stages of lawful struggle for freedom; it still remains to be seen whether it is not possible to attain complete responsible Government by means of a struggle within the constitution of the Assembly under the Government of India Act. The failure or success during the course of the last stages of constitutional struggle will necessarily depend on the attitude and treatment which the Government may show to our representatives, and hence it is clear that the choice lies with the Government either to make the people happy and contented by yielding to their legitimate demands and encouraging their just aspirations, or treating them with utter indifference and in total disregard of every principle and fairness, and thus force the people to resort to a policy of a direct action, or whatever be the consequences, as was the case in Ireland and Egypt.
- (2) I am aware that England has in the past followed a policy of such unreasonableness towards Ireland and Egypt as recent instances, with the result that perforce the people of those countries had to resort to direct action. Such an experiment in India would be most disastrous and, therefore, I feel that the Government are not likely to compel the people to resort to any extreme policy which must spell disaster.
- (3) These being my reasons, I feel that those who have the interest of the country at heart, should make one more supreme effort and send our representatives to the Assembly in that spirit.

Towards the end of his article, Jinnah made it clear that it was not his desire "to seek any post or position or title from the Government", but "my sole object is to serve the cause of the country as best as I can".⁵⁴ Expressing with reference to his own political experience he emphasized that since the start of his political career he has been serving "the cause of the people" according to his best "abilities and judgment".⁵⁵ Towards the end of this statement he put three questions to his electorate:

- (1) Whether you think that the country is ripe for direct action at present;
- (2) If not, whether it will not be the best course under the present circumstances to send the representatives to the Assembly whose policy and programme of work will be, under the constitution of the Assembly, as laid down under the Government of India Act 1919, with the main object of speedy attainment of complete responsible Government;

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

- (3) If your answer is "yes" to the second question, I should feel obliged if you will let me know whether my candidature as your representative will meet with your support and whether you will vote for me.⁵⁶

Because of his tremendous popularity none dared to stand against him and he was elected unopposed to the Central Legislative Assembly as an independent candidate against the seat reserved for the Muslims of Bombay.⁵⁷

Similarly Jinnah was elected unopposed as a member of the Central Legislative Assembly against the same seat in 1930. At this time Jinnah just announced his candidature by getting his passport size picture published in the newspapers with a footnote that "Jinnah stands as candidate for the Bombay city Mahomedan Constituency for the Legislative Assembly".⁵⁸ Immediately following his return to the Assembly, Jinnah had to proceed to London to attend the first session of the Round Table Conference (RTC). Rather he was amongst the last leaders to reach London because his departure had been delayed for the purpose of election. He wanted to get himself elected before his departure for London.

After reaching London he realized that the RTC had been engaged in a long process of debating constitutional issues of the federal and communal nature. The RTC was postponed for the next year. He also developed a feeling that the future of India may be decided in London in the next few years. For this purpose he felt that his presence in London was necessary as long as the basic decisions about the future of India were not taken. It was for this purpose that he also decided "to stand for election to Parliament at the earliest opportunity he" may get. Therefore, he decided to resign his seat in the Indian Legislative Assembly so that the electorate is able to send another representative to the Assembly. For this purpose Jinnah came to Bombay on 31 July 1931 and by a letter addressed to the Secretary, Indian Legislative Department he resigned from the membership of the Legislative Assembly.⁵⁹ After five weeks' stay in India Jinnah went back to London in early September 1931 for the accomplishment of his aforementioned mission.⁶⁰

The most interesting elections were those of 1926. There were three contestants to the Mahomedan seat in the Central Legislative Assembly, viz., M.A. Jinnah (Independent), Hassenbhai A. Lalji (Swarajist), and Salehbhoy K. Barodawala, Scheriff of Bombay

⁵⁶ *Ibid.*

⁵⁷ *The Times* (London), 22 November 1923.

⁵⁸ *Times of India*, 31 July 1930.

⁵⁹ *Times of India*, 1 August 1931.

⁶⁰ *Times of India*, 5 September 1931.

(Independent).⁶¹ In the elections of 1923 the Swarajya Party had supported Jinnah's candidature. But in 1926 the Swaraja Party opposed him as it developed differences with Jinnah in the Legislative Assembly debates. In this election, they nominated their own candidate against Jinnah. Another candidate standing against Jinnah belonged to a Muslim group which was opposed to Jinnah. This dual opposition placed Jinnah in a critical situation. But Jinnah faced this challenge courageously.

The election activity was extremely hectic. According to a newspaper report, apart from the fact that Jinnah promised to look after the Mohammadan interests, if elected, at meetings held in the constituency, no attempts were made to ascertain the views of the community. The old orthodox way of personal canvassing was also resorted to at this time and the prominent feature of the election appeared to be polling on sectarian lines. So far as general opinion went Jinnah seemed to be the favorite.⁶² Lalji, the candidate floated by the Swarajya Party, had already won a seat in the Bombay Legislative Council. On this basis he was not likely to be elected. Barodawala only enjoyed the support of small Bohra (a branch of Shia) voters. But Jinnah enjoyed the strong backing of the Memon (Sunni) voters who had the overwhelming majority of voters. Of 2730 total voters the Bohra numbered only 700.

Extensive propaganda was conducted against Jinnah in the newspapers and journals of Bombay. If there had been little propaganda, Jinnah's general temperament suggested, that he would have ignored it. But the intensity of the propaganda challenged even the Islamic orientation of the Quaid. Thus Jinnah was forced to reply.⁶³ His reply was published in the Bombay newspapers and even in the Aligarh Mail, November 1926. In this open letter Jinnah made it categorically clear how he had been tackling anti-Islam propaganda of the Swarajists in the Indian Legislative Assembly particularly by Diwan Bahadur T. Rangachariar. He made clear in the house that the Muslims of India would not accept any legislation which would attempt to override the Holy Quran; "the highest authority which binds the Muslims".⁶⁴ In this resume, he listed his seven contributions to the cause of Muslims:

- (1) The Mussalmans were agitating against the decision of the Privy Council in the matter of *Wakfs* which wrongly interpreted the Mussalman Law for sixteen years without redress. It was in 1913 that the Wakf Bill which I introduced as soon as I entered the Minto-Morley Council was passed into an Act piloted by me through the legislature.

⁶¹ *Times of India*, 18 November 1926.

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ Cited in Shan Muhammad, *The Indian Mussalmans: A Documentary Record*, Meerat/New Delhi, 1985, p. 165.

- (2) The Lucknow Pact, which defined the position of the Mahommedans in the various legislatures in 1916.
- (3) The Indian Muslim League which was practically dead, was revived in 1924 through my efforts, and it was under my presidentship that it laid down and crystallized the position of the Mahomedans clearly and definitely with regard to the future advance in the Constitution of the Government of India towards establishment of Responsible Government.
- (4) It was through my instrumentality that in the national inserted that the Mahomedan interests and rights should be safeguarded in any future Constitution that may be framed.
- (5) It was owing to my cooperation with my Hindu friends that the Indian Nationalist Party in the Assembly consisting of about 76 members in 1925 unanimously passed a resolution recognizing the separate electorates in the various legislatures so long as the Mahomedans desired to continue them.
- (6) It was through me, who happened to be elected unanimously by all sections and schools of Mahomedans at Delhi in 1925 as their spokesman at the Unity Conference that the Mahomedan case was placed before the Unity Conference.
- (7) In January-March 1926 sessions, it was through my efforts that the North-West Frontier Province Reform Resolution was carried and I am glad to say with the support of several Hindu members of my party, against the most vigorous opposition led by Pandit Madan Mohan Malaviya and supported by several leading Hindus. The official Reports will show that I bore the brunt in the debate.⁶⁵

In the light of these points, Jinnah appealed to his "electorate not to be misled by men who are maliciously spreading rumors against me".⁶⁶ He also assured his electorate: I can assure you that if I am returned as your representative, I will watch your interests with the same zeal and vigilance as I have done in the past and that nothing will make me abandon the Mussalman cause and the Mussalman interests.⁶⁷

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

This appeal of Jinnah had such a far reaching effect that election results were visible even before the polling was concluded. It calmed down all of his opponents whose intrigues and vicious propaganda failed miserably.

The polling was held on 18 November 1926 when the whole day was marked with great excitement, not hitherto witnessed in any previous elections.⁶⁸ There were only two polling stations for this constituency, one at the Town Hall and the other inside the old Umerkhady prison. The Muslims eligible for voting in the election residing in the Fort, Bhuleshwar and Girgaun wards of the city cast their votes in the Town Hall polling station while those staying in the Mandvi, Byculla, Parel and Dadarwards went to the Umerkhady polling station. There were altogether 2,730 voters: 436 in the Fort, 1206 in Mandvi, 550 in Bhuleshwar, 208 in Girgaum, 227 in Byculla, 59 in Parel and 44 in Dadar.⁶⁹

At both the polling stations Jinnah was leading. He had quite an army of workers, who went from door-to-door collecting the voters in regular streams. As expected, the majority of the Memon voters supported him. Although, it is not correct to argue that they were influenced by Jinnah's activities in the past, it may fairly be concluded that the prestige he commanded in the community won him considerable support.⁷⁰

About noon time a number of leaders gathered at Jinnah's tent and forced Lalji to retire in favor of Jinnah. Thus Lalji was forced to withdraw his candidature. At about 3 p.m. Barodawalla also practically withdrew from the contest. Their agents left the polling stations leaving Jinnah as the only candidate in the field.⁷¹ Although Jinnah secured "a virtual walkover", the polling continued indifferently. When Barodawalla's withdrawal was brought to the notice of Jinnah's supporters, they were highly elated, garlanded Jinnah and made merry. At the close of the day's polling it was ascertained that 1,130 out of 2730 voters had exercised their franchise: 586 in the prison booth, and 544 in the Fort polling station.⁷² Thus the percentage of the return voters was 41%. More than 95% of these voted for Jinnah.

During the election meetings Jinnah displayed a marvelous tolerance at critical times even when once a meeting was disturbed by one of his opponents. In such a meeting in Bombay on 6 November 1926 under his presidency, there was a Swarajist intruder who entered the meeting hall thrice each time asking forgiveness after interrupting the

⁶⁸ *Times of India*, 19 November 1926.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² *Ibid.*

meeting and each time Jinnah taking promises from him not to repeat such rudeness and observe calmness. But again and again, he broke his promises. It was through perseverance and forbearance that Jinnah controlled the situation. At one time the intruder was about to be beaten by his workers but Jinnah stopped them. Finally the man was handed over to the police and the meeting continued without any further interruption.⁷³ It was Jinnah's perseverance which saved the situation.

In 1934 he was reelected to the Central Legislative Assembly at a time when he was not present in Bombay. As a matter of fact he was then in England and was so busy that it was not possible for him to reach Bombay for the purpose of participating in the elections. The time for the elections had arrived in October 1934. There was no other way except that his nomination papers were filed by his supporters for the seat from his old Muslim constituency of Bombay on which he had been continuously elected since January 1910. When the news of filing his papers was brought to the notice of the public, none dared to file any nomination papers against him. Therefore, the newspaper reported by publishing his passport size photograph that Jinnah will be declared elected without opposition.⁷⁴ However, according to a newspaper report, Dr. M.A. Ansari tried his best to make a nationalist Muslim stand against Jinnah. Who was behind him? Nobody knew, As a follow up of this news, when a press representative approached Dr. Ansari and asked him to explain the reasons of his failure of making himself or anyone else stand against Jinnah, Ansari avoided admitting even making such an abortive attempt. Thus Jinnah entered the Assembly unopposed.⁷⁵

By 1934 Jinnah had emerged as an undisputed established leader of Muslim India. His popularity amongst the masses could not henceforth be challenged. During 1926 when the Congress-Swarajist backed candidate unofficially supported Lalji against Jinnah and they saw the failure of their candidate, the Congress leaders including Mrs. Sarojini Naidu refused even to admit that Lalji's candidature was floated by the Congress.⁷⁶ This was because during the election campaign Jinnah had publically "denounced the futility and barrenness of the Swarajists' programme".⁷⁷ In his public address Jinnah had made it clear that it were the Congress and the Swarajists who had been conducting merciless and ill-founded propaganda against him both in the Assembly and outside whereas he has been sincerely supporting all of their genuine demands. Therefore, he called upon the people not to be "misled to believe that the only heroes in the world are the Swarajists". In conclusion he even said: "Judge us critically, mercilessly but judge us

⁷³ *Times of India*, 8 November 1926.

⁷⁴ *Times of India*, 12 October 1934.

⁷⁵ *Times of India*, 8 November 1934.

⁷⁶ *Times of India*, 19 November 1926.

⁷⁷ Jinnah's address at a public meeting in Bombay on 13 November 1926 in *Times of India*, 15 November 1926.

aright".⁷⁸ During this campaign the Swarajists had even charged Jinnah of acting against Islam and the Holy Quran in 1912. Refuting this also Jinnah said that he had never been opposed to Islam and the Holy Quran, rather he dedicated his whole life for the service of Islam and the Holy Quran.⁷⁹ All such propaganda was launched either by the Congress-Swarajists people or the Congressite nationalist Muslims opposed to the basic Muslim right of separate electorate. At another meeting in Bombay in the same month Jinnah appealed to his detractors:

Don't misrepresent. Don't mislead the public. Let us have an honest and clean fight.⁸⁰

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Times of India*, 25 October 1926.

III

INDEPENDENCE THROUGH CONSTITUTIONAL ADVANCE

Quaid-i-Azam Jinnah was struggling hard for the freedom of the country but as a formidable realist he considered that the constitutional way was the best way to win freedom. He wanted to change the constitution according to the will of the people. His efforts were directed towards all superscriptions - social, political, economic, educational and even defence of the country. According to him all these developments were interlinked with the rise and growth of an independent nation. With this view he worked for the Home Rule of the country during the first phase of his freedom struggle. The same belief made him travail hard in the nineteen twenties and thirties being the second phase of his freedom struggle.

For the early attainment of the country's freedom from the foreign rule he believed in building up a rapport with the British Government, not for the purpose of following them but for cooperation in the realization of the ideal of the development of society and the country in line with the advanced nations of the world. While facing any difficulty in getting the desired cooperation from the government, Jinnah was never found hesitant in criticizing the Government. In so doing he had to face bitter opposition from the government.

He, however, was never cowed down, but heroically and courageously faced the government in defending the public interest.

During his whole political career, it was only once that Jinnah was appointed member of the Reforms Enquiry Committee in the hope of winning cooperation from him. In this also he proved to be more loyal to the public rights than toeing the official line thereby risking enmity of the government.⁸¹ The Reforms Enquiry Committee was appointed on 20 June 1924 as a result of the pressure of various politicians to reform the Government of India Act 1919.⁸² The first step in this direction was the passage of a resolution by the Indian Assembly on Jinnah's initiative.⁸³ For this purpose Jinnah led the pressure both in the Indian Legislative Assembly and outside. In recognition of his political importance Jinnah was included in this Reforms Committee whose membership was in the following order: 1) Sir Alexander Muddiman, Home Minister (Chairman); 2) Sir Mian Muhammad Shafi (Member); 3) Sir Bijay Chand Mahtab,

⁸¹ *Times of India*, 20 June 1924.

⁸² Birkenhead Papers, 1 OL, MSS. EUR. F. 238/9.

⁸³ Stanley A. Wolpert, *Jinnah of Pakistan*, New York, 1984, p. 81.

Maharajadhiraja of Burdwan State (Member); 4) Dr. Sir Tej Bahadur Sapru (Member); 5) Sir Arthur Froom (Member); 6) Sir Sivaswami Iyer (Member); 7) Sir Henry Moncrieff Smith, Secretary of the Legislative Department (Member); 8) M.A. Jinnah (Member); 9) Dr. R.P. Paranjapye (Member); 10) H. Ponkinson, Joint Secretary of the Home Department (Secretary of this Committee).⁸⁴ The following were the terms of reference of this Reforms Enquiry Committee:

- (1) to enquire into the difficulties arising from, or defects inherent in, the working of the Government of India Act and the Rules there under in regard to the Central Government and the governments of the Governors' provinces; and
- (ii) to investigate the feasibility and desirability of securing remedies for such difficulties or defects consistent with the structure, policy and purpose of the Act,
 - a) by action taken under the Act and the Rules, or
 - (b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.⁸⁵

Jinnah was included in this Committee being President of the All-India Muslim League as well as those of the Independent Party in the Central Assembly.⁸⁶

By a notification the public was invited to send their opinions on this issue to the Legislative Department by 15 August 1924. The first meeting of the Reforms Enquiry Committee was held in Simla on 4 August 1924 wherein the terms of reference were discussed along with the question of making the enquiry public or in camera. For two hours the question was debated without reaching a decision.⁸⁷ The Times of India editorial representing the official viewpoint, was not favorable to the inclusion of Jinnah in this Committee as, according to it, he advocated "idealistic, rather than practical" ideas.⁸⁸ Majority of the Committee members were not favorable to making public the discussion of the Reforms Enquiry Committee, but Jinnah forced them through his convincing arguments to make its deliberation public.⁸⁹

⁸⁴ Proceedings of the Reforms Enquiry Committee, I OLR, London, L/P&J/6/187.

⁸⁵ *Ibid.*

⁸⁶ *Times of India*, 20 June 1924.

⁸⁷ *Times of India*, 5 August 1924.

⁸⁸ *Ibid.*

⁸⁹ *Times of India*, 6 August 1924.

The Committee heard the opinions of various official, non-official, political and non-political witnesses on 7, 9, 13, 14, 16, 18-21, 25-28, 30 August, and 16-18, 20-24 October 1924 in Simla.⁹⁰ On the eve of finalization of recommendations difference of opinion developed amongst the members in the light of which the Report of the Committee was finalized in two parts: Majority Report and Minority Report. The Majority Report consisting of 130 pages was signed by A.P. Muddiman, Sir Muhammad Shafi, B.C. Mahatab of Burdwan, A.H. Froom and H. Moncrieff-Smith.⁹¹ The Minority Report consisting of 74 pages was signed by Dr. Tej Bahadur Sapru, P.S. Sivaswamilyer, M. A. Jinnah, and Dr. R. P. Paranjapye. Both the majority and minority reports were submitted to the government on the same date, *i.e.* 3rd December 1924.⁹² A newspaper report about the division amongst the members of the Committee was published in November 1924.⁹³ Amongst the legislators the Minority Report came to be called as the "*Jinnah Committee Report*".⁹⁴ For three months the Government studied and analyzed both the reports and it was in response to the public and political pressure that these reports were published in March 1925.⁹⁵ Both these reports were termed as "rival" reports. *The Times* wrote: "The minority report lays emphasis on the fact that almost every non-official witness stressed the need for provincial autonomy and the introduction of the principle of the responsibility at the Central Government. This report approves the statement that nothing but the disappearance of Dyarchy and the Constitution for it of provincial autonomy will pacify the Government's critics".⁹⁶

Before the findings of these two reports along with their analysis are discussed, it is important to go into the circumstances in which Jinnah was appointed member of this committee. As the records of the India Office Library, London show it was not Jinnah, the person who made an effort to be included in it but the leader who was persuaded to become member of this important committee. Prior to the appointment of the committee Jinnah was approached by the Government of India to become its member, but he first refused as he was not happy with the terms of reference of the committee. What he desired was the complete overhauling of the constitution of the country and ,

⁹⁰ Reforms Enquiry Committee 1924-Report and Evidences, vol. I, Calcutta, 1925, IOLR, V/26/261/12; Reforms Enquiry Committee 1924: Evidences, vol. II, Calcutta, 1925, IOLR, V/26/261/13.

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Times of India*, 29 November 1924.

⁹⁴ Dr. M. Rafique Afzal, *Quaid-i-Azam Mohammad Ali Jinnah: Speeches in the Legislative Assembly of India 1924-30*, Lahore, 1976, p. xxi.

⁹⁵ *The Times*, 11 March 1925.

⁹⁶ *Ibid.*

according to him, for its realization the committee's hands should not be tied down. The records suggest that Quaid-i-Azam put the condition of being given a free hand on which the Government representative verbally agreed which persuaded him to give his consent to become member of the Reforms Committee.⁹⁷ This was all done secretly. As already seen, the announcement was made on 20 June 1924.⁹⁸ Somehow or the other, the information leaked out and the matter was noticed in England by some of the members of the British Parliament (House of Commons)⁹⁹. On 30 June 1924 Mr. Nardlaw Milne, Member of the House of Commons, asked the following question in the House:- To ask the Under-Secretary of State for India, whether Mr. M.A. Jinnah only accepted office as a member of the Committee appointed by the Government of India to inquire into the working of the Government of India Act under a special understanding regarding the scope of the inquiry; what the conditions were which Mr. Jinnah laid down; and whether the conditions were accepted".¹⁰⁰ The Secretary of State for India replied: "Jinnah has now agreed to serve; I have no information indicating or suggesting that Mr. Jinnah attached any condition indicating his acceptance".¹⁰¹

In these records we also find two telegrams from the Viceroy of India to the Secretary of State for India indicating Jinnah's reluctance to become member of the Reforms Enquiry Committee. The first is dated 14 June 1924 which runs as under: We have not yet heard from Jinnah whether he agrees to serve on the Committee. If he does not, some additions to the members will be required.¹⁰² But the second telegram dated 18 June 1924 confirmed: "Jinnah has now agreed to serve on the Committee and we propose to issue Resolution on Friday. 20th with the insertion of Mr. M. A. Jinnah in the list of Members before Mr. Paranjpye".¹⁰³ This stage was attained through a lengthy process. Efforts in this direction were started in May 1924 when the Viceroy persuaded the Secretary of State for India to agree to the inclusion of Jinnah's name on the committee. A telegram for this purpose was sent on 7 May.¹⁰⁴ On receiving the Secretary's approval

⁹⁷ *The Times* (London), 5 June 1924.

⁹⁸ *The Times*, 20 June 1924.

⁹⁹ Reforms Enquiry Committee, I OLR, L/P&J/6/187, op.cit.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Viceroy to Secretary of State for India (telegram), 7 May 1924, Constitution-Reforms Enquiry Committee, IOLR L/ PO/6/14.

Jinnah was appointed member of the Reforms Committee.¹⁰⁵ As this indicates, the Government of India felt the need to include Jinnah in the deliberations of the Reforms Committee, because it recognized Jinnah's great political and intellectual importance. The British Government in London however, felt concerned on Jinnah's inclusion in the Committee because Jinnah was considered as a leader who was opposed to the British raj.

The proceedings and findings of the Committee are also interesting. Towards the end of para. 124 the majority wrote thus about the minority:

We had the advantage of considering the evidences and of discussing most of our recommendations in full Committee, but our colleagues, Sir Tej Bahadur Sapru, Sir Sivaswamy Iyer, Mr. Jinnah, and Dr. Paranjapye finally decided to write a separate minority Report. We find that in that report they have dealt with some matters which we feel were precluded from considering them now. It is necessary to point out that the recommendations in paragraph 91 were the result of an examination of the subject by a sub-committee consisting of Sir Muhammad Shafi, Sir Tej Bahadur Sapru, Sir Henry Moncrieff Smith and Mr. Jinnah and were unanimously accepted by the Committee as a Evidence was heard jointly by the whole Committee.¹⁰⁶

During evidences Jinnah expressed great awareness of a number of things as reflected by his questions put to Mr. Barkat Ali, Vice-President of the Punjab Muslim League, on 20 August 1924. Jinnah seemed to be aware of the Punjab controversy that first occurred as a result of the Punjab Land Alienation Bill which was defended by the Hindus and Sikhs but opposed by the Muslims, then he put the next question that "during the last three or four years another cause has been added and that is the *shudhi movement*, which has only recently been started by a certain gentlemen?" When Barkat Ali said, "Yes", Jinnah put another question: "Was the *tabligh* movement started by the Muhammadans in reply to *shudhi movement*?". Barkat Ali affirmed Jinnah's statement. Jinnah also put that "the *shudhi* and the *tabligh* movements" were also common to the Punjab and the "neighboring tracts". Another suggestion by Jinnah was: "Because the conditions of Ireland are in some respect analogous to those obtaining in India and have necessitated the creation of two Parliaments, a Northern Parliament with Protestants in the majority, and a Southern Parliament with Catholics in the majority". To this observation of Jinnah also Barkat Ali agreed. Jinnah's style of argument was that if an interviewee was opposed to his views, he was put highly critical questions but was allowed full chance to elaborate and logically explain his position on the issue under debate. But if the interviewee happened to be favorable to his views and he was not well-equipped with the necessary historical examples, his job was made easier by the provision of historical

¹⁰⁵ Viceroy to Secretary of State for India (telegram), 2 June 1924, in *Ibid*.

¹⁰⁶ Reforms Enquiry Committee 1924, I OLR V/26/261/12.

and comparative or analogous examples by Jinnah himself in his question as he did on issues like the need for separate Muslim electorates, need for change in the Constitution, justification for the Lucknow Pact, which according to him, was "the result of give and take on the part of both communities".¹⁰⁷

As the records indicate, it was mainly Jinnah who influenced his three colleagues in the Reforms Enquiry Committee to side with him and write a Minority Report which was opposed to the findings of the Majority Report.¹⁰⁸ The British officials even complained about this role of Jinnah.¹⁰⁹ The major difference between the opinion of Jinnah and those of the majority members was whether an 'alternative' system can be proposed by the Committee, or it has just to suggest some minor changes in the Government of India Act 1919. Jinnah thought there was no bar in suggesting an 'alternative' system which might be quite different to the proposed constitution. Subscribing to this view, the Minority Report commented:

The majority of our colleagues say that no alternative transitional system has been placed before us. We think that no such alternative transitional system can be devised which can satisfactorily solve the administrative or political difficulties which have been brought to our notice. To our mind the proper question to ask is not whether any alternative transitional system can be devised but whether the constitution should not be put on a permanent basis, with provisions for automatic progress in the future so as to secure stability in the government and willing cooperation of the people. We can only express the hope that a serious attempt may be made at an early date to solve the question.

That this attempt should be made whether by the appointment of a Royal Commission with freer terms of reference and larger scope of enquiry than ours or by any other agency is a question which we earnestly commend to the notice of the Government.¹¹⁰

In order to see Jinnah's views in full a detailed analysis of the Minority Report is necessary so that his views on the constitution of the country are properly assessed. In the preamble, the Minority Report showed its "fundamental difference" with the Majority Report which forced it to present its separate report.¹¹¹ The Minority Committee was bold enough even to express: "If the inquiry shows that such remedies

¹⁰⁷ Reforms Enquiry Committee 1924, IOLR V/26/261/13.

¹⁰⁸ Birkenhead Papers, 10L. MSS. Eur. E. 238/9.

¹⁰⁹ *Ibid.*

¹¹⁰ The Reforms Enquiry Committee - Minority Report, I OLR V/ 26/261/12.

¹¹¹ *Ibid.*

will not lead to any substantial advance, the Committee are not precluded from indicating their views to that effect".¹¹²

The Minority Report was divided into twelve chapters. Chapter 1 is preliminary while the second chapter deals with the history of the demand for further constitutional advance. The leading features of the Act are discussed in the third chapter. Chapter IV analysis the constitutional relations of governors, ministers and executive councillors. The work of the legislatures, central as well as the provincial, along with the Meston Award¹¹³ apportioning provincial contribution towards the central fund, law and order responsibility of the government, development of various political parties are discussed in the fifth chapter. A separate chapter (VI) was devoted to analyze the defects of the diarchy system introduced under the Government of India Act 1919, by which total failure of the dual system of government was proved. The urgent need for provincial autonomy and its relationship with the central government were discussed in chapter VII. Chapter VIII deals with the conditions of political advance with reference to the questions relating to the position of electorates regarding their education and capacity, communal tension and tendencies, representation of the depressed and working classes, and the size and heterogeneity of the provinces, and internal security and self-defence. The possibility of constitutional advance by rules under the Government of India Act 1919 has been discussed in chapter IX. Chapter X deals with the matter of transfer of more subjects and amendment of the Act and the Rules. In this regard favorable opinion of the Indian members of the provincial governments of Madras, Bombay, U.P., Bihar and Orissa, C.P., Bengal, Punjab, Assam, and Burma were presented in chapter XI. The last chapter is a conclusion.¹¹⁴

While discussing the recommendations of the Majority Report in relation to 34 issues on which the Minority presented its views, it was also mentioned:

One of our colleagues, Mr. Jinnah, took up the position in the Committee that our inquiry had shown that the entire constitution must be amended; but compelled as he felt under the terms of reference to confining himself to the limits prescribed by them, he proposed on the assumption that the principle of Diarchy must be maintained, that all subjects, save and except law and order, should be transferred subject to such adjustment and further definition of Central and provincial subjects as might be determined.¹¹⁵

¹¹² *Ibid.*

¹¹³ Meston was Governor of U.P.

¹¹⁴ The Reforms Enquiry Committee - Minority Report, I OLR V/ 26/261/12, op. cit.

¹¹⁵ *Ibid.*

The Majority, in its report, recommended the transfer of Forests as the major subject. No doubt there were certain recommendations made by the majority to which the minority had no objection, yet there were others which the minority were not prepared to accept regarding amendment of Sections 52 and 67B of the Constitution of 1919. By these amendments the majority proposed to maintain the power of the Governor-General and subordinate legislature to the executive authority, a matter which was vehemently opposed by the minority.¹¹⁶ On the issue of Franchise, the majority was opposed to the idea of broadening of the Franchise, whereas the minority, in its report, suggested widening of the franchise in these words:

We have not yet been able to find the exact number of illiterates among the present electorates. But notwithstanding the fact that education in the three 'R' among the masses has been neglected in the past, we think that the average Indian voter, both rural and urban, is possessed of sufficient intelligence to understand issues directly affecting his local interests and capable of exercising a proper choice of his representatives. We think that the repeated use of the franchise will in itself be an education of potent value and the process of education must go hand in hand with the exercise of political power. We are, therefore, of the opinion that the franchise in every province should be carefully examined, and wherever it admits of lowering, it should be lowered, so as to secure the enfranchisement of a substantially large number of people.¹¹⁷

The majority also believed that adequate representation of the depressed classes and of factory labor should be given by means of election". Regarding women's franchise, it recommended that "women should be enfranchised by rules in every province". The women should also "have a right to stand for election", the report added.¹¹⁸

Increase in the number of seats of the provincial and central legislatures was also proposed. On the question of readjustment of special electorates raised by several witnesses, the minority had "no objection to this being done in the light of local conditions" in each province. On the matter of communal representation the minority committee noted:

We also recognize that the conditions precedent for the success of such efforts are (1) the frank recognition by each community of the principles of religious freedom and the cultivation of habits of toleration; (2) the effective safeguarding of the interests of minorities in respect of their political representation: (3) the adequate representation of duly qualified members of each community in the

¹¹⁶ *Ibid.*, p. 188.

¹¹⁷ *Ibid.*, p. 176.

¹¹⁸ *Ibid.*

public services of the country. So far as the latter two conditions are concerned, we think that they can be brought about by provisions in the Act itself or the rules there under and through the agency of the Public Services Commission.

So far as the first condition is concerned, we think that the fulfillment of the other two conditions is bound to have its effect on the general outlook of the minorities concerned, and will materially help the leaders of the communities in their social and moral activities in the cause of friendliness. It will also, we think, give a totally wrong impression of the political attitude of the Muhammadan community to say that being afraid of political power passing into the hands of the Hindu majority they are as a community opposed to responsible Government. The resolution of the Muslim League which we quote below shows in our opinion that the Muhammadans are as keen as the Hindus on the issue of political advance, accompanied by the protection of their interests:

Muslim League's Resolution

Whereas the speedy attainment of Swaraj is one of the declared objects of the All-India Muslim League, and whereas it is now generally felt that the conception of Swaraj should be translated into the realm of concrete politics and become a factor in the daily life of the Indian people, the All-India Muslim League hereby resolve, that in any scheme of a Constitution of India, that may ultimately be agreed upon and accepted by the people, the following shall constitute its basic and fundamental principles:-

- (a) The existing provinces of India shall be united under a common Government on a federal basis so that each province shall have full and complete provincial autonomy, the functions of the Central Government being confined to such matters only as are of general and common concern.
- (b) Any territorial redistribution that might at any time become necessary, shall not in any way affect the Muslim majority of population in the Punjab, Bengal and North-West Frontier Province.¹¹⁹
- (c) Full religious liberty, that is, liberty of belief, worship, observances, propaganda, association and education shall be guaranteed to all communities.

¹¹⁹ At that time Sindh had not yet been made a separate province. It was part of Bombay presidency. As to Baluchistan, it did not enjoy the status of a province. An Agent to the Governor-General functioned its administrative head.

- (d) The idea of joint electorates with a specified number of seats being unacceptable to Indian Muslims, on the ground of its being a fruitful source of discord and disunion and also as being wholly inadequate to achieve the object of effective representation of various communal groups, the representation of the latter 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 electorates in favor of joint electorates.
- (e) No Bill or Resolution or any part thereof affecting any community, which question is to be determined by the members of that community in the elected body concerned, shall be passed in any Legislature or in any other elected body, if three-fourths of the members of that community in that particular body oppose such Bill or Resolution or part thereof.

That in the opinion of the All-India Muslim League the Reforms granted by the Government of India Act 1919 are wholly unsatisfactory and altogether inadequate to meet the requirements of the country and that the virtual absence of any responsibility of the Executive to the elected representatives of the people in the Legislature has really rendered them futile and unworkable; the League, therefore, urges that immediate steps be taken to establish Swaraj, that is, full responsible Government having regard to the provisions of the previous resolution and this, in the opinion of the League, can only be done by a complete overhauling of the Government of India Act 1919, and not merely by an inquiry with a view to discover defects in the working of the Act and to rectify imperfections under its rule-making powers.¹²⁰

Thus the principle of separate electorates for the Muslims and other minorities was required to be maintained in any future constitutional reforms on the lines suggested by the All-India Muslim League. Similar to the Muslim League resolution on the question of provincial redistribution of territories the minority recommended: "But we are of the opinion that the consideration of the general redistribution of territories should not precede any constitutional advance, and in any case redistribution should not be affected without the consent of the populations concerned".¹²¹ As a matter of fact these views were actually the views of Quaid-i-Azam which were incorporated in the Minority Report.

¹²⁰ The Reforms Enquiry Committee - Minority Report, *op.cit.* This resolution was passed by the AIML in its session in Lahore in May 1924. For its original text see Syed Sharifuddin Pirzada (ed.), *Foundations of Pakistan: All India Muslim League Documents 1906-1924, I*, Karachi, 1969, pp. 57879.

¹²¹ The Reforms Enquiry Committee - Minority Report, *op.cit.*

Another very important matter closely related to the views of Jinnah was the question of internal security and self-defence of the country. The minority committee recommended:

Another vital condition of political advance is that whatever be the form of government it should be in a position to discharge in an effective manner its primary function of maintaining internal security and defending the borders of the country against foreign aggression. This function is at present discharged directly by the provincial governments so far as internal security is concerned though in cases of emergency they have to depend upon the support of the military. As regards defence against foreign aggression the responsibility rests with the Central Government. In our chapter relating to provincial autonomy we have tried to envisage the future constitutional position in regard to matters of defence. We recognize the difficulty and complexity of the problems, but we also feel that there is urgent and pressing need for taking active steps to prepare India for her defence so that she may take over ultimately the management of her resources of defence. We are aware of the steps which in recent years have been taken towards the realization of that idea. We refer to the grant of King's Commission to a small number of Indians, the opening of a Military College at Dehra Dun, to the pending proposals for the development of Territorial and Auxiliary Forces and the Indianisation of eight units. We recognize that these matters are closely connected with the question of India's political advance and we feel that there can be no stability about any constitution which may be devised for India without at the same time taking steps to prepare her for her self-defence within a reasonable period of time. In order to satisfy this condition of political advance we think that it is necessary to prepare a scheme which will have a direct relation to constitutional development in the near future to enable India to achieve full dominion status. We naturally do not feel ourselves called upon to enter into the details of any proposals. We have ventured to express these views only because it appears to us that this vital condition of political advance must be stated and recognized.¹²²

Jinnah was right in considering that the military question of the country was deeply connected with the political and constitutional advance of the country. He proposed this, because it was with strong armed forces that the British suppressed the political movements in the country. And these forces were almost entirely officered by the British. If the forces were officered by Indians, they were expected to be sympathetic to the political struggles in the country. Thus Jinnah was thinking in the best interest of the country in the long run.

¹²² *Ibid.*, pp. 180-81.

As far the idea of official representation in the central and provincial legislatures was concerned, Jinnah was vehemently opposed to the idea. So the minority committee considered that this was mainly serving "the purpose of adding to the voting strength of the government in the legislature".¹²³

There were, however, a number of points on which the minority agreed with the recommendations of the majority report. These matters related to elections, election offences, treatment of the President, Deputy President, and Council Secretaries of the Legislative Assembly, as non-officials, recommendations regarding questions and resolutions, formal and other motions, suggestions regarding formation of legislatures, previous sanctions with reference to provincial legislation or operation of previous sanctions, etc. The minority, however, thought that for the aforementioned matters "law should be made more clear, as in our opinion it is not free from doubt".¹²⁴ Regarding the question of life of the central and provincial legislatures, Sir Sivaswamylyer and Dr. Paranjapye considered that the period should be extended to at least four years. But other two members of the minority committee, namely, Jinnah and Sapru differed. They were of the view that the present tenure of three years, both for the federal and provincial legislatures, should continue as it will better serve the purpose of close relationship between the people and the elected representatives.¹²⁵

The minority believed in the collective responsibility of the cabinet before the legislature. As full provincial autonomy was proposed, the provincial ministers were free to exercise their powers. To further strengthen the political system in the country, the provinces were thought to be the nucleus of the federal system to be introduced in the country at some later stage. To promote the idea of "joint responsibility" of the provincial ministers, it was suggested that section 52 (3) of the Government of India Act 1919 should be duly amended so that the cabinet of the province headed by the chief minister is politically strengthened. This idea was also thought to "promote common political action and help to strengthen political parties" in the legislatures and outside.¹²⁶

There were a number of matters on which the purpose could not be achieved by merely amending the Government of India Act 1919. As these matters involved drastic changes, the minority suggested that a new set of reforms or a new constitution should be framed by the British Parliament so as to give more powers to the elected organs of the state. A number of matters in this regard were suggested in the minority report.

¹²³ *Ibid.* p. 189.

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*, p. 190

¹²⁶ *Ibid.*

Some of them are mentioned here. In terms of federal and provincial services of British India, it was the Secretary of State for India, having his headquarters in London, who exercised complete control over their appointments, transfers and other service matters. Thus practically the Indian Civil Service was independent of Indian political control. Jinnah particularly wanted that these services should be brought under the effective political control of the provincial cabinet headed by the chief minister if the real authority is to be transferred to the Indian hands. But this was not possible until a major change in law in respect of services and regulation of the Indian Civil Service was not brought about. But that was the responsibility of the British Parliament in London to do so. The minority report, therefore, rightly felt that no real relaxation of such control in any greater degree is possible under the present Constitution'.¹²⁷ This observation of the minority committee was based on the working of diarchy in the provinces introduced since 1920 particularly with reference to the helplessness of the provincial ministers incharge of the transferred departments when the minister had no authority to transfer the defiant civil servants functioning under his control. The same was felt by the minority committee with reference to the qualifications of the candidates seeking election to the central and provincial legislatures. The committee had found in the case of previous legislatures that good people were not allowed to enter the legislatures. The committee, therefore, recommended that a new law should be framed so that capable persons are elected to legislatures who can intelligently contribute to the deliberations of the legislatures.¹²⁸ As far as the matter of nomination of official members of the legislatures was concerned, the minority took very strong objection to this issue and suggested that the system of nomination of official or nonofficial members of the legislatures should be immediately dispensed with so that an organized political activity in the country is revived by giving them full authority and that there should be no fear of domination of the political will of the people by the official majority in the legislatures.¹²⁹ The same was felt by the minority committee on the issue of social legislation. In the present framework of the constitution social legislation was meaningless. The purpose of social legislation will be fulfilled "when the constitution is revised and the legislatures are made truly responsible".¹³⁰

Maintaining their belief in the introduction of new constitution as the next reforms in the country being the basic need of the hour and the points of differences with the recommendations of the majority committee, the minority committee also noted:

¹²⁷ *Ibid.*, p. 191.

¹²⁸ *Ibid.*, p. 193.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

By differing from the majority of our colleagues we have been forced to the conclusion that the present system had failed and in our opinion it is incapable of yielding better results in future. The system has been severely tested during the course of this year and its practical breakdown in two provinces. viz., Bengal and the Central Provinces as a result of the opinions of the majority of the members of the Councils of those two provinces who refuse to believe in the efficacy of Diarchy and the tension prevailing in the other legislatures for similar reasons, point to the conclusion that the constitution requires being overhauled. It has failed in our opinion for several reasons: (1) There are the inherent defects of constitution which though theoretically obvious at its inception have now been clearly shown by actual experience to exist. (2) The Ministers' position has not been one of real responsibility. (3) While in a few provinces the practice of effective joint deliberation between the two halves of the Government has been followed, in several of them it has not been. (4) Exception to a partial extent in Madras, almost everywhere else the Ministers have been dealt with individually by Governors and not on the footing of collective responsibility. (5) The close interconnection between the subjects of administration which have been divided into 'reserved' and 'transferred' has made it extremely difficult to legislatures at times to make in practice a distinction between the two sections of the Government with the result that the policy and administration of the Reserved half of the Government have not infrequently been potent factor in determining the attitude of the legislatures towards the Ministers and have also in our opinion prejudiced the growth and strength of parties in the Councils. (6) The Meston Award has crippled the resources of the provinces. It has been the corner stone of the entire Financial system, and it has prevented Ministers from developing nation-building Departments to the extent which would have enabled them to produce any substantial results. (7) The defects of the Rules which we have noticed before and the constitution and the working of the Finance Departments have put a severe strain on the system.¹³¹

These views were essentially those of Jinnah who was deeply interested in doing away with the Government of India Act 1919 and to have a new Constitution framed in the light of peoples' will as reflected in the minority report. The new Constitution was intended to give full liberty to the Indian masses who should have full share in the formation of the government of their country. Jinnah desired the role of political parties to be strengthened both in the public as well as in the legislatures, provincial and central. Collective responsibility of the cabinet system of government as prevalent in Britain was desired to be introduced in British India. The executive was required to function under the direction of the legislature. All governmental matters were designed to be discussed in the legislatures. Along with this constitutional and political autonomy in what Jinnah was interested most was the matter of defence. He desired that the armed forces should be fully Indianised at the earliest possible time so that India may not be invaded on the line the British conquered it in the last century. By

¹³¹ *Ibid.*, pp. 201-202.

Indianizing the army, especially the commissioned ranks, it was also intended to help in the growth of healthy political atmosphere in the country intended to removing the danger of using the British Army against public demonstrations.

These recommendations were not acceptable to the British Government as they were not yet interested in the transfer power to Indian hands. Quaid-i-Azam was not just content to leave the matter as a mere recommendation in the form of minority committee report. He did resort to other methods to make the government accept his demands. He made it a point of prestige to carry the recommendations of the minority report further so that his aim could be realized. In his private meetings with the Viceroy of India he put pressure to adopt the recommendations of the minority report or at least the government should allow discussion in the Central Assembly. For this purpose he met Lord Reading, the Viceroy, in March 1925, but the Viceroy was not ready to allow any such discussion which could expose the government before the public representatives or the people.¹³² Then Jinnah sought the help of the press to explain to the people the correct position of the government so that a favorable public opinion is formed. In his Delhi press interview in March 1925 Jinnah reiterated his demand of acceptance by the government the Minority Committee Report in the shape of the following four conditions, as reported by the correspondent of the Times of India:

1. The minority have come to a clear conclusion that their inquiry has shown that the entire constitution must be revised and amended.
2. They further considered the difficulties and defects of the system of diarchy and they came to the conclusion that "the only cure to be had is in the replacement of the dyarchical system by a unitary and responsible provincial government".
3. Dealing with the constitution of the Central Government their conclusions are that with Provincial Government fully responsible to their Legislative Councils, the Central Government cannot remain irresponsible to the Legislature and, therefore, the Central Executive dealing with civil administration should be simultaneously made responsible to the Legislature the Central Legislature should have power to discuss the military policy of administration by resolutions to be moved in the House. Similar provision should be made with regard to the foreign and political departments.
4. In the meantime the minority suggest a definite scheme of Indianisation by observing: "We feel that there can be no stability about any constitution which may be devised for India without at the same time taking steps to

¹³² Reading to Birkenhead, 12 March 1925, Birkenhead Papers, MSS. Eur. D. 703/1.

prepare her for self-defence within a reasonable period of time. In order to satisfy this condition of political advance, we think that it is necessary to prepare a scheme which will have a direct relation to constitutional development in the near future to enable India to achieve full dominion status".¹³³

The Government well-understood the viewpoint of the Indian politicians who were mostly in favor of the Minority Report. *The Times* (London) termed both the Majority Report and the Minority Report as two rival reports. The minority report, it explained, laid emphasis on the fact that almost every non-official witness stressed the need for provincial autonomy and the introduction of the principle of responsibility at the Central Government. This report approved the statement that nothing but the disappearance of Diarchy and the Constitution of provincial autonomy will pacify the government's critics. It dealt in detail with the points which the minority differed from the majority, and gave reason for the opinion that the present constitution had failed. The report continued that the proper question was not whether any alternative transitional scheme can be devised, but whether the constitution should not be put upon a permanent basis, with provisions for future automatic progress, so as to secure stability in government and the willing cooperation of the people. For the fulfillment of its objective the minority suggested the constitution of a Royal Commission in the immediate future.¹³⁴ Therefore, the Government did not pay any attention to the recommendations of the minority report and preferred to sleep over it without allowing any chance to the politicians to discuss it in the Indian legislature.¹³⁵ Several motions to discuss the report in the Central Assembly were "vetoed" by the Viceroy, Lord Reading.¹³⁶ Finally the conservative Secretary of State for India, Lord Birkenhead announced in the House of Lords on 7 July 1925 that there would be no immediate reform in India.¹³⁷

This announcement took the plea that even the majority report failed to represent the official viewpoint on a number of points such as, it stated that "a loss of the scheme is almost inevitable" which was officially thought very close to what the minority had stated aiming at the "complete stoppage of the scheme".¹³⁸ However, Jinnah always

¹³³ *Times of India*, 10 March 1925.

¹³⁴ *The Times*, 11, 16 March 1925.

¹³⁵ Kailash Chandra, *Jinnah and the Communal Problem in India*, Delhi, 1986, pp. 42-43.

¹³⁶ Wolpert op.cit., p. 81.

¹³⁷ M. J. Akbar, *Nehru: the Making of India*, London, 1988, p. 176.

¹³⁸ Wilson Acting-Viceroy to Lord Birkenhead, 27 November 1925, Birkenhead Papers, MSS. Eur. D. 703/14.

looked for an opportunity in the Central Assembly, being its member, to make the government realize the need for next constitutional reforms as recommended in his minority scheme.

The elected members of the Central Assembly were divided into three groups, viz. the Congressites, Swarajist, and Independents. But on the issue of complete overhaul of the constitution on the basis of the minority committee report all these groups were united. On this unity amongst the politicians the government felt concerned. Secretly the government was, therefore, looking for an opportune time for breaking the unity of the politicians. For this purpose the government's priority was to look out for the emergence of any rift amongst the politicians. This opportunity was provided to them by a rift between Jinnah, as leader of the Independents, and Motilal Nehru, leader of the Swarajists, in the last quarter of 1925. On this the Viceroy Lord Reading expressed his joy in his letter to Lord Birkenhead in October 1925.¹³⁹ Reading reported:

It is not an uninteresting to observe at present moment the tone of the observations made by Jinnah and Motilal Nehru on public platforms regarding each other. Of late it has been assumed quite an acute form, and Nehru especially has been almost contemptuous in his reference to Jinnah.¹⁴⁰

The government was keeping a special eye on Jinnah who was thought to be the main 'culprit' behind the minority report. Actually Jinnah had created unity amongst the three parliamentary groups. When differences arose between him and Nehru the government was very happy because Jinnah was deprived of the support of the Swarajists in the Assembly. As a matter of fact the difference arose on the election of Rangachariar, a candidate of Jinnah. In the Assembly elections Rangachariar had lost to Patel, candidate of the Swarajists.¹⁴¹ On the after effects of this, the Viceroy thus reported to the Secretary of State for India in February 1926:

Malaviya and Rangachariar have left the Independent Party and are about to form a new Party called the Nationalist Party. Jinnah will in consequence lose some of his most prominent supporters. He himself is in a difficult position; on the one hand he is urged to support the Swaraj Party in any demonstration they may make against the Railway or General Budget or against the Government, on the other hand, himself is anxious to arrive at a position which will enable him to support Government more freely and would give him a reason for refusing to support the Swarajist Party. It is now made quite clear that he is disappointed that the Government did not announce in the Council of State the appointment

¹³⁹ Reading to Birkenhead, 1 October 1925, Birkenhead Pa-pers, MSS. Eur. D. 703/1.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

of the Royal Commission in 1927; that would have immediately determined his attitude, according to all one reads and hears, as also that others who were seeking some encouragement from Government.¹⁴²

When on 7 September 1925 Sir Alexander Muddiman, the Home Member, moved that "this Assembly recommends to the Governor-General in Council that he should accept the principle underlying the majority report of the Reforms Enquiry Committee and that he gives early consideration to the detailed recommendations therein contained for improvement, in the machinery of Government".¹⁴³ Catching this opportunity the Quaid delivered his speech next day in Assembly in which he forcefully exposed the underhand and treacherous activities of Col. J.D. Crawford, Sir Charles Innes, the Commerce Member, and also of the Government at large. This attack of Jinnah was based on an understanding reached between all the elected members of the Central Assembly that for the purpose of criticizing the Muddiman Committee Report (or Majority Report) Jinnah would act as the chief spokesman of the Indian politicians.¹⁴⁴ Speaking next day with reference to the Minority Report, Jinnah traced the history of constitutional grievances since 1919. Towards the close of his speech he thus disclosed the limitations imposed by the Government on the functioning of the Reform Enquiry Committee: "Although the terms of reference gave us the power to inquire into the defects and the difficulties inherent in the Government of India Act from A to Z, yet we were precluded from examining those defects and recommending.¹⁴⁵ The remedies? That is what we meant?" The aforementioned officials tried to defend the position of the government, but Jinnah silenced them through his proverbial style of expression, and they were reduced to a mere helplessness. During his speech Jinnah also questioned the genuineness of Lord Birkenhead's plea in the House of Lords that the Indians could not produce a constitution carrying "behind it a fair measure of general agreement among the people of India".¹⁴⁶ Pointing out the "mischievous attitude" of the Commerce Member, Jinnah went to the extent of saying: "I have known the spider too long and the fly is not going to be caught".¹⁴⁷ Jinnah was so bitter in his attack that in order to pressurize the Government for the acceptance of Indian demands he even floated the

¹⁴² Reading to Birkenhead, 25 February 1926, Birkenhead Papers, Ibid.

¹⁴³ Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, 1921 -26, vol. II*, Karachi, 1986, p. 394. Also see The Legislative Assembly Debates (Official Report), 7-17 September 1925, vol. VI, Pt. II, Simla, 1926.

¹⁴⁴ *Times of India*, 8 September 1925.

¹⁴⁵ The Legislative Assembly Debates (Official Report), 7- 17 September 1925, vol. VI, Pt. II, Simla, 1926, p. 938.

¹⁴⁶ Quoted by Jinnah, in *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, II*, op.cit., p. 402.

¹⁴⁷ *Ibid.*, p. 403.

idea of resigning en bloc from the membership of the Central Assembly.¹⁴⁸ But as the majority of the elected members could not agree, he dropped the idea.

Quaid-i-Azam was even more bitter in the next session of the Central Assembly when in March 1926, participating in the budget debate, moved for omission of the demand under the head "Executive Council" followed by his forceful long speech making the government benches tremble in their boots. Coming to the issue of early grant of freedom Jinnah made it clear:

I want the Government of India now to give me an assurance on the floor of this House, that they are prepared to announce a Statutory Royal Commission within the meaning of section 84-A and that the personnel of that Commission should be such as would satisfy the people.

That is what I want to be done at once.¹⁴⁹

Jinnah's analysis of the history of British promises for the purpose of introducing early reforms in India was termed by T. Rangachariar as the "grand operation" by "the eminent surgeon of the House".¹⁵⁰ Jinnah even went to the extent of saying that the British government officials should have the call of "the usual parrot cry of cooperation" and come forward clearly to appoint the Royal Commission for the entire "satisfaction of the public opinion" in India.¹⁵¹ He also made it clear that he was not obstructing the legislative functioning of the government in the hope that it will realize its responsibility of granting complete responsible government.¹⁵² Despite all this pressure, the government did not fulfill its promise of the appointment of the Royal Statutory Commission until 1927.

¹⁴⁸ *Times of India*, 17 September 1925.

¹⁴⁹ Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, 1926- 1931*, vol. III, Karachi 1986, p. 16, 11 March 1926. This was also duly published in the press. For instance see *Times of India*, 12 March 1926.

¹⁵⁰ *Ibid.*, p. 19.

¹⁵¹ *Ibid.*, p.20.

¹⁵² *Ibid.*

IV

INDIANIZATION OF OFFICER RANKS OF ARMY

For the conquest of South Asia the British East India Company largely depended on the British Army, especially the British officers. The Indians were mostly recruited to the lower ranks. All the officers were British who were commanding and controlling the largest number of Indian soldiers. Even in 1858, when the British Crown took over by dispensing with the East India Company, the need of maintaining a powerful Indian Army controlled by the British officers became all the more essential. This need was further intensified on the start of First World War in 1914.

During the First World War years (1914-18), the Indian politicians keenly felt the need of Indian Military officers to serve the interests of the country in the critical times to come. During 1916-18, Quaid-i-Azam Mohammad Ali Jinnah struggled hard for recruiting army officers from amongst the Indians. As the British Government was basically not prepared to accept this idea, the Quaid had to struggle hard both in and outside the Indian Parliament to make the government accept this demand of Indianising the officer ranks of the Army¹⁵³. For this purpose, he put great pressure upon the government, using various methods. For its accomplishment he even demanded appointment of a Commission of Enquiry to probe into the question of recruiting army officers from amongst the Indians.

With this purpose in mind, a close friend of Jinnah, B. Venkatapatiraju moved a resolution in the Central Assembly on 18 February 1925. Speaking on this resolution, Jinnah vehemently criticized the government for failing to fulfil its promises made recently. The Commander-in-Chief of the Indian Army, who was also member of the Central Assembly at that time. in his rebuttal to Jinnah, tried to defend the Governments position. Jinnah was not the person to let him go easily. He charged him: "You have not made a real, earnest, honest endeavor to enable the people of India to have a proper training in military matters".¹⁵⁴ As the chief of Indian Army was making various excuses that he could not find capable Indians to be appointed against such posts. Jinnah warned him not to make one excuse or another¹⁵⁵ but asked him to come forward as a gentleman to fulfill the task. After an exchange of hot words between him

¹⁵³ Riaz Ahmad, *Quaid-i-Azam Mohammad Ali Jinnah: the Formative Year 1892-1920*, Islamabad, 1988, pp. 160-162.

¹⁵⁴ Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, 1922-1926*, vol. II, Karachi, 1986, p. 320.

¹⁵⁵ *Ibid.*, p. 321.

and Jinnah, the matter was dropped. Jinnah, however, appealed to the government that if the government was really earnest in fulfilling its promises, it should appoint a committee with comprehensive terms of reference to tackle this question¹⁵⁶ which was deeply related to the "public opinion in India". This proposal was fully supported by almost all the elected members of the Central Assembly including Rangachariar and Motilal Nehru. In such a situation the government had no other option except carrying the motion with its majority in the house.

As a follow-up of this, the Government of India, with the consent of the Home Government, appointed the Indian Sandhurst Committee in March 1925. This Committee consisted of Lt. General Sir Andrew Skeen, Chief of General Staff (Chairman), and Motilal Nehru, M.A. Jinnah, Sardar Jogendra Singh, Sir Phiroze Sethna, Ramachandra Rao, Sahibzada Abdul Qaiyum, Capt. Hira Singh, Dr. Ziauddin Ahmad, Capt. J. N. Banerjee, Major Thaku Zorawar Singh, Capt. Haji Gul Mawaz Khan, Major Bala Sahib Dafle, and E. Burdon.¹⁵⁷

For the first time, the Committee met on 12 August 1925 at Simla. Initially, it took more than a week to settle the terms of references and the nature of proceedings: whether the proceedings were to be kept secret or open? The official members were mostly in favor of keeping the proceedings in camera, but Jinnah and his colleagues vehemently argued in favor of making the proceedings open to the public and press. Ultimately it was Jinnah's argument which prevailed upon others and on 22 August a decision to this effect was taken to allow the press to have access to the proceedings. Terms finally settled were:¹⁵⁸

- a) By what means, may it be possible to improve upon the present supply of Indian candidates for the King's Commission both in regard to number and quality?
- b) Whether it is desirable and practicable to establish a Military College in India to train Indians for the commissioned ranks of the Indian Army?
- c) If the answer to (b) is in the affirmative, how soon should the scheme be initiated and what steps should be taken to carry it out?
- d) Whether, if a Military College is established in India, it should supersede or be supplemented by Sandhurst and Woolwich, so far as the training of Indians for the commissioned ranks of the Indian Army is concerned. On

¹⁵⁶ *Ibid.*, p. 321.

¹⁵⁷ Report of the Indian Sandhurst Committee, IOLR V/26/280

¹⁵⁸ Proceedings of the Indian Sandhurst Committee, IOLR V/26/280/12.

this basis a decision was arrived at as to the form the committee's questionnaire should take and as to what further measures should be adopted for the purpose of collecting evidences. In order to give members an opportunity of acquainting themselves with various implications of the problems under discussion and to ensure also that, as far as possible, the questionnaire would be complete, a number of specially chosen experts, both military and civil, were asked to give oral evidences of a preliminary nature between 28 August and 12 September 1925. These preliminary evidences came from the Commandant and Headmaster of the Prince of Wales' Royal Indian Military College, Dehra Dun, Lt. General Sir John Shea, Adjutant-General in India, E. Littlehailes, Officiating Educational Commissioner with the Government of India, Sir Sivaswamy Aiyer, and F.A. Leslie Jones, Principal of the Mayo College, Ajmer. On hearing these witnesses, the Committee finalized and issued its questionnaire, after which the members adjourned until December, by which time all the replies to the questionnaire were expected to be received in the Committee headquarters.

Separate forms of questionnaires, numbering ten in all, were framed for the Governor's Provinces and Local Governments, the general public, Educational Authorities, Indian States, Commanding Officers of the Indian King's Commissioned Officers trained at Indore, Indian King's Commissioned officers trained at Sandhurst, and Viceroy's Commissioned officers. A special questionnaire was also sent to all Indian Universities asking them whether it was possible to recognize the Prince of Wales, Royal Indian Military College, Dehra Dun, as an educational institution, and to determine the equivalence of the course of academic studies in relation to courses of study in Universities is whether a cadet after successfully completing his course of studies at the R.I.M. College, Dehra Dun could be accepted as having passed as a graduate. For security reasons, certain positions of the questionnaires and the replies received thereto, were treated as confidential.

Along with the constitutional advance of the country, Jinnah believed in the political education of the public. He was particularly keen to educate Indian public opinion in the need to Indianise the King's Commissioned ranks of the armed forces, for this purpose he addressed a number of public meetings. The newspapers, which carried the official viewpoint, misreported him, alleging that while addressing the Indian public in the need to increase the number of Indian commissioned officers he had spoken contemptuously about the British nation. To counter this propaganda, he issued a press statement in August 1925 in which he said:

In the first place I must tell you, ladies and gentlemen, that it is most improper and undesirable to attack the British nation as a whole or the British Army as a

whole, or officers and students at Sandhurst as a class. I deprecate such an attack. The question is not whether the British army or the British nation is competent to defend India. The question before us is what ways and means we should devise to take over the defence of our own country in our own hands, and we must concentrate our efforts and attention on that issue.¹⁵⁹

In the Committee's proceedings at an early stage it was also decided that a sub-committee should be sent to England, France, Canada and U.S.A. to study at first hand the military training institutions there and also the system of education which usually precedes admission to a purely military college. This sub-committee consisted of Quaid-i-Azam Jinnah (Chairman), Sir Pherose Sethna (Member) and Zorawar Singh (member). Major Lumby acted Secretary of this sub-committee. Motilal Nehru resenting Jinnah's appointment as Chairman of this sub-committee that he resigned his membership of the Sandhurst Committee. The Quaid, along with his colleagues, sailed from Bombay in S. S. "Kaisar-i-Hind" on 10 April 1926 and arrived in England on 24 April. Up to 30 April the sub-committee visited various institutions of England. Then it proceeded to France to visit military institutions of that country. From 3 to 6 May, it visited various military institutions of France. Then it returned to England, where it stayed for another two weeks to visit the remaining English institutions. Then the sub-committee sailed for Canada on 28 May 1926. It landed on the Canadian soil on 6 June. For three days it visited the Canadian military institutions and then it reached the United States of America on 9 June. The American military educational and training institutions were also visited by this sub-committee for three days and then it returned to England. There the sub-committee reassembled on 1 July. In this third visit the sub-committee visited Royal Naval College, Dartmouth. In the light of the experience gained in Canada and the USA, the sub-committee again visited France for the second time.

Finally the sub-committee embarked at Marseilles on S.S. "Kaisar-i-Hind" at Marseilles for their return journey on 30 July. While the "Kaisar-i-Hind" was passing through the Arabian Sea, the report of the sub-committee was dictated by Jinnah and it was finalized on 9 August 1926. The details of this report along with the questionnaires and witnesses examined by Jinnah and his colleagues in the sub-committee is available at the India Office Library and Records, London.¹⁶⁰ The sub-committee returned to India on 13 August 1926.

The Sandhurst Committee appointed another sub-committee headed by Lt. General Sir Andrew Skeen himself.

¹⁵⁹ *Times of India*, 25 August 1925.

¹⁶⁰ Report and Proceedings of the Sub-Committee which visited Military Educational Institutions in England and other countries. IOLR V/26/280/12.

Skeen was also chairman of the main committee. Dr. Ziauddin Ahmad and Major Bala Sahib Dafle were members of this sub-committee. On 8 August, it set out on a tour of Indian universities for the purpose of studying on the spot the extent to which suitable candidates for the army career were to be found in these institutions. This sub-committee visited Bombay, Poona, Madras, Calcutta, Banaras and Allahabad. The Punjab and Aligarh Universities were omitted as they were then closed for the summer vacations.

The two sub-committees finalized and submitted their recommendations to the main Sandhurst Committee which met in Simla on 22-28 August 1926 to further review these recommendations and, if need be, to invite further suggestions from the concerned quarters. The replies to the questionnaires already circulated and suggestions received at the Committee headquarters were also to be reviewed after the arrival of the two sub-committees. The report of the Sandhurst Committee was prepared as a draft which was finalized in its meetings from 23 October to 4 November 1926 at Delhi and Bombay.¹⁶¹

Quaid-i-Azam Jinnah was included on the Indian Sandhurst Committee because of his importance in the Indian political world. Otherwise, the Secretary of State for India, Lord Birkenhead was not happy over Jinnah's conduct in England and America. He particularly noted and wrote to the Viceroy, Lord Irwin:

Jinnah's conduct over here has been disgraceful, and the other two members of the Committee showed little sign of dissociating themselves from him. I believe that their behavior in Canada was little better, and that they devoted themselves mainly to gathering opinions as to the probability of Canada seceding from the Empire:

The sub-committee has done much harm, and I am sure it was a grave error to let them loose without Skeen to control them.

I had originally intended to get them to meet Worthington Evans and the C.I.G.S. at my house, but Jinnah had made it impossible for me to show them hospitality. I shall not see him unless he requests an interview. If he does, I shall talk to him very plainly.¹⁶²

In his reply, Lord Irwin admitted what was said by Birkenhead but at the same time he explained his difficulty of engaging Jinnah in such a committee because of the pressing Indian political atmosphere. The Viceroy wanted to keep Jinnah engaged in activities other than politics and even to make him absent from Indian political life at least for

¹⁶¹ Report of the Indian Sandhurst Committee, *op.cit.*

¹⁶² Birkenhead to Irwin, 15 July 1926, Halifax Papers, MSS. Eur. C. 152/2

some time. Initially Jinnah was not ready to serve on this Committee, but the Viceroy persuaded him with great difficulty to obtain his consent for this purpose.¹⁶³

During his tour of England and America as Chairman of the Sandhurst sub-committee, Jinnah issued a number of press statements which were disliked by the British Government. The British Government had intended to keep Jinnah away from the political scene in India, but failed to prevent Jinnah's participation in politics. In all his speeches and statements during his tour of Europe and America in connection with military matters, Jinnah linked the defence of the country to the independence of India. He insisted on emphasizing the necessity of a free country to defend itself against foreign aggression. There could be none to check him from expressing his political opinions. British officials avoided an open confrontation with Jinnah on this issue, because they feared that he would expose them to the international media. It was through other means that they wanted to check his activities. They avoided direct clash with Jinnah because of the fear that if they resorted to such methods, there would be no one to stop Jinnah from emerging as the leader of a dangerous Indian political movement leading to early freedom. The Secretary of State for India had no option except expressing his wrath to the Viceroy of India. Jinnah's statements were termed "rebellious" by Lord Birkenhead.¹⁶⁴

In an interview on 10 July 1926 in London to the representative of the *Daily Herald*, Jinnah said that he was enormously impressed by the pattern of training cadets in France. The American Westpoint Military Academy was termed by him as "the finest organization".¹⁶⁵ On his return to Bombay on 13 August 1926, Jinnah gave a "long and interesting" interview to the representative of the *Times of India*. Replying to a question as to what pattern of military training was best suited for the Indian armed forces officers, Jinnah said:

We saw various institutions in France, England, Canada, and America. The system, no doubt, was different in each country. You cannot take any single system *en bloc* and apply it to India having regard to the circumstances of this country. Therefore, you will have to consider what particular elements in each system would suit Indian conditions and probably it will ultimately be a combined system in its main features. Whatever system India may adopt ultimately its success will greatly depend upon enlisting the cooperation of the educational authorities in India.¹⁶⁶

¹⁶³ Irwin to Birkendhead, 11 November 1926, *Halifax Papers*, MSS. Eur. C. 152/2.

¹⁶⁴ Birkenhead to Irwin, 15 July 1926, *op.cit.*

¹⁶⁵ Reported in the *Times of India*, 12 July 1926.

¹⁶⁶ *Times of India*, 14 August 1926.

The views of the sub-committee headed by Jinnah were basically the views of Jinnah. Therefore, detailed analysis of its recommendations will throw light on Jinnah's ideas. In its recommendations, the sub-committee report particularly noted the treatment of Indian cadets at Sandhurst, attitude of the instructional staff to the Indian cadets and the relation of Indian boys with those of the British cadets. Regarding the latter, it particularly noted:

On the other hand the Indian cadets without exception complained to us that there was a prejudice against them among the majority of British boys, and particularly among those who had some connection with India. This prejudice, they say, is based upon the general notion of the British cadets that Indians belong to an inferior or subject race and cannot be their equals; it does not take the form of actual rudeness, but rather of an aloofness which makes any real mixing of the two elements, except within the precincts of the College, virtually impossible. It is of course natural that a foreign element, such as the Indian cadets at Sandhurst represent, should feel itself to a certain extent left out in the cold, but, while we are convinced of the commandant's sincerity when he assured us that none of his company commanders would tolerate any general attitude of aloofness on the part of the British cadets, we are inclined to think that, if a special endeavor were made to do so, the relations between the two elements could be improved.¹⁶⁷

In this connection the experience of Lt.Col. Stooks was particularly cited as he was famous for his "harsh treatment" towards certain wards.

It was reported that the Army in India consisted of about 60,000 British troops which were stationed in India as Imperial forces, and about 150,000 Indian troops. The former were commanded entirely by officers of the British Service while the officers of the latter category belonged, in the main, to Indian Army proper, but included also a considerable British Service officers posted to the Indian establishment for duty with technical units, *e.g.*, artillery and sappers and miners. The total number of officers of both categories of troops amounted to somewhere between six and seven thousand. Of these the cadre of officers serving with Indian troops accounted for 3,600, if included artillery officers serving with Indian units and engineer officers serving with Indian units or in technical military appointments, which numbered 122 and 278 respectively. The wastage which occurred each year in this total of 3,600 was about 180, a figure given by the War Office representative, which when examined, could be taken as almost accurate for this purpose. As against this total the maximum number of King's Commissions which it had been possible for Indians to win every year up to date since

¹⁶⁷ Report and Proceedings of the Sub-Committee which visited Military Educational Institutions in England and other countries, *op.cit.*

this form of commission was first thrown open to them in 1918 had been 10, which was the number of vacancies allotted annually to Indians at the Royal Military College, Sandhurst. Entry to the technical arms through the Royal Military Academy, Woolwich has so far been closed to them altogether. The total number of Indians who had obtained the King's Commission through Sandhurst, from the time the first batch passed out of the College in 1921 up to the first half of 1926, is 42. Of these two had since resigned their commissions.

A comparison of all the educational and military institutions visited by this Sub-Committee was also made by which superiority of English and American institutions was generally recognised. This, according to the Report, played an important part in the building up of character and the development of the power of leadership. This system was recommended for adoption by the proposed Military College in India for which it was recommended that early steps should be taken by the British Government.

The recommendations of this Sub-committee were considered at length and adopted in the Report of the main Committee and a scheme of Indianisation was suggested by which 10 more seats for the Indian cadets were to be added to the Military College, Sandhurst. An Indian Military College on the model of Sandhurst was to be established in six years, i.e. by 1932. These Army officers from India were to be increased gradually so that by 1952 half of the officers would be Indians.¹⁶⁸

The way the Quaid examined the witnesses and cross-examined them is interesting and throws new light on the mind and thinking of the man who at that time showed that he was a statesman and one who possessed the qualities of a founder of a state. His sincerity to the cause of Indianisation is also shown by these examinations. On 28 August 1925 examining Lt. Col. H.L. Naughton, Commandant, Royal Indian Military College, Dehra Dun, Jinnah said that it was in 1918 that Army Commission was opened to the Indians but at that time, despite official promises, the number of Indian commission was fixed at ten. To a proposal that Kingston (Canada) would be the best model suitable to India advanced by Lt. Col. Haughton, Jinnah said: "Canada is a very large territory with a small population, while in India you have got a vast population. Would it not be better to have feeders in different centers? I do not suggest provincial schools, but schools at certain centers throughout the country. The feeders would be like Dehra Dun and you have the Sandhurst to which the boys from these would go, to qualify themselves to become officers. Do you think that would be more suitable to the conditions of India?" Haughton and others agreed with Jinnah's proposal. He also desired the increase of educating at least 70 children a year.¹⁶⁹

¹⁶⁸ Report of the Indian Sandhurst Committee, I OLR V/26/280/ 11, op.cit.

¹⁶⁹ Proceedings of the Indian Sandhurst Committee, vol. II. I OLR V/26/280/13.

Lt. General Sir John Shea was put searching questions by the Quaid and cross examined on the points from the statement submitted by him before the Committee. Main purpose before Jinnah was how to integrate the Viceroy's commissioned officers, mainly Indians, and King's commissioned officers, mainly British. What Jinnah intended was, he himself put into a question form: "I do not make any distinction between British or Indian, I am only taking the principle. My point is this: on the one hand you have a young officer holding the King's commission who as a subaltern is superior in rank, and on the other hand you have a Subedar-Major holding the Viceroy's Commission, who has 26 years' service, has probably been in action half a dozen times and has performed heroic services. Does not his artificial position make him resent his suppression?" Lt. General Shea replied: "If you send your Indian boy to Sandhurst and give him exactly the same education as you give to an English boy who eventually gets his commission, I firmly believe that the Indian officer with the Viceroy's commission does not resent him. If, however, you produce your Indian King's commissioned officers in any other way, he will resent him."¹⁷⁰

All the military officers recruited as junior commissioned officers were inducted as Viceroy's commissioned officers. This scheme was started on the basis of a recommendation of the Montagu-Chelmsford Report of 1918. To train cadets for this cadre two military schools were opened, one at Indore and the other at Dehra Dun. The Indore school was established in Oct 1918 but closed in 1920. The Dehra Dun College was started in March 1922.¹⁷¹ It was this college whose status was later raised in 1932, again on the pressure from Jinnah. The Commissioned officers in the Army were termed as the King's commissioned officers. They were all trained at Sandhurst in England. In 1918 it was mainly because of Jinnah's pressing arguments in the Central Assembly that the British Government agreed to grant at least 10 commissions to the Indians as King's Commissioned officers.

Touching the point of superiority of British Army officers over the Indian officers as pointed out by Pandit Motilal Nehru, Jinnah put this point differently:

It is not due to the fact that the British officer belongs to the central power which controls his future promotion and prospects, and therefore, in existing circumstances, he feels that he depends upon the good opinion of the British officers. Supposing I was a Subedar-Major and you were a subaltern, if I incurred your displeasure, the matter would not merely rest with you; it would go further, because you would speak of it to your fellow officers. So I have to respect you because you belong to a class which has the central power in its hands. And Indian subaltern with the King's commission is merely an individual at present.

¹⁷⁰ *Ibid.*, 11 September 1925.

¹⁷¹ Indian Sandhurst Committee Reports, op.cit.

He has very little power in his hands. This was because "there is a distinct and definite racial distinction".

Lt. General Skeen, Chairman of the Committee, thus picked up Jinnah's question: "Looking at it from the point of view of the question Mr. Jinnah put, I cannot understand any commanding officer not listening equally to the representations of British and Indian King's commissioned officers that they were not being treated with respect. Reacting to this that the Chairman was giving different turn to his question, Jinnah was bold enough to clarify: "That is not my suggestion. My point is this: you have the Army officered by the British officers with a small sprinkling of Indian officers among them. The rank and file, being all Indians, must necessarily, I suppose, be more careful of the displeasure of the officers who are from the bulk, and not so much of the individual. That feeling has a very important bearing on the question and that is one of the reasons I suggest for their apparent lack of confidence".

Thus Jinnah raised questions and clarified them in a confident and aggressive tone to the British, but Nehru's style was simple and straightforward by recognizing the facts as they were without antagonizing the British.

Risaldar Sardar Khan pointed out the discrimination even within Indian people on the basis of their respective social status of the family: "Capt. Gul Mawaz Khan knows an Indian officer's son who has just gone to Sandhurst. He knows the social standing of his father at home, and I am sure the man of the same village, if by chance he comes to the same regiment, will say: "We know his father, we know his grandfather". They will certainly think of his social standing". Jinnah thus entered into an argument with Sardar Khan: "A boy by virtue of his education and his abilities obtains a King's commission and comes back from Sandhurst. You say that, if his social position is not quite good, he will not be respected". Risaldar Sardar Khan replied: "I do not mean that he will not be respected at all, he will be respected to a certain extent". "If a man of respectable", Jinnah retorted, "but poor family was educated at Sandhurst and received a King's Commission, would the Indian rank and file and the Viceroy's commissioned officers who live in the same village respect him?" "They would", Sardar Khan replied, "of course, I say he came from a poor family but nothing more". Thus Jinnah got the desired answer. As Jinnah's questions showed he wanted to abolish distinctions between the British and the Indian, on the one hand, between the son of a noble and an ordinary man's on the other. The distinction should only be on the basis of ability, merit and qualities of the officers tested during their performance in training and education.

Naturally Jinnah's emphasis was to impart the best education and training to the cadets. In his questions to F.A. Leslie-Jones, Principal, Mayo College, Ajmer on 12 September

1925, Jinnah's emphasis was mainly on how best to impart instructions to the cadets before their entry and during the period of their training at the Indian Sandhurst.¹⁷²

On 46 December 1925 special witnesses were orally examined. Jinnah questioned Major-General R.N. Harvey, Engineer-in-Chief, on the training of officers of the engineering corps especially with reference to U.K., Canada, and U.S.A. The objective of Jinnah seemed that institutions like those of Chatham, Oxford, Cambridge, Woolwich, should be established in India on the same standard so that the Indian boys could be given the best education. During his examination of Lt. Col. H.L. Haughton, Commandant, Prince of Wales' Royal Indian Military College, Dehra Dun, Jinnah asked:

Let me make my point clear to you. It does not matter whether we send our boys to Sandhurst in England or whether we establish a Sandhurst here, I am now confining my attention merely to the fact that we have to arrange for at least 150 boys to get King's Commission in the course of a year. Before we get to Sandhurst, what system of recruitment would you suggest which should enable us to get 150 boys for Sandhurst either in India or in England.

Lt. Col. Haughton replied:

I should say that you should go on increasing Dehra Dun to the point at which you think it will be satisfactory to stop. That point is a matter of opinion which can be discussed. And when you have reached that point, then build another Dehra Dun.

This served the purpose of Jinnah who expressed:

Then it comes to this that your opinion is that we must have specialized institutions for the purpose of preparatory institutions before entering Sandhurst, Indian or English?

To this Lt. Col. Haughton replied in the affirmative, a point with which Jinnah became very happy as it served his purpose.¹⁷³

Next the oral examination of King's Commissioned Indian officers trained at Sandhurst was conducted. The matters of service, attitude of the British officers towards the Indians, efficiency of Indian officers, process of Indianisation were the questions which Jinnah put to the officers of this cadre who appeared before the Committee for examination. Jinnah also asked these officers about their views on the sharing of

¹⁷² *Ibid.*

¹⁷³ Proceedings of the Indian Sandhurst Committee, vol. V, IOLR V/26/280/17.

expenses on the defence by the provinces and the states. On this Major-General A.P. Onkar, of Kotah State, was particularly asked by Jinnah on 27 February 1926. Gen Onkar was against states' sharing the defence expenditure, whereas Jinnah, as the tone of his questions showed, was in favor of states' share in the expenses of the Sandhurst College in India because the states were also to benefit from this institution.¹⁷⁴

Oral examination of the general public was also conducted on 17 December 1925 in which Jinnah exchanged important questions and replies with Honorary Capt. Ajab Khan, a retired army officer. A selection of this exchange is reported here:¹⁷⁵

Jinnah: "We are told that there is a lack of spirit amongst the people of India. Is that not partly due, speaking generally, to the fact that people have been disarmed for very long time?"

Capt. Ajab Khan: "That is correct".

Jinnah: "If the policy is altered, don't you think that in that even boys belonging to good families will come forward and consider it a pride and honor to serve in the army of their country".

Capt. Ajab Khan: "Yes, if the political leaders lead the way".

Jinnah: "But what can the political leaders do when there is no opening now? You must make an opening".

Capt. Ajab Khan: "Yes".

Jinnah: "I will now get on to my next point which is about these 8 units. You may know that in Egypt a similar experiment was tried?"

Capt. Ajab Khan: "Yes, I know that, and it proved a total failure".

Jinnah: "You know that these 8 units are very unpopular with the Indian officers".

Capt Ajab Khan: "Yes, I have gathered that from their conversations with me".

Jinnah: "It is alleged that one of the reasons for the creation of these 8 units is really to save the British Junior Officers from what they consider to be the indignity of receiving orders from Indian officers. I ask you if this statement is correct".

¹⁷⁴ Proceedings of the Indian Sandhurst Committee, vol. VI, IOLR V/26/280/18.

¹⁷⁵ Proceedings of the Indian Sandhurst Committee, vol. VII, Pt.I, I OLR V/26/280/19.

Capt. Ajab Khan: "I have heard it".

Jinnah: "And that would be the case owing to the scheme of these 8 units? No Indian officer would be able to command any British officer?"

Capt. Ajab Khan: "In the unit itself yes".

Jinnah: "I am talking of the unit. The Indian officers will always remain under the command of the English officer until it is completely Indianised?"

Capt. Ajab Khan: "Yes".

Thus with his exchange of questions/answers with Capt. Ajab Khan, Quaid-i-Azam successfully tried to prove that complete Indianisation of the army officers was the matter of utmost importance from the political point of view. During other questions with other persons appearing before the Committee for interview, Quaid-i-Azam tried to maintain this point but from a different angle. His objective was based on the consideration of the candidate's ability and merit for the post.

When S. Satyamurti, Member of Legislative Council, Madras, in his examination on 30 January 1926 tried to plead Indianisation without the consideration of ability or high standards of training, Jinnah cross-examined him making it very clear that Indianisation should never be obtained at the cost of efficiency and high standard of discipline. Nothing was to be done at the cost of merit which was to apply equally to the British and Indian boys. In this way military skill was to be transferred from Britain to India without prejudice against the Indians.¹⁷⁶

Confidential oral examination of special witnesses invited from the states was also conducted by the Committee who were also thoroughly cross examined by Jinnah. In his examination of Major E.W. Reynolds, Adviser, Indian State Forces, Gwalior, on 16 December 1925, Jinnah favored the idea of having in India, both for the British India as well as for the states, one unified Indian Army on the basis of unified training system. In this way the provinces and states were required to develop a common army for the country.¹⁷⁷

Quaid-i-Azam used to study deeply the written statements filed by each person so that when he appeared for examination before the committee the Quaid caught him on his filed statement as a point of start. If there was any point which resembled his idea and that was not much elaborated the Quaid used to ask the witness to spell out the details

¹⁷⁶ Proceedings of the Indian Sandhurst Committee, vol. VII, Pt.II, I OLR V/26/280/19.

¹⁷⁷ Proceedings of the Indian Sandhurst Committee, vol. X, IOLR V/26/280/23.

in his mind so as to project Jinnah's viewpoint before the Committee. Jinnah was always prudent in making the witnesses give utterance to ideas suggested by Jinnah but which appeared to be the opinion of the witness.

Last public sitting of the Sandhurst Committee was held on 27 February 1926 when the last batch of witnesses was examined. During his interview a witness Captain Lawford agreed with Jinnah that there was a certain class of people who would not join in the rank and file but would willingly enlist in the higher ranks of Army if it was open to them. If military careers were denied to some people, Jinnah argued, for a number of years they would lose their aptitude for the army.¹⁷⁸

The Quaid's blunt and sometimes disconcerting questions mainly against the authority of the British Government and for the purpose of establishing Indian officers' equality with those of the British army officers was tolerated with great difficulty by the official circles.¹⁷⁹ This toleration was because Jinnah was a very important political personality, a man of ideas whose support in this matter was considered of vital importance for the continuity of British Raj. Lord Irwin, the Viceroy, who recognized this fact already termed Jinnah's support to the recommendations of the Indian Sandhurst Committee a matter which was "politically valuable" to the British Government.¹⁸⁰ He also admitted that it was with great difficulty that Jinnah's consent to the Sandhurst Committee Report was obtained.¹⁸¹

The report was released to the press on 31 March 1927.¹⁸² Here, the question arises as to why this report was released to the press on the lapse of a couple of months after its submission. The answer to this is that the report was thoroughly examined by various departments of the Government of India. Even the India Office headed by the Secretary of State for India thoroughly examined it before its release to the press. Moreover, the Government was not initially ready to release this report to the press but on consistent demands by the politicians and the political parties that a decision to release it to the public was taken. The AIML in its session held in December 1926 also demanded its release to the public.¹⁸³

¹⁷⁸ *Times of India*, 1 March 1926.

¹⁷⁹ Another aspect of hostility is reported by Hector Bolitho, *Jinnah, Creator of Pakistan*, Karachi, 1964 (first published from London in 1954), pp.89-90.

¹⁸⁰ Irwin to Birkenhead, 11 November 1926, Halifax Papers, MSS. Eur. C. 152/2.

¹⁸¹ Indianization of Officer Ranks of Army

¹⁸² *Times of India*, 1 April 1927.

¹⁸³ *Times of India*, 1-3 January 1927.

Along with his participation in the Indian Sandhurst Committee deliberations, Jinnah believed in educating the public with the intention of preparing them to be ready to send their youth to join the officer ranks of the Indian army. For that purpose he addressed a number of public meetings. In Bombay he addressed the public meeting for one and a half hour on 4 September 1926 on the issue of "The future of India" at a fully packed hall. An army was thought by him a "key to self-government". Jinnah regretted the formation of a number of political parties in British India, each pursuing its separate policy. In this connection he recalled that when he was recently in America, he was asked why 350 million Indians could not drive away an army of 115,000 Englishmen, a question to which he was "ashamed" to answer because the Indian politicians were most disorganized and undisciplined and in most cases were "quacks", who needed to be put down. What the Quaid meant was that most of the leaders who had entered politics did not, as a matter of fact, understand the game of politics. Despite this, though the future appeared to him to be "gloomy", still, he hoped and appealed to "his hearers to learn the true conception of duties, obligations and rights of citizenship-fair and just treatment of every one".¹⁸⁴

At another meeting arranged by the Bombay Muslim Students Union on 14 September 1926, the Quaid said that the King's Commission had been thrown open to Indians by the Government. By explaining the pattern of military training at Sandhurst he exhorted the students to prepare them-selves and take advantage of a fresh, "but limited" field, the scope of which, he was sure, would be widened in the course of a few years. A Military career had its own charms, Jinnah impressed upon them, and was a noble and glorious profession. He even made it clear: "Unless they were prepared to enter the battle-field and face the bullets to defend their own country, self-government was impossible of attainment". While he admitted it was "the fault of Government that they were so backward in military education and a foreign Government could not be expected to do much for them, young men must stir up and do something for themselves".¹⁸⁵

At Lucknow also he addressed a public meeting on 26 April 1927 arranged by the Servants of India Study Circle.¹⁸⁶ He delivered his extensive speech as President of this function. First, he deprecated the delay in the publication of the Indian Sandhurst Committee Report. He clarified that "so long as India was unable to defend herself, no Swaraj would come to her either from outside or from within". In no country except India, he was reported to have continued, was there an army without the nation behind it. It was not a regular army that counted for either offensive or defensive purposes, but the reserves of volunteers. Indians were hopelessly helpless in the matter of defence. In

¹⁸⁴ *Times of India*, 6 September 1926.

¹⁸⁵ *Times of India*, 15 September 1926.

¹⁸⁶ *Times of India*, 28 April 1927.

America the regular army, Jinnah pointed out before the public, consisted of barely 125,000 men, but in three months they could put in the field one million soldiers, mostly volunteers. He also disclosed that there were only 44 Indian officers in a total of 3,600 army officers. At this rate, centuries would pass before India had her army officered by her own men. Regarding even ten vacancies in Sandhurst annually, the British Government took extra care to select only such candidates as were most likely to prove unsuccessful during their training. The percentage of failures among Indian cadets since 1918 had been as high as fifty, whereas the corresponding figure for English cadets never exceeded five. The Sandhurst Committee's recommendations to remedy this state of affairs had been characterized as revolutionary by the Anglo-Indian press, and received as such by the Government of India. Jinnah urged upon the public, "not to cease agitation till the Committee's recommendations were translated into action".¹⁸⁷ This was said because he doubted the intention of the Government.

Along with such public expressions, Jinnah pressurized the Government in the Indian Legislative Assembly debates, as its member, urging upon them to faithfully implement the Report of the Sandhurst Committee. This was because the Quaid developed doubts about the intention of the Government to delay the Report's implementation. In official papers this Sandhurst Committee is also termed as the Skeen Committee, thereby naming it also the Skeen Committee Report, after the name of its President. The delay on the part of the Government to implement the Skeen Committee Report was bitterly resented by the Quaid in his Assembly speeches. For the purpose of putting further pressure on the Government and on the Commander-in-Chief of Indian Army, who was also member of the Imperial Assembly, Jinnah made another elected member of the Assembly to move resolutions for the purpose of implementing recommendations of the Skeen Committee Report. According to the strategy, after the resolution was moved, he himself became the chief spokesman to express in favor of the Indian interests. As part of this scheme, on 25 August 1927, Dr. B.S. Moonje moved such a resolution in the Assembly. To this an "agreed amendment" was later tabled by Srinivasa Iyengar, another member-friend of Jinnah, by which a demand was raised urging "immediate effect" to the recommendations of the Indian Sandhurst Committee Report. Their Jinnah spoke forcefully in defence of this resolution on 13 September. In this speech Jinnah bitterly criticized Col. J.D. Crawford, official member who was defending the official position in the Assembly and objecting to the nature of resolution. For this Jinnah said that he was not only "amazed" but "wondered" about the attitude of the official member.¹⁸⁸ What worried Jinnah most was the fact that the material he collected from England, France, Canada, and U.S.A. with great labour was not allowed to be published, despite the fact that the Report was published. For this he even demanded

¹⁸⁷ *Ibid.*

¹⁸⁸ Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah, 1926-1931, vol. III*, Karachi, p.228.

"justification" by pointing towards the Commander-in-Chief of the Army.¹⁸⁹ Even some of the evidence selected from witnesses by Jinnah in the meetings of the Skeen Committee in India were not placed before the Assembly. Naturally Jinnah was perturbed and rightly felt as if it was because of Jinnah that these witnesses and their cross-examinations were not allowed to be published in the press or otherwise. Jinnah, therefore, pleaded for their early publication¹⁹⁰

The government benches were shaken by the remarks of Jinnah. Even the President of the Assembly, who was initially opposed to the Resolution, became ready to put the resolution to voting after he heard the strong arguments advanced by Jinnah and allowed Jinnah more time to speak on the resolution.¹⁹¹ Making things more clear the Quaid warned the government "not to play with Indian people any more" by their delaying tactics to implement the Skeen Report.¹⁹² G.M. Young, Army Secretary and member of the Assembly, in an effort to rebut Jinnah, stated that the "Government have already sent to England their own provisional recommendations on the Report". The reason for this delay, as given by him, was that the Report had raised for the Government "almost as many problems" as "it purports to solve".¹⁹³ Jinnah was not ready to be convinced about the genuineness of these official arguments. His plea was how the Report could create problems for the Government when the pace of Indianisation is very slow, i.e. 20 officers out of 120 annually. Regarding the publication of proceedings of witnesses, Jinnah's plea was when the main Committee in its two sittings had "decided that the report of the sub-committee and the proceedings should be published", there was no reason for the Government for withholding its publication.¹⁹⁴ Despite these bitter remarks the Resolution was allowed to be passed by the Assembly by the majority vote. The official intention for permission to pass this Resolution seems to be to allow ventilation to the bitter feelings expressed by Jinnah and other members of the Assembly.

Though the Resolution was approved by the Assembly, yet nothing substantial was done. In March 1928 Jinnah had to remind and again raise the issue in the Central Assembly. His grievance was that not only the Report was not implemented, but the sub-committee report and proceedings "still remain suppressed and concealed by the

¹⁸⁹ *Ibid.*, p. 229.

¹⁹⁰ *Ibid.*, p. 233.

¹⁹¹ *Ibid.*, p. 236.

¹⁹² *Ibid.*, p. 238.

¹⁹³ *Ibid.*, p. 240.

¹⁹⁴ *Ibid.*, p. 242.

Government" on which the Commander-in-Chief of Army was asked to explain the reasons.¹⁹⁵ Jinnah also admitted that though he was not satisfied with the pace of Indianisation suggested by the main committee report, yet he agreed because he wanted at least to lay the foundation, the beginning of a Military College in India, that will establish our own traditions, that will establish a system of our own, and the sooner that is done the better.¹⁹⁶ What astonished him most and made him express this on the floor of the Assembly was his conviction that the Government was not interested even in this small beginning from the core of its heart.¹⁹⁷ In rebuttal the Commander-in-Chief of Army spoke but in his speech he avoided any direct reference to the arguments advanced by Jinnah.¹⁹⁸

Nothing substantial was done until the London Round Table Conferences (1930-32) when the issue was again taken up by Jinnah with much force and vigor in the Conference deliberations. The issue was raised by him in the defence Sub-Committee of the Indian Round Table Conference as its member. Jinnah pleaded for "rapid" Indianisation of officer ranks of the Indian army with vehemence and passionate insistence. His previous plea for making the Indian army a "national" army was repeated in the Defence Committee proceedings.¹⁹⁹ Jinnah's remarks received wide publicity in the British press. *The Daily Herald* thus reported:

Mr. Jinnah said that if Indianisation was desired there should be no further British recruitment. India was capable of providing annually the number of officers required to fill up the present normal wastage.²⁰⁰

Ultimately the Government established a Military College in India in 1932 on the Sandhurst model. However small it may have been, it was still a great achievement on the part of Jinnah that he succeeded in establishing a Military College in India for which he had endeavored so hard for the last two decades. But as far as the publication of the report and proceedings of the sub-committee headed by him was concerned, Jinnah's complaint remained justified as it was never published during his life time. This was because the British Government considered some of the expressions in the style of

¹⁹⁵ *Ibid.*, p. 242-24.

¹⁹⁶ *Ibid.*, p. 246.

¹⁹⁷ *Ibid.*

¹⁹⁸ *Ibid.*, pp. 247-48.

¹⁹⁹ Indian Round Table Conference, 12 Nov, 1930 - 19 January 1931, Proceedings of Sub Committee (Pt. II), Sub Committee II-1X, London, 1931, pp. 291-325.

²⁰⁰ *Daily Herald*, 10 January 1931.

questions of Jinnah to the witnesses appearing before the sub-committee dangerous to the continuity of British raj in India.

Quaid-i-Azam Jinnah was amongst the very few politicians of British India who gave high priority to the question of Indianisation of officer ranks of the Army and linked defence to the basic issue of freedom of the country. For realization of his objective he used all the public, press and legislative platforms and maintained his pressure on the government, though the British Government tactfully handled the issue and at the same time avoided confrontation. It kept up the tempo of giving false hopes and promises but in reality nothing substantial was done. This was the policy of the Government but Jinnah was justified in his suspicious and brutal criticism of government policies.

V

LAST PACKAGE FOR THE HINDU-MUSLIM SETTLEMENT: A CASE OF DELHI MUSLIM PROPOSALS, SIMON COMMISSION, NEHRU REPORT AND JINNAH'S FOURTEEN POINTS

DELHI MUSLIM PROPOSALS:

On Quaid-i-Azam's move the 18th session of the All-India Muslim League held in Delhi on 30 December 1926, adopted a resolution for an early appointment of a Royal Constitution Commission to frame a new Constitution for the country on a sound and permanent basis with provision for automatic progress to establish full responsible government in India.²⁰¹ For this purpose the All-India Muslim League was required to cooperate with other parties of the country. But the British government was not yet interested to appoint such a Commission before 1929.²⁰² The Hindu and the Muslim leaders were bent upon working out the essentials of an agreed constitution for India so that even if the Royal Commission is not appointed for the purpose, a united constitutional document on behalf of all the political parties could be presented to the government for implementation. Earlier attempts in this direction were also made. At a meeting of the All Parties Committee Conference held at Delhi on 23 January 1925 presided over by M.K. Gandhi, it was emphatically made clear by Jinnah on behalf of the Muslims, that reservation of seats for representation of the Muslims in the Assemblies, Local bodies and even the University should be made.²⁰³ Other leaders who participated in this discussion were Motilal Nehru, Ali Brothers, Lajpat Rai, Shardhanand, Rajendra Prashad, Jawaharlal Nehru, Kanzru, Chintamani, Maulana Abul Kalam Azad, Ramaswami Mudaliar. Lajpat Rai was not ready to grant the Muslims more than their population ratio. Special objections to Maulana Mohammed Ali's idea of Pan-Islamism were raised by Jayakar and other Hindu leaders. After a week's discussion the Committee again met in February. Even then no agreement could

²⁰¹ Syed Sharifuddin Pirzada, *Foundations of Pakistan: All India Muslim League Documents 1906-1947*, vol. II. Karachi. 1970, pp. 101-102.

²⁰² Viceroy's speech at a reception given by the Ruler of Bhopal, 14 March 1927, in *Times of India*, 16 March 1947.

²⁰³ M.R. Jakayar, *The Story of My Life*, vol. 2, Bombay, 1959, p. 535; and *Daily Gazette*, 25-26 January 1925. At the All-Parties Conference meeting held at Bombay in November 1924 an All-Parties Conference Committee was appointed for the purpose of bringing Hindu-Muslim unity. All the parties except the Hindu-Mahasabha had agreed to this proposal. However, on 6 January 1925 the Mahasabha also agreed to participate in the deliberations of this Committee. Thus it was decided to hold a meeting of this All-Parties Conference Committee on 23 January 1925. As the discussion prolonged, the Committee continued its deliberation till 24 January, See *Daily Gazette*, 7, 24, 26 January 1925.

be evolved on the communal issue.²⁰⁴ Consequently, Gandhi incurred the wrath of the Ali Brothers for his failure to help resolve the communal disputes and conflicts. This rift came to be known for the first time in March 1925.²⁰⁵ In these meetings Jinnah made it clear that he had not touched the Hindu-Muslim settlement in the Reforms Enquiry Committee so that both the communities could themselves settle this issue.²⁰⁶

This was a good move in which Jinnah played a leading role, but the greatest hurdle in the way of communal settlement was separate electorates for the Muslims and other minorities as propagated by the Hindu political parties. The Hindu members of the Congress and the other Hindu parties had already favored the proposal of joint electorates with reservation of seats for the Muslims on the basis of Lucknow Pact.²⁰⁷ Encouraged by this, Quaid-i-Azam, as President of All-India Muslim League, invited Muslim leaders to meet at Delhi on 20 March 1927 for settling the issue of electorates and other matters of Muslim interest so that an advance could be made with the non-Muslim parties to frame a common Constitution. On this date the leaders who met in Delhi were Quaid-i-Azam Mohammad Ali Jinnah, Maharaja of Mahmudabad, Sir Muhammad Shafi, Mohammed Ali Jauhar, Dr. M. A. Ansari, Maulvi Mohammad Yakub, Nawab Mohammed Ismael, Syed Ali Nabi, Lieut. (retd.) Sardar Mohammad Nawaz Khan, H. S. Subrawardy, Shah Nawaz, Raja Mehazanfar Ali Khan Farooki, Abdur Rahman, Sir Abdul Qayum, Shah Muhammad Zubair, Syed Ahmed Shah (Imam of Jamia Mosque, Delhi), Syed Murtaza, Maulvi Mohammed Shafi, Abdul Aziz, Abdul Matin Chaudhry, Mirza Abdul Qadir, Syed Abdul Jabbar (Ajmer), Ehtashamudddin, Syed Abdul Rahim, Anwar-ul-Azim, Dr. Ryder Ariff, and Ijaz Hussain.²⁰⁸ Quaid-i-Azam chaired this meeting whose proceedings were held in camera. Whatever the facts were news of this meeting was released to the press through the Associated Press.²⁰⁹ It was after seven hours discussion that the proposals were adopted.²¹⁰

Jinnah enjoyed a very important position in 1924 and 1925 when Gandhi's influence was on its decline. Towards the end of 1925 Jinnah endeavored hard to launch a new

²⁰⁴ Jayakar, op.cit, pp. 535-542.

²⁰⁵ *Ibid.*, p. 537.

²⁰⁶ *Ibid.*, p. 539.

²⁰⁷ *Times of India*, 22 March 1927.

²⁰⁸ *Ibid.*

²⁰⁹ *Daily Telegraph*, 21 March 1927 and Newspaper Cuttings, 1 OLR/1/2/8.

²¹⁰ Jayakar, op.cit., pp. 704-5.

party comprising almost all the groups and parties outside the Congress.²¹¹ This was intended to build up a united opposition front to the British Government:²¹²

After a 'protracted discussion' it was 'unanimously' resolved that Muslims should accept a settlement with the Hindus on the basis of following proposals, so far as representation in various legislatures. in any future scheme of reforms, was concerned:

1. Sindh should be separated from the Bombay Presidency and constituted into a separate province.
2. Reforms should be introduced in the N.W.F.P and in Baluchistan on the same footing as in any other province in India.
3. In that case Muslims²¹³ are prepared to accept joint electorates in all provinces so constituted and are further willing to make to the Hindu minorities in Sindh, Baluchistan, and the N.W.F.P., the same concession that the Hindu majorities in other provinces are prepared to make to the Muslim minorities.
4. In the Punjab and Bengal the proportion of representation should be in accordance with the population.
5. In the Central Legislature, Muslim representation shall not be less than one third and that also by mixed electorate.²¹⁴

These were just Informal' proposals, popularly known as Delhi Muslim Proposals, to be formally ratified by the Muslim and Hindu parties. The matter of services and other questions with regard to safeguards concerning any bill or resolution affecting the religion, custom or usage of either community or affecting inter-communal interests were also discussed in this meeting but no formal decision in this respect was taken. A decision in this regard was to be taken later in the light of reactions from all quarters on the above cited proposals. What was passionately desired was evolution of unanimity of demands jointly by the Hindus and the Muslims.²¹⁵

²¹¹ *Ibid.*, p. 705.

²¹² *Ibid.*, p. 705.

²¹³ In this document word 'Mahomedan' has been used. In later history the word 'Muslim' has been substituted for the Mahomedan in the records. In line with this, word 'Muslim' has been substituted by the author in this study.

²¹⁴ *Times of India*, 22 March 1927.

²¹⁵ *Ibid.*

Soon after these proposals were drafted, differences of opinion increased particularly with reference to separate electorates for the Muslims. Muslim leaders of the Bengal and Punjab particularly resented the proposal of the abolition of separate electorates for the Muslims:

- 6 A lot of misgivings were expressed by Sir Muhammad Shafi, and others. Later this point made Shafi to form his own group of the All-India Muslim League and arrange a separate session in December 1927. Jinnah group, being the larger, arranged its session in Calcutta as planned:
- 7 But the Shafi group disassociated itself from the Jinnah group and arranged its meeting in Lahore in the same month.²¹⁶

In order to clear up misgivings and doubts about the Delhi Muslim Proposals, Quaid-i-Azam issued a press statement to the *Associated Press* on 29 March 1927.²¹⁷ In this statement the Quaid made it clear that the offer to accept a settlement on the basis of the proposals made therein is subject to what I would call 'conditions precedent',²¹⁸ before Mussalmans would be prepared to accept joint electorates, with reservation of seats. These conditions are a '*sine quanon*'.²¹⁹ He also made it clear that the offer of Delhi Muslim Proposals "is interdependent and can only be accepted or rejected in its entirety".²²⁰ It was a sort of a package deal of "give and take policy of Jinnah".²²¹

Here a question arises as to what were the Quaid's views about the common nationality of Hindus and Muslims in India. Hindus were considering separate Muslim electorates as a hurdle in the evolution of common nationality. Replying to such questions the Quaid made it explicit that "I am not prepared to subscribe to the view that separate electorates will constitute an effective bar to the growth and development of representative government". He also did not subscribe to the view advanced by the Congress leaders that abolition of separate electorate for the Muslims will help in the growth of common nationality. Jinnah maintained that even if the Muslims were deprived of separate electorates they will not "completely" merge in Indian nation'. For

²¹⁶ See Press Statement by Suhrawardy, Ali Bakhsh Mohammad Hussain, and Anwarul Azim.

²¹⁷ For its proceedings see Pirzada, *op.cit.*, pp. 107-127.

²¹⁸ *Ibid.*, pp. 128-138.

²¹⁹ *Times of India*, 30 March 1927.

²²⁰ *Ibid.*

²²¹ *Ibid.*

him this issue was not an end in itself, but a means to an end, i.e. "how to give a real sense of confidence and security to the minorities."²²² Unless this objective is achieved, grant or non-grant of separate electorates to the Muslims would not help solve the problem. Towards the end of his statement the Quaid clarified that as "soon as he receives a definite answer to the offer from Hindu leaders, the next step he would like to take would be to call a meeting of the members of the Central Committee of the All-India Muslim League, the Committee appointed by the Khilafat Conference, the executive members of Jamiat-ul-Ulama-i-Hind, the Muslim members of the Council of State and the Indian Assembly at an early date",²²³ and we may form a small committee at this meeting with a view to discuss other matters with the committee or committees that the Congress, the Mahasabha and other political organizations in the country may appoint, and then any settlement that may be finally arrived at by these committees would, of course, be subject to ratification by the various organizations of the country, both Hindu and Muslim.²²⁴ Mohammad Yaqub, a former member of the Indian Assembly, in a separate statement tried to set aside certain Muslim misgivings by terming the scheme "quite premature", "tentative" and "preliminary." as basis for final settlement." He extended his support for the Quaid's stance on these proposals.²²⁵

Lord Irwin, the Viceroy of India, was very happy over this stance of Jinnah adopted at Delhi Muslim Proposals because the Government thought that the Muslim politicians in general were not ready in giving up separate electorates.²²⁶ In his communication with the Secretary of State for India. the Viceroy hoped that "it may widen rather than diminish the breach between the two communities".²²⁷

While Jinnah plainly proposed the Delhi Muslim Proposals with all sincerity to bring about a settlement between the Hindus and the Muslims. his detractors from all quarters (Congress. Hindus. and even some Muslim leaders) got a 'good' chance to charge Jinnah on various points. His opponents who had even encouraged him at this stage, turned around and asserted that Jinnah does not represent any substantial sections of the Muslims. In this attack their main purpose was to damage Jinnah's public career and after his political death, the Muslim community (nation) as a whole would die a natural political death. This was the ugly and dangerous reality least

²²² *Ibid.*

²²³ *Ibid.*

²²⁴ *Ibid.*

²²⁵ *Ibid.*

²²⁶ *Ibid.*

²²⁷ Irwin to Birkenhead, 24 March 1927, Birkenhead Papers, IOLR. MSS. Eur. D. 703/1.

suspected even by the best leaders of the Muslim community. At the same, there was none but the man who was being encircled best knew the designs of those who were attacking him from many sides and he also knew how to counter their multi-pronged attacks. However, for the moment both Jinnah and the Muslim community had to suffer for a number of years to come.

In its meeting on 17 April 1927 at Patna the All India Hindu Mahasabha accepted the AIML proposals package for joint electorate but rejected the idea of separation of Sindh from Bombay Presidency.²²⁸ Lajpat Rai, a great Hindu leader, presiding over Provincial Hindu Conference at Sukkur, called upon the Hindus "to give up mildness" towards the Muslims. The idea of separation of Sindh from Bombay was seen by

him as a move against the Hindu interests.²²⁹ At another meeting in Bombay he spoke in defence of the Shudhi movement whose purpose was to convert the Indian Muslims to Hinduism.²³⁰ Thus by making Jinnah ready to discard separate electorates, the Hindu leaders adopted a harsh attitude towards the Muslims. It was this harsh attitude which led them to adopt non-cooperation towards the British Government in 1929-30 for the transfer of power to the Congress Hindu leaders.

It also encouraged the Hindu intellectuals to attack even the religious beliefs of the Muslims. In this direction in July 1927 a Hindu Pandit published a pamphlet called Rangila Rasul, in which the Holy Prophet Muhammad's (PBUH) marriages was exploited and given a slanderous defamatory interpretation. This wounded the feelings of Muslims who reacted violently against this desecration of their beloved Holy Prophet (PBHU). In their mosques all over the country they vehemently condemned the Hindu pamphlet and protested against it.²³¹ In Multan there were serious riots in mid-July in which twelve persons were killed. The situation became so bad that the cavalry and the armoured regiments of the Army had to rush from Lahore to Multan to bring these Hindu-Muslim clashes to an end.²³² Similar riots were witnessed in other parts of the province of Punjab.

As ever, it deeply perturbed Jinnah who rushed to arrange a Unity Conference in Simla on 29 August 1927 attended by, among others, Maulana Mahomed Ali Jauhar, Lajpat Rai, Maulana Shaukat Ali, Dr. M. A. Ansari, Pandit M. M. Malaviya, and Pandit Motilal

²²⁸ *Times of India*, 19 April 1927.

²²⁹ *Times of India*, 4 May 1927.

²³⁰ *Times of India*, 5 July 1927.

²³¹ *Times of India*, 15 July 1927.

²³² *Ibid.*

Nehru.²³³ This conference resulted into appointment of Committees on issues, such as, cow killing, playing music before mosques, etc. The deliberations of these committees were finally discussed in Simla on 23 September 1927. Despite anxiety on both sides, the Hindu and Muslim leaders failed to reach any agreement on these issues of contention between the two major communities of South Asia. Consequently no compromise could be evolved between them, much to the disappointment of Jinnah who had played a key role in all such deliberations.²³⁴ It was in this background of tense Hindu-Muslim relations that the British Government chose to announce the appointment of Statutory Commission in November 1927 for the purpose of resolving the issue of next constitutional reforms in the country.²³⁵

Could the publication of the scurrilous book Rangila Rasul be a deliberate move to bring about communal riots and bloodshed? A Muslim Ilm Din stabbed to death the author or was it a bookseller selling this book. Ilm Din was tried for murder and hanged. Jinnah set aside all his legal work to defend Ilm Din without charging any fee. This illustrates the Quaid's loyalty to his faith and community.

SIMON COMMISSION:

The Simon Commission was appointed in November 1927 to frame a new constitution for the country.²³⁶ By the statutory requirement the Commission was to be appointed in 1929, but it was because of crucial circumstances that the Government thought it advisable to appoint it two years earlier. As a matter of fact through the Muslims discarding separate electorate at Delhi, the government got the chance to divide the Muslims on this issue and deprive the Quaid-i-Azam of the Muslim backing. Sir Muhammad Shafi and some other Muslim leaders, on their own or prompted by others, accused Jinnah of giving up separate electorates.

In its meeting held on 1 May 1927 at Lahore under the Presidentship of Sir Muhammad Shafi, the Punjab Muslim League adopted four resolutions. Second resolution was the most important, moved by Sir Muhammad Iqbal himself which "reiterated the League's conviction that in the existing political conditions, in this country separate communal electorates provided the only effective means of making the central and provincial legislatures truly representative of the Indian people, and the League was emphatically of the opinion that as long as an equally effective guarantee was not forthcoming, the

²³³ *Times of India*, 31 August 1927.

²³⁴ *Times of India*, 24 September 1927.

²³⁵ *Times of India*, 10 November 1927.

²³⁶ *Ibid.*

Muslim community could not but continue to insist on the retention of communal electorates as an essential element of the Indian Constitution:²³⁷

The Muslims of Bihar and Orissa were also divided on this question. In a Conference held at Patna in May 1927 under Sir Ali Imam's presidentship conflicting views were expressed. Some were in favor of joint electorates and others against it.²³⁸ At the Bengal Provincial Muslim Conference at Barisal presided over by Sir Abdur Rahim great concern was expressed for accepting joint electorates:²³⁹ Similar caution and conflict was expressed in other Muslim quarters.

It was in an atmosphere of Hindu-Muslim conflict in which the Muslims were also divided on the issue of separate electorates, that the Constitution Commission headed by Sir John Simon, an eminent constitutional expert and member of British Parliament, was announced by the Viceroy, Lord Irwin. The other six members of the Commission were also members of the British Parliament. No Indian was included on this Commission.²⁴⁰ Before announcement of the formation of the Simon Commission, Lord Irwin called all the important political leaders of the country including Quaid-i-Azam for a briefing in early November 1927 at Delhi in which he expressed his intention to formulate a Statutory Commission. Most of the leaders left Delhi by 6 November. On 7 November Quaid-i-Azam issued a press statement from Bombay which made the following appeal to the political leaders:

Without disclosing any secret I may say that it is almost certain that the Commission will be announced on or about 8 November. The question is so vital to the interests of India that the leaders of all parties must discuss jointly the terms of proposals after they have appeared in cold print and determine upon a common policy of action. I, therefore, trust that at this critical moment an expression of individual opinion committing the country in any way will be withheld until the whole scheme is carefully examined.²⁴¹

Thus Quaid-i-Azam urged all the party leaders for joint action whose details were to be chalked out at an All-Party Conference to be convened shortly. When on the next day the appointment of the Commission was announced, he sent telegrams to different

²³⁷ *Times of India*, 3 May 1927.

²³⁸ *Times of India*, 9 May 1927.

²³⁹ *Times of India*, 10 May 1927.

²⁴⁰ *Times of India*, 10 November 1927.

²⁴¹ *Times of India*, 7 November 1927.

leaders suggesting an All-Party Conference in Bombay on 16 November 1927.²⁴² Accordingly an informal conference of the leaders of Bombay representing different shades of political thought was held in the rooms of the Bombay Presidency Association on 16 November 1927 to consider what attitude they should adopt towards the Reforms Commission.²⁴³ Sir Chimanlal Setalvad chaired this meeting and it was attended, among others, by Quaid-i-Azam, Jamnadas Mehta, Bulabhai J. Desai, K. M. Munshi, K. F. Nariman, S. A. Barelvi, B. G. Horniman and D. G. Dalvi." After an hour's discussion a draft proposal prepared by subcommittee headed by Jinnah, was adopted at this conference which protested against the exclusion of Indians from the Commission. In an exclusive interview after the Conference Quaid-i-Azam declared that "unless Indians are allowed to have a say in regard to the constitution of India and are treated on equal terms, the Commission will not be acceptable to the people of Bombay and that we have nothing to do with it in any stage or form".²⁴⁴ Thus Jinnah announced his policy of boycott towards the Commission. Jinnah's lead was followed by the whole of India. In compliance with Jinnah's stance the Indian National Congress, All-India Hindu Mahasabha, All-India Muslim League, Jamiat-ul-Ulama-i-Hind, and Khilafat Conference passed their resolutions. Consequently majority of the political forces of India adopted the Quaid's course to boycott the Commission.²⁴⁵ In a communiqué issued to the press, Quaid-i-Azam stated that he received full response from members of all the parties throughout the country to the manifesto recently issued by him on the Reforms Commission.²⁴⁶ Thereafter, he addressed public meetings in order to exert public pressure to boycott the Simon Commission. In a public meeting in Bombay on 19 November, Quaid-i-Azam himself declared in a forthright manner that the appointment of a Commission in which no Indian was included was an insult and affront to India".

There were certain sections of Muslims who disliked Jinnah's discarding Muslim separate electorates at Delhi in March 1927. In their opposition to Jinnah they went to extremes in their criticism of the Hindus. Even in Bombay persons like Maulvi Anis Ahmed, Secretary, All-India Muslim Federation expressed difference with Jinnah and indicated his intention for cooperation with the Commission as he distrusted the Hindus for having always worked against Islam.²⁴⁷ Similarly a number of the Punjab Muslim leaders led by Sir Muhammad Shafi issued their joint press statement in which

²⁴² *Times of India*, 8 November 1927.

²⁴³ *Times of India*, 17 November 1927.

²⁴⁴ *Ibid.*

²⁴⁵ *Ibid.*

²⁴⁶ *Ibid.*

²⁴⁷ *Times of India*, 21 November 1927.

they declared their willingness not to boycott the Commission.²⁴⁸ In order to resolve this difference of opinion within the Muslims, the Quaid, as President of All-India Muslim League wrote to Dr. Kitchlew, Secretary of All-India Muslim League in Delhi on 11 December so that matters could be discussed and plans for holding the next session of the All-India Muslim League may be chalked out.²⁴⁹ While Jinnah was trying to resolve this issue certain Muslim leaders of the Punjab and Bengal issued a joint manifesto on 7 December by which they strongly protested against the proposed boycott of the Statutory Commission.²⁵⁰ These leaders were Sir Zulfiqar Ali Khan, Sir Abdul Qayyum, Abdul Haye, Sir Muhammad Iqbal, Mahomed Ali, A. K. Ghuznavi, Ex-Minister and President of Central National Muslim Association, Dr. Suhrawardy and A. H. Ghuznavi.²⁵¹ The Muslim leaders from U.P., Bombay and other minority Muslim areas also joined to cooperate with the Royal Commission.²⁵²

Thus AIML was divided into two camps one which favored boycott of the Commission, and the other which favored cooperation with the Commission;²⁵³ Shafi and Jinnah being the leaders accusing each other for this split.²⁵⁴

Jinnah group of the All-India Muslim League arranged annual session of the party at Calcutta on 30-31 December 1927 and 1 January 1928 in which resolution for boycotting the Simon Commission was passed. This session was presided over by Maulvi Muhammad Yaqub, Deputy President of the Indian Assembly. The League party constitution was also amended in this meeting. Previously no President of the League could hold office for more than two consecutive terms. This clause was deleted from the party constitution in order to facilitate Jinnah's re-election as permanent President of the All-India Muslim League until the next session which alone could elect his successor.²⁵⁵ The number of delegates who attended this session were: Bombay-5; Bengal-40; Madras-1; UP-10; Delhi-2; Indian States-3; C.P.-1; NWFP-3; Punjab-6; Assam-4; Bihar and Orissa-11.²⁵⁶ A significant decision to start a Muslim newspaper from Lucknow by

²⁴⁸ *Ibid.*

²⁴⁹ *Ibid.*

²⁵⁰ *Times of India*, 28 November 1927.

²⁵¹ *Times of India*, 8 December 1927.

²⁵² *Times of India*, 12, 20 December 1927.

²⁵³ *Times of India*, 27 December 1927.

²⁵⁴ *Ibid.*

²⁵⁵ *Times of India*, 3 January 1928.

²⁵⁶ *Ibid.*

Raja of Mahmudabad and his associates was also taken.²⁵⁷ Quaid-i-Azam was happy over the success of this session which was held mainly under peaceful conditions.²⁵⁸

Shafi group of the All-India Muslim League arranged its meeting in Lahore on 31 December 1927 and 1 January 1928 amidst stormy scenes. The Khilafatists, after trying their utmost to secure the rejection of the resolution supporting the Commission, walked out *en bloc*. After their walk out the League resumed deliberation.²⁵⁹ Sir Muhammad Shafi presided over this meeting which passed resolution for extending Muslim cooperation with the Simon Commission. By another resolution Shafi was elected President, Sir Muhammad Iqbal, as General Secretary and Maulana Hasrat Mohani as Joint Secretary of the All-India Muslim League.²⁶⁰ The position of delegates attending this session was: Punjab-300;²⁶¹ UP-21; NWFP-12, Bombay-6; Delhi-6; Bengal-4; Sindh-4.²⁶² By the third resolution the League appointed a Committee of 27 members to devise a scheme of constitutional advance and to collaborate with Committees appointed by other Indian organizations to frame a constitution for India. Another resolution moved by Iqbal was adopted unanimously which protested against the existing arrangement whereby the Muslim community in Bengal and the Punjab was deprived of its right in the Provincial Councils as a majority in population.²⁶³ As a follow up of this decision Shafi group of the All-India Muslim League presented in early June 1928 its memorandum to the Simon Commission. But this memorandum did not meet Allama Iqbal's conditions. He felt so bitter and betrayed that on 22 June he resigned from the Secretaryship of the All-India Muslim League²⁶⁴ by addressing his letter to the Vice-President, because the President Sir Shafi was absent.²⁶⁵ According to Allama Iqbal, the Shafi League failed to press "full provincial autonomy which was the real demand of the Punjab Muslim community."²⁶⁶ Thus Shafi group of the Muslim League started showing cracks immediately after its formation.

²⁵⁷ *Ibid.*

²⁵⁸ *Ibid.*

²⁵⁹ *Times of India*, 2 January 1928.

²⁶⁰ *Ibid.*

²⁶¹ The delegates from the Punjab were divided on the issue of boycott.

²⁶² *Ibid.*

²⁶³ *Ibid.*

²⁶⁴ *Times of India*, 14 June 1928.

²⁶⁵ *Times of India*, 23 June 1928.

²⁶⁶ *Ibid.*

The Simon Commission landed in Bombay on 3 February 1928 and the Viceroy issued an appeal for cooperation.²⁶⁷ In retaliation to this appeal certain party leaders including Jinnah issued counter statement urging upon the people not to cooperate with the Commission. Despite being caught in an atmosphere of cooperation and boycott the Commission toured different parts of the country and received deputations, though of lesser importance. In most of the cases wherever it went it invited strong protests from the political India. After completing its mission of meeting the arranged deputations of lesser importance the Simon Commission left India for home in June 1928.²⁶⁸

For the division amongst the Muslims Jinnah was not happy. The Hindus were also not favorable to Jinnah's package deal for acceptance of the Muslim demands. Eleventh session of the All-India Hindu and Shudhi Conference was held on 7 April 1928 at Jabalpur under Dr. Moonje's presidency who, during the course of his presidential address, thus divulged the reality of the Hindu minds:

Mr. Jinnah's proposals, as a condition precedent to settlement. had all the appearance of a price for bargain. But even supposing that the Hindus were inclined to disregard this unseeingly aspect of the question, the solidarity and rigidity of Mr. Jinnah's block presentation of demands offered even a more insurmountable practical difficulty.²⁶⁹

Dr. Moonje was not ready to give the Muslims more than their population ratio.²⁷⁰ As the Congress was acting under the Mahasabha's influence, Jinnah had least hope from the Nehru Committee appointed to frame joint Hindu-Muslim proposals. Consequently, it was out of frustration that Jinnah sailed for England on 5 May 1928 by S.S. Rajputana with Srinivasa Iyengar and Diwan Chamanlal as fellow passengers.²⁷¹ On board Diwan Chamanlal wrote an article by which he disclosed the story of secret dialogues between Jinnah and the British government officials at Delhi, Lucknow and Bombay in order to end the boycott of the Simon Commission by the major political parties.²⁷²

²⁶⁷ Saiyid, *op.cit.*, p. 125.

²⁶⁸ *Ibid.*

²⁶⁹ *Times of India*, 9 April 1928.

²⁷⁰ *Ibid.*

²⁷¹ Saiyid, *op.cit.*, p. 126.

²⁷² *Times of India*, 29 May 1928.

According to this report, during a dinner at the Vice-regal lodge, an informal discussion took place between Jinnah and Simon for about two hours during which Jinnah suggested appointment of an Indian Constitution Committee which should enjoy equal power and status with the Simon Commission.²⁷³ Simon's plea was that the Viceroy had no authority to appoint such a Committee. It could enjoy equal status only if it was appointed by His Majesty the King. These talks failed when the officials said that this cannot be done".²⁷⁴

Later when Jinnah was at Lucknow another chapter in this history of secret negotiations started. As a matter of fact Jinnah was conducting a big law suit in the ancient Oudh city when he received a wire from Sir Chimanlal Setalvad from Bombay. This telegram asked him whether he would be prepared to meet Sir John Simon in Bombay. Thereupon Jinnah promptly telephoned Sir Tej Bahadur Sapru who said he had also been similarly approached. Jinnah sent Setalvad a telegraphic reply expressing his perfect willingness to meet Sir John Simon provided it was understood that the object of the discussion was to discover a means of giving the Indian Committee equal power and status with the Simon Commission and announcing that he would reach Bombay on Friday to see Sir John Simon before the latter sailed for England.

On stepping out of the train at Bombay railway station, Jinnah learnt through the mediation of a certain highly placed official of the Bombay government that negotiation had already started. Finally, Sir Chunilal Mehta took a written statement from Jinnah, but returned with the written reply that the subject matter of the discussion was the procedure to be followed by the Simon Commission and the principle involved in its appointment. According to Jinnah this was another colossal blunder on the part of the Government. Jinnah, however, adhered to his opinion that the only way out of the "impasse" for Sir John Simon was to accept his plea to allow the Indian Committee equal status, power and initiative. But this was not acceptable to the Government. Thus Diwan Chamanlal concluded that Jinnah was "frankly disgusted". Jinnah also believed that there were certain leaders in India who "did not in reality desire a settlement", but the masses were ready for unity.²⁷⁵ The same views were already expressed by Jinnah on 25 February 1928.²⁷⁶

When Quaid-i-Azam returned from England on 26 October 1928, the Indian political world was further divided on the Nehru Report announced in his absence in August

²⁷³ *Ibid.*

²⁷⁴ *Ibid.*

²⁷⁵ *Ibid.*

²⁷⁶ *Times of India*, 27 February 1928.

1928. As a follow up of this division on the Nehru Report, the Indian Statutory Commission again arrived in India in early October 1928.²⁷⁷ After a short stay the Simon Commission returned to England as they saw none was interested in appearing before the Commission as Hindu-Muslim tussle on the Muslim constitutional demands was at its peak. The Simon Commission submitted their report in May 1930. This report was discussed by the Indian leaders at the Round Table Conference held in London during 1930-32.

Instead of resolving disunity amongst the Hindu and the Muslim political leaders, the Simon Commission exacerbated the differences in the Indian political world. While the Congress was adamant in its cry for transfer of power to their hands through boycott/non-cooperation threat, the British government could not ignore other elements especially the Muslims. All constitutional reforms were held up by the unresolved communal conflicts. The INC leaders, particularly Gandhi, were convinced that their policy of dividing the Muslims on the one hand and putting public pressure on the British on the other could succeed. Mistakenly they became obdurate in this policy. To some extent, as far as the Muslims were concerned, they succeeded because the All-India Muslim League, the largest party of the Muslims, split into two groups on the issue of cooperation with the Simon Commission. Both were, however, opposed to the Congress. Still the Congress and the Hindu Mahasabha leaders were happy because they were able to retain the firm loyalties of at least one section of the Muslim *ulama* i.e. Jamiat-ul-Ulama-i-Hind who had consistently followed the policies of the Indian National Congress in Indian politics. These *ulama* could never see eye to eye with the Muslim League.

THE NEHRU REPORT:

In order to evolve a joint Hindu-Muslim formula on the pattern of Lucknow Pact of 1916, an All Parties Conference was held in Delhi on 15 February 1928 in which Jinnah participated. The Conference deliberated for four hours.²⁷⁸ The leaders of Hindu Mahasabha put up a strong opposition to Jinnah as they were not ready to concede any of the Muslim demands formulated at Delhi in March 1927.²⁷⁹ The discussion was postponed to 20 February when the Conference met again but still no decision could be arrived on Jinnah's formula.²⁸⁰ Attitude of the leaders of Hindu Mahasabha was not flexible which compelled Jinnah, as President of the All-India Muslim League, to call a meeting of the AIML Council at Delhi on 26 February 1928 in which the attitude of the

²⁷⁷ *Times of India*, 12 October 1928.

²⁷⁸ *Times of India*, 17 February 1928.

²⁷⁹ *Ibid.*

²⁸⁰ *Times of India*, 21 February 1928.

Mahasabha leaders was deplored.²⁸¹ Before taking the final decision in this connection the AIML Council meeting was again called on 5 March at the League's Delhi office.²⁸² About the same date the All Parties Conference was also called at Delhi.²⁸³ The dominating factor of the All Parties Conference was fresh disagreement over the continuance of communal electorates if the Muslims would forego their claim to communal provinces. The Muslims, led by Jinnah, on the other hand, were willing to accept the principle of joint electorates, but not to forego the claim for communal provinces.²⁸⁴ Jinnah was, however, reminded that he was not representing the whole of the Muslim community but only a section of the Muslims.²⁸⁵ With such taunts they hoped to bring pressure on Jinnah to modify his demands and yield before the Hindu majority.

The All-India Muslim Conference was then called in Delhi to make another attempt to work out a common Muslim programme in the critical situation for the Muslims. Seventy Muslim leaders participated in this meeting. Jinnah, Maulana Mahomed Ali Jauhar and other Muslim leaders particularly noted that the attitude of the Mahasabha leaders had given rise to a grave situation" requiring immediate attention.²⁸⁶ On 8 March the All-Parties Conference met again in Delhi in the Committee room of the Council House wherein Jinnah read out AIML Council resolution passed on 6 March.²⁸⁷ When Motilal Nehru demanded the spirit of give and take, Jinnah regretted that he could not go beyond the mandate of the League. He claimed that he and his party could discuss the proposal in terms of resolution of the League alone²⁸⁸ which was:

Its representatives should not take part in the formation of the future constitution unless the Delhi scheme of 1927, involving separation of Sindh and introduction of the reforms in the NWFP and Baluchistan and other demands were agreed to in toto by the other political organizations in the country including the Hindu Mahasabha."

²⁸¹ *Times of India*, 27 February 1928.

²⁸² *Ibid.*

²⁸³ *Times of India*, 6 March 1928.

²⁸⁴ *Ibid.*

²⁸⁵ *Ibid.*

²⁸⁶ *Ibid.*

²⁸⁷ *Times of India*, 9 March 1928.

²⁸⁸ *Ibid.*

These were presented as the "bloc demands" of the Muslims in which no relaxation could be made. The Central Sikh League also participated in this Conference but made it clear that they were not ready to give up separate electorates.²⁸⁹ The All-India Hindu Mahasabha was adamant not to grant the Muslims more than their population ratio.²⁹⁰ In its 11th session the Mahasabha expressed that they would neither agree to the Muslim proposal of separate electorates nor to the formation of a separate Muslim province.²⁹¹ This frustrated Jinnah who lost all hopes for a Hindu-Muslim settlement and went to England in early May 1928 for his summer vacation.

During Jinnah's absence from India the All-Parties Conference in its meeting held on 19 May 1928 at Bombay appointed a Committee with this resolution:

This meeting resolves that a Committee consisting of Pandit Motilal Nehru as Chairman, Sir Taj Bahadur, Sir Ali Imam, S.R. Pradhan, Shuaib Qureshi, Subhas Chandra Bose, Madhaorao Aney, M.R. Jayakar, N.M. Joshi and Sardar Mangal Singh be appointed to consider and determine the principles of the constitution for India before 1st July next; the Committee to circulate the draft among various organizations in the country. This Committee shall give fullest consideration to the resolution of the Madras Congress on communal unity in conjunction with those passed by the Hindu Mahasabha, the Muslim League, the Sikh League and other political organizations represented at the All-Parties at Delhi and the suggestions that may hereafter be received by it; the Committee will give due weight to the recommendations made by the various subcommittees of the All-Parties Conference at Delhi. The All-Parties Conference will meet again early in August 1928 to consider the Committee's report.²⁹²

This Committee later came to be known as the Nehru Committee because the younger Nehru (Jawaharlal Nehru) functioned as its secretary and the older father Nehru (Motilal Nehru) was its Chairman. As a matter of fact the father and the son became the authors of this Report.²⁹³ The Nehru Committee Report was primarily an endeavor to avoid "failure" of the All-Parties Conference where the Hindu Mahasabha had adopted an obstinate and unyielding attitude.²⁹⁴

²⁸⁹ *Times of India*, 19 May 1928.

²⁹⁰ *Ibid.*

²⁹¹ *Times of India*, 9 April 1928.

²⁹² Report of the All-Parties Conference Committee 1928, published by the General - Secretary, All-India Congress Committee, Allahabad, p. 17.

²⁹³ *Times of India*, 19-20 May 1928.

²⁹⁴ *Times of India*, 14 June 1948.

It was reported on 10 July that the Nehru Committee, originally termed as the All-Parties Conference Committee,²⁹⁵ finalized its deliberations in consultation with leaders including Chintamani, Pandit M. M. Malavia and Ishwar Saran. The press also reported that Pandit Motilal Nehru was busy in preparing the report because agreement had been reached on many of the most contentious points. The Committee presented its report to Dr. M. A. Ansari, President of the All-Parties Conference on 10 August 1928. It was recognized that Pandit Jawaharlal Nehru, son of Motilal Nehru had rendered most valuable assistance at every stage of the Committee's work, though he was not a member of the Committee.²⁹⁶

The Nehru Report, among others, suggested:-

1. Separate electorates must be 'discarded completely' because the separate electorates were bad for the "growth of a national spirit".²⁹⁷
2. There should be no reservation of seats for communities because it was as bad in principle as communal electorates".²⁹⁸
3. Muslims constitute a little over 24% of the total Indian population.²⁹⁹
4. Representation in excess of their proportion in the population fixed for Muslims in a number of provinces under the Lucknow Pact. as well as the Montagu-Chelmsford Reforms, will disappear under our scheme. Such representation is only possible in separate electorates and has no place in the joint or mixed electorates. It is of course not physically impossible to reserve a larger proportion of seats for Muslim minorities than their population would justify but, apart from the obvious injustice of such a course not only to the majorities but to the other minorities as well, it will in our opinion be harmful to the development of Muslims themselves on national lines.³⁰⁰

²⁹⁵ *Times of India*, 11 July 1928.

²⁹⁶ Report of the All Parties Conference Committee 1928, op.cit., p. 26.

²⁹⁷ *Ibid.*, p. 30.

²⁹⁸ *Ibid.*, 38.

²⁹⁹ *Ibid.*, p. 51.

³⁰⁰ *Ibid.*, 52

5. No reservation of seats for the Muslims at the Central Legislature. "The principle we have adopted is that wherever such a reservation has to be made for the Muslim minority it must be in strict proportion to its population. The Muslims are a little less than one-fourth of the total population of British India and they cannot be allowed reservation over and above their proportion in the Central Legislature".³⁰¹
6. Sindh should be separated as an independent province if financial consideration allow it.³⁰²
7. The NWFP and Baluchistan shall have the same form of government as the other provinces in India.³⁰³
8. There shall be a Commonwealth of India within the British Empire. Governor-General as the King's representative shall be head of this Commonwealth of India who in turn shall appoint Prime Minister and Executive Council consisting of six Ministers collectively responsible to the legislature.³⁰⁴ Thus a central government was recommended with less provincial autonomy.

During the deliberations of the Committee there were opinions to lessen the number of Muslim provinces which desired that either the NWFP should be merged with the Punjab or Punjab, NWFP, Sindh and Baluchistan should be merged into a single province. But the Committee did not agree to this proposal.³⁰⁵ The tone of the Committee was not favorable to the Muslims and other minorities. Shuaib Qureshi was not present at the last meeting of the Committee where the draft report was finalized. The draft, however, was sent to him. He informed the Committee that with regard to the recommendations contained in Chapter III of the Report entitled "*Communal Aspect-Reservation of Seats*" he did not agree particularly with the type of argument advanced in the report. He was of the view that one-third seats in the central legislature should be reserved for the Muslims.³⁰⁶ Sir Ali Imam, Subhas Chandra Bose and S. R. Pradhan were also absent from the final meeting of the Committee but they signified their concurrence

³⁰¹ *Ibid.*, p. 54.

³⁰² *Ibid.*, pp. 66-68.

³⁰³ *Ibid.*, pp.31, 124.

³⁰⁴ *Ibid.*, p. 108.

³⁰⁵ *Ibid.*, p. 37.

³⁰⁶ *Ibid.*, p. 124.

with the report.³⁰⁷ The Muslim circles noted with great concern that Shuaib Qureshi's views on separate Muslim electorates and reservation of seats for the Muslims were not accepted by the Hindu members of the Committee.³⁰⁸ On 28 August 1928 the All-Parties Conference at Lucknow, presided over by Dr. Ansari, characterized the Nehru Report as historic and appealed for unity in Indian ranks. There the report was approved.³⁰⁹

But the Nehru Report failed to bring unity in the Indian political world. The Muslims were particularly perturbed, even those like the Jinnah group who had gone to the extent of discarding separate electorate for the Muslims in the hope that one third Muslim representation at the central legislature shall be ensured. They felt more betrayed. In their frustration they were henceforth never to trust the Hindu Mahasabha nor even Congress which in its Madras meeting in December 1927 had assured the Muslims their "*en bloc*" approval of the Delhi proposals.

Almost all important sections of the Muslim opinion rejected the Nehru Report. In a statement issued on Friday, 7 September 1928 by seventeen prominent Muslims headed by Nawab Sir Zulfiqar Ali Khan, Sir Abdul Qayum and Sir Muhammad Iqbal emphatically declared that "we find it impossible to agree with the Nehru Report as adopted by the All-Parties Conference".³¹⁰ To counter it an All-Parties Muslim Conference was also suggested to chalk out a common Muslim programme in view of the new situation.³¹¹ At that time Jinnah was in London. He did not send any cable to the Nehru Committee or any other body or person conveying his approval. According to Maulvi Muhammad Yaqub, Deputy President of Indian Assembly, this meant that Jinnah did not agree with the recommendations of the Nehru Report.³¹²

Twenty-eight Muslim members of the Central and Provincial legislatures, in a press statement issued from Simla, on 10 September 1928, made it clear: "We want to make it quite clear that no constitution can be acceptable to Mussalmans unless it provides effective and adequate protection to their interests, for the conference at Lucknow not only set at naught the demands embodied in the resolution of the annual session of the All-India Muslim League held at Aligarh in 1925 and in Delhi in 1926 but even the

³⁰⁷ *Ibid.*

³⁰⁸ *Times of India*, 27 August 1928.

³⁰⁹ *Times of India*, 29 August 1928.

³¹⁰ *Times of India*, 8 September 1928.

³¹¹ *Times of India*, 10 September 1928.

³¹² *Times of India*, 11 September 1928.

proposal of some Muslim leaders formulated at Delhi on 20 March 1927 which were adopted by the National Congress at Madras".³¹³ These members represented the Punjab, Bengal, Bihar, Bombay, U. P, Madras, C.P. and NWFP.³¹⁴ A public meeting in Bombay on 24 October 1928 attended by about 5000 Muslims was convened to consider the Nehru Report. Maulvi Muhammad Yaqub presided over this meeting. Leaders from all sections of Muslim opinion participated. All unanimously rejected the Nehru Report,³¹⁵ terming it "Hindu's Magna Carta". Maulana Shaukat Ali, Secretary of the Central Khilafat Committee raised the cry of "Islam is in danger".³¹⁶ An All-Parties Muslim Conference was proposed to be arranged in December at Delhi.³¹⁷ In his presidential address, Yaqub went to the extent of saying that in the Nehru Report "there were no safeguards for the preservation of Mohammedan Culture and no proper provision had been made in respect of tradition or customs which were now governed by Mohammedan Law".³¹⁸

It was in this highly charged atmosphere that Jinnah landed in Bombay on 26 October 1928. The press was very eager to get his interview. In his interview to the press Jinnah declared that the Nehru Report was by no means the last word on Hindu-Muslim relations in the country".³¹⁹ He appealed to the Muslims to remain disciplined and organized. He mentioned that as he had not read the actual text of the Nehru Report he could not express his definite views in this regard.³²⁰ Pandit Motilal Nehru invited Jinnah to attend meeting of the Nehru Committee to be held on 5 November 1928 but Jinnah declined the offer by saying: "In my opinion, the proposal formulated by you relating to the Hindu-Muslim settlement may be treated as counter proposal to those known as the Delhi Muslim Proposals which were substantially and practically endorsed by the Congress at Madras and the League at Calcutta in December 1927."³²¹ In order to bring unity amongst the Muslims Jinnah appealed to Sir Muhammad Shafi to attend the next meeting of the AIML with all his friends and place their views before it

³¹³ *Times of India*, 11 September 1928.

³¹⁴ *Times of India*, 11 September 1928.

³¹⁵ *Times of India*, 25 October 1928.

³¹⁶ *Ibid*

³¹⁷ *Ibid*

³¹⁸ *Ibid*

³¹⁹ *Times of India*, 27 October, 1928.

³²⁰ *Ibid*

³²¹ Jinnah to Nehru, 2 November 1928, in *Times of India*, 5 November 1928.

Jinnah desired: "For the sake of unity and in the interests of the Muslims and India at large the past must be buried".³²² In the meeting of the Bombay Muslim League held towards the end of November 1928 Jinnah made it clear that he was opposed to the Nehru Report.³²³ For this purpose he had to risk opposition even from one of his close associates, M. C. Chagla being the only Muslim voice in favor of the Nehru Report Maulana Mahomed Ali, in his presidential address to the All-Parties Muslim Conference of Patna held on 10 December 1928, expressed his vehement opposition to the Nehru Report.³²⁴ At the All-Parties Convention held at Calcutta on 28 December 1928, Jinnah suggested the following amendments to the Nehru Report:

1. One third seats in the Central Legislature should be reserved for the Muslims;
2. As the voting strength of the Muslims in Bengal and Punjab is less than their population which entitles them a majority, because there is no adult suffrage, there should be reservation of seats for Muslims in accordance with their population;
3. Residuary powers should rest with the provinces;
4. No change should be made in the constitution without four-fifth majority of either house separately and again a fourth-fifth majority of the two Houses in a joint sitting;
5. Introduction of reforms in the NWFP and Baluchistan at par with other provinces. This was necessary because the Nehru Report did not make such remarks in this regard.³²⁵

These amendments to the Nehru Report were rejected at this convention.³²⁶ When the All-Parties Convention concluded on 30 December Jinnah made it finally clear that "not that you are asking me to give something. It is I who am asking you to give me something. I am not asking this because I am a naughty child. I give you an historical

³²² *Times of India*, 15 November 1928.

³²³ *Times of India*, 30 November 1928.

³²⁴ *Times of India*, 11 December 1928.

³²⁵ *Times of India*, 29 December 1928.

³²⁶ *Ibid.*

instance". In the end he said: "If we cannot agree let us agree to differ, but let us part as friends".³²⁷

Because of such a challenging situation Jinnah doubled his efforts to unite all the factions of the AIML. All the Muslim leaders were called at a meeting of the AIML Council at Delhi on 3 March 1929 in which both the Jinnah and Shafi groups participated. Representatives from the All-Parties Muslim Conference also participated in this meeting. Thus all the three Muslim sections at last agreed with Jinnah to formulate joint unified Muslim demands for which Jinnah was asked to formulate the final demands of the Muslims representing all shades of Muslim opinion. It was unanimously agreed that next session of the AIML would be held on 30-31 March 1929 at Delhi in which Sir Muhammad Shafi would also participate. All agreed with Jinnah that in the light of the new political situation the AIML should be strengthened being the sole representative body of the Muslims.³²⁸ This compromise was made possible when Jinnah went to the house of Sir Muhammad Shafi and made him agree to shun his differences and come back in the fold of one unified and potential AIML.³²⁹

JINNAH'S FOURTEEN POINTS :

The purpose of all these efforts, on the part of Jinnah, for unifying different sections of Muslims, was to prepare for a new, but united movement of the Muslims. This was possible, according to Jinnah's strategy, only if all the Muslims of the sub-continent were integrated with each other and organized under the banner of the AIML. For that purpose Jinnah first wanted to amalgamate the two groups in one AIML and then, on that basis, to bring around the AIML, the Khilafatists, Jamiat-ul-Ulama-i-Hind, and those who supported the All Parties Muslim Conference. According to Jinnah the AIML was the oldest party of the Muslims.³³⁰ If the Muslims wanted to make their voice heard and felt in the higher echelons of power, they should get together around the flag of AIML. According to him there could be no other choice for Muslims if they desired to unite all sections of the Muslims of India. On 30 December 1929 at the AIML Conference at Delhi, Jinnah emphasized: "United Muslim opinion should be recorded through the AIML so that not only those engaged in considering the question of the future constitution of India, but the whole world should know what our opinion is before it is too late".³³¹

³²⁷ *Times of India*, 31 December 1928.

³²⁸ *Times of India*, 4 March 1928.

³²⁹ *Times of India*, 5 March 1929.

³³⁰ *Times of India*, 31 December 1928.

³³¹ *Ibid.*

The session of the AIML at Delhi on 30-31 March 1929 was held under "stormy" conditions.³³² Two days before this meeting, i.e. on 28 March, Jinnah presented his Fourteen Points Formula before the AIML Council which is as under:

"Whereas the basic idea with which the All Parties Conference was called into being and the convention summoned in Calcutta during the Charismas week in 1928 was that a scheme of reform should be formulated and accepted and ratified by the foremost political organizations of the country as a national pact, and whereas the Nehru Report was adopted by the Indian National Congress only constitutionally for one year ending the 31st December 1929 and in the event of the British Parliament not accepting it within the time-limit the Congress stands committed to the policy and programme of complete Independence or Civil Disobedience, and non-payment of taxes, whereas the attitude taken up by the Hindu Mahasabha from the commencement through their representative at the convention was nothing short of an ultimatum that if a single word in the Nehru Report in respect of the communal settlement was changed they would immediately withdraw their support to it, and whereas the National Liberal Federation delegates at the convention took up the attitude of benevolent neutrality and subsequently in their open sessions at Allahabad adopted a non-committed policy with regard to the Hindu-Muslim differences, and whereas the Sikh League had already declined to agree to the Nehru Report, and whereas the non-Brahman and the depressed classes are entirely opposed to it and whereas the most remarkable and moderate proposal put forward by the AIML at the convention in modification by the Nehru Report were summarily rejected by the convention, the AIML is unable to accept the Nehru Report.

"The League after anxious and careful consideration most earnestly and emphatically lays down that no scheme for the future constitution of the government of India will be acceptable to the Mussalmans of India until and unless the following basic principles are given effect to and the provisions are embodied therein to safeguard rights and interests:

1. The form of the future constitution should be federal with the residency powers vested in the provinces.
2. The uniform measure of autonomy shall be granted to all the provinces.
3. The legislatures of the country and other elected bodies shall be constituted on the definite principles and adequate and effective

³³² *Times of India*, 1 April 1929.

representation of the minorities in every province without reducing the majority in any province to a minority or even equality.

4. In the central legislature the Mussalman representation shall not be less than one-third;
5. The representation of communal groups shall continue to be by means of electorates as at present. provided it shall be open to any community at any time to abandon its separate electorate in favor of joint electorate;
6. Any territorial redistribution that might at any time be necessary shall not in any way affect the Muslim majority in the Punjab, Bengal, and the NWFP.
7. Full religious liberty. i.e. liberty of belief, worship, 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 elected body if three-fourths of the members of any community in that particular body oppose such bill, resolution, or part thereof on the ground that it will 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. Sindh shall be separated from the Bombay presidency;
10. Reforms should be introduced in the NWFP and Baluchistan on the same footing as other provinces.
11. Provisions should be made in the constitution giving the Muslims an adequate share along with other Indians in all the services of the state and in self-government bodies having due regard to the requirements of efficiency;
12. The constitution should embody adequate safeguards for the protection of and promotion of Muslim education, language, religion, personal laws, Muslim charitable institutions and for their due share in the grants-in-aid given by the state and by the self-government bodies;
13. No Cabinet, either Central or Provincial, shall be formed without there being a proportion of Muslim Ministers, at least one third;

14. No change shall be made in the constitution by the Central Legislature except with the concurrence of the states constituting the Indian Federation.³³³

The draft resolution also mentioned an alternative provision to the communal representation mentioned above in the following terms. In the present circumstances the representation of the Mussalmans in the different legislatures of the country and of other bodies through separate electorates is inevitable, and further the government being pledged over and over again not to disturb the franchise so granted to the Muslim community since 1909 till such time as the Muslims chose to abandon it, the Muslims will not consent to joint electorates unless Sindh is actually constituted into a separate province and reforms in fact are introduced in the NWFP and Baluchistan on the same footing as in other provinces, and further it is provided there shall be reservation of seats according to the Muslim population in various provinces. But where the Muslims are in a majority they shall not contest more seats than their population warrants". "Note - The question of excess representation of the Mussalmans over and above their population in the provinces where they are in minority to be considered hereafter".³³⁴

In the AIML Council meeting there emerged four schools of thought: (1) Those who favored adoption of the Nehru Report without amendment (2) Those who favored adoption of Nehru Report with some amendments; (3) Shafi group; (4) Those who favored the idea of All Parties Muslim convention. The first two sections had emerged as a result of division in the Jinnah group. But Jinnah was "personally committed to the rejection of Nehru Report".³³⁵ Finally the Council of AIML appointed a Committee of seven members: M.A. Jinnah, Maulana Abul Kalam Azad, Mohamed Ali Jauhar, Malik Barkat Ali, Nawab Ismail Khan, Dr. Shafaat Ahmad Khan and Dr. Kitchlew. This Committee was representative of all the four sections of the Muslim opinion. It presented its recommendations on 30 March at the Delhi open sessions presided over by Jinnah. Explaining his own position with reference to the formulation of these fourteen points Jinnah said: "I do not wish to go into the question of the draft resolution before you. I want to make one thing quite clear. There is some impression that the draft resolution, which I put before you and the Council of the League contains my personal ideas. This is not correct. I have only carried out the task entrusted to me by the Council on 3 March to consult the various groups and schools of thought as far as possible and place before them a draft, which would command the support of a large body of people. I have, therefore, taken ideas from various persons in accordance with these

³³³ *Times of India*, 1 April 1929. Also see Saiyed, op.cit., pp. 1321-40.

³³⁴ *Ibid.*; and Syed Sharifuddin Pirzada (ed.), *The Collected Works of Quaid-i-Azam Mohammad Ali Jinnah*, vol. III, 1926-31, Karachi, 1986, pp. 351-54.

³³⁵ *Times of India*, 1 April 1929.

instructions and to the best of my ability and judgment. I have tried to place a draft, which in my opinion, carried the majority opinion, but after all it is a draft. Ultimate decision rests with the Subject Committee".³³⁶

All these calls on the part of Jinnah had good effect on all the groups except those who like Maulana Azad were firmly committed in favor of Nehru Report and to get it approved by the session of the AIML. Thus the atmosphere seemed mainly in favor of Jinnah's fourteen points. But showing his large heartedness, as Jinnah used to do previously in terms of his democratic spirit, he allowed full discussion which continued until the next day. Next day the sympathizers of the Nehru Report got a chance to disrupt the meeting because of the late arrival of Jinnah. They even resorted to rowdyism. However, when Jinnah arrived he was "greeted with cheers by the audience".³³⁷ He took the chair and immediately, thereafter, "there was pin drop silence". Still Jinnah adjourned the session sine die in order to avoid any such reoccurrence.³³⁸ The unity effected in the Jinnah League and Shafi League proved to be short-lived. After this session the Muslims were again divided.

Finally the unity between the Jinnah and Shafi groups of the AIML was brought about next year in February 1930 as a result of consistent endeavors of Jinnah. By this time almost all the Indian Muslim politicians had realized the importance of Jinnah's fourteen points making them the final charter of Muslim freedom. As a result of Jinnah's hectic efforts an important meeting of the Council of the AIML was held on 28 February 1930 in Delhi with Jinnah in the chair in which over 50 Muslim leaders belonging to both the factions participated. Finally it was announced amidst cheers that both the sections of the League had been reunited.³³⁹ The two leaders reached an agreement to travail for Muslim constitutional settlement in the light of Jinnah's fourteen points:³⁴⁰

All these developments were closely watched by the British officials, particularly the Viceroy and the Secretary of State for India.³⁴¹ Before this patch up between the two groups of AIML Jinnah had started his endeavors with the Hindu leaders such as the

³³⁶ *Ibid.*; Also see the Statesman, 31 March 1929; Y.B. Mathur, *Growth of Muslim Politics in India*, Lahore, 1980, pp. 169-70; Newspaper Cuttings, IOLR L/I/1/875, File No. 462/38; Rajendra Prasad, *India Divided*, Bombay, 1946, pp. 131-32.

³³⁷ *Statesman*, 2 April 1929.

³³⁸ *Ibid.*

³³⁹ *Times of India*, 3 March 1930.

³⁴⁰ *The Times* (London), 1 March 1930.

³⁴¹ For this see *Halifax Papers*, IOLR, MSS. Eur. C. 152/6.

one on 31 January 1930 with Dr. Tej Bahadur Sapru, to impress upon him to be ready for settlement with the Muslims nothing short of the fourteen points.³⁴² Not only this, but the provincial Muslim meetings and Conferences like those of Maulana Shaukat Ali in Bombay on 11 August 1929 had shown how the Muslims rallied to Jinnah's fourteen points.³⁴³ This meeting was attended by about 10,000 Muslims.³⁴⁴ At another meeting in Delhi, speaking from the platform of All-India Muslim Conference on 5 April 1931, in his presidential address Maulana Shaukat Ali made it further clear that the All-India Muslim Conference and other Muslim leaders "stood" by these 14 points of Quaid-i-Azam.³⁴⁵

These fourteen points of Jinnah attained historical importance. No future constitution could be evolved outside the framework provided by these points. Even Allama Iqbal seems to have drawn his concept of a separate Muslim State in South Asia from these points of Jinnah who as President of AIML allowed Iqbal to preside over Allahabad session of AIML held in December 1930. Chaudhri Rahmat Ali claimed that in framing his scheme of Pakistan he was in turn influenced by Allama Iqbal's address. But as a matter of fact the fourteen points served the purpose of a mother of all the Muslim schemes to come forth in future. The concept of Muslim nationhood, though not mentioned, ripens in the shape of these points. The British constitutional experts also thought it difficult to deviate from the framework set out by these points. It is characteristic of the genius of the Quaid-i-Azam that he alone from among so many intellectual giants among Muslim leaders of his time could conceive the fourteen point plan.

³⁴² *The Times*, 31 January 1930.

³⁴³ *Times of India*, 12 August 1929.

³⁴⁴ *Ibid.*

³⁴⁵ K.K. Aziz (ed) *All-India Muslim Conference 1928-1935: A Documentary Record*, Karachi, 1972, pp. 72.

VI

LONDON ROUND TABLE CONFERENCES

As a result of elections in England towards the end of May 1929 the Labour Party succeeded with Ramsay MacDonald, a friend of Jinnah, becoming Prime Minister of United Kingdom.³⁴⁶ This was an encouraging development for Jinnah who, on 19 June 1929, wrote a lengthy letter to MacDonald on the latest political developments in British India suggesting some new line of action. This letter was handed to the Viceroy of British India prior to the latter's departure for England. But this letter was released to the press towards the end of October 1929.³⁴⁷ In this letter Jinnah made it clear to the British Prime Minister that the Simon Commission was boycotted by all Indian Political parties, of which there can be very little doubt. The exclusion of Indians from the personnel of the Commission from start to finish relegated the position of Indians to that of "suppliants and assessors" and "whatever you may hear to the contrary you will never get political India to cooperate with the scheme further". But the task of the Simon Commission was that of a "rapporteur". "So far as India is concerned, we have done with it whatever it may be, when its report is published, in due course, every effort will be made in India to damn it."³⁴⁸ Of course, this is the assumption that it will not be satisfactory, which is already assumed in India", Jinnah maintained.' He emphasized that "the present position is a very serious deadlock, and, if allowed to continue, it will, in my judgment, prove disastrous to the best interests of both India and Great Britain".³⁴⁹ He made it clear: "India has lost her faith in the word of Great Britain. The first and foremost thing that I would ask you to consider is how best to restore that faith and revive the confidence of India in the 'bona fides' of Great Britain". In the light of such a grave situation Jinnah suggested:

His Majesty's Government, before they formulate their proposals and after they are in receipt of the Simon Commission's Report and the views of the Government of India and therefore, before they formulate their proposals, should invite representatives of India, who would be in a position to deliver most goods because completely unanimous opinion in India is not possible at

³⁴⁶ *Times of India*, 1 June 1929.

³⁴⁷ *Times of India*, 30 October 1929.

³⁴⁸ *Ibid.*

³⁴⁹ *Ibid.* Also see M.N. Saiyid, *Mohammad Ali Jinnah: A Political Study*, Karachi, 1970, pp. 141 - 147.

present to sit in conference with them with a view to reaching a solution which might carry to use words of the Viceroy, 'the willing assent of India'.³⁵⁰

But before important political leaders representing various shades of opinion were invited, Jinnah demanded: "His Majesty's Government should make a declaration of policy promising the grant of Dominion Status for India". He suggested that about fifteen political leaders of India should be appointed to participate in this round table conference.³⁵¹ On the basis of this letter a study was conducted at Oxford, All the correspondence and the papers relating to this study on the issue of the Round Table Conference are preserved in the Bodian Library, Oxford.³⁵²

On 14 August 1929 the British Prime Minister MacDonald replied to Jinnah's letter. In response, Jinnah wrote another letter to MacDonald which is reproduced here:

Dear Mr. Ramsay MacDonald,

I was very pleased to receive your letter of the 14th August 1929. if you carry out my suggestion with which am glad to find that you are in accord, it will open up a bright future for India and the name of Great Britain will go down in history as one nation that was true to its declarations. What we have to convince the different parts of the Empire is that the British Commonwealth of Nations does not mean only European races but of Dominions of His Majesty's Government wherever situated and of whatever nationality, caste, creed or colour they may be.

I quite agree with your concluding sentiment that "what both of us have now to do is to face our problem with a determination to solve it and with a knowledge that it can be done only by cooperation". I have very little doubt in my mind that your Government would receive the cooperation of India if you can persuade Parliament to make the announcement on the lines suggested by me and I am glad that you yourself are practically in agreement with it. Reactionaries there are amongst both, but I do not want you to be discouraged either by things that had happened in India or in England. You are (and your Government particularly) fortunately placed at this moment to tackle the Indian problem with courage and determination and I can assure you that not only a great success awaits you, but it will lead to the greatest good of India and England and open up a new vista which will once more bring the two communities together

³⁵⁰ *Ibid.*

³⁵¹ *Ibid.*

³⁵² Round Table Conference and Papers Conc. 1912 - 1929, MSS, Eng. hist. C. 826-32.

working in harmony and cooperation not only for the common good of India and Great Britain, but it will also go to help the progress of the world at large.³⁵³

In principle the Prime Minister of England accepted Jinnah's proposal for holding the Round Table Conference. The Viceroy of India was duly informed of this decision of the Home Government. It was also arranged that the Viceroy was to announce this decision in British India. As a follow up of this decision the Viceroy announced on 1 November 1929 that the RTC will be held in London in the near future to discuss the nature of dominion status for India. Being the principal mover of this proposal, Jinnah immediately wired his acceptance to the Viceroy by considering it "a great opportunity given to the country to find a solution of the national troubles".³⁵⁴ Next day, Jinnah issued a detailed press statement in which he called upon the Indian politicians to meet Westminster unitedly:

The problem of all problems which we have to solve is to bring about an adjustment of our own differences.³⁵⁵

After the Viceroy's announcement the basic problem for the Indian leaders was "how" the Dominion Status for India was "to be established and when?", as posed by Jinnah in his statement.³⁵⁶ Thus Jinnah having made the British commit one thing, suggested next line of action to the political leaders of his own country.

But this development was disliked by Gandhi and his associates in the INC. Gandhi put forward four pre-conditions for acceptance of the Viceroy's proposal:

Firstly, general amnesty; secondly, dominion status should be made the basis for the new constitution; thirdly, persons having "the Congress mentality" should have predominant representation in the Conference; and fourthly, the Government should show a change of heart.³⁵⁷

For this Jinnah criticized Gandhi and rejected his pre-conditions especially the demand of preponderance of Congress representatives at the RTC.³⁵⁸ Other Muslim leaders also

³⁵³ Miscellaneous Papers Regarding Constitutional Problems, IOLR L/P0/101.

³⁵⁴ *Times of India*, 2 November 1929.

³⁵⁵ *Times of India*, 4 November 1929.

³⁵⁶ *Ibid.*

³⁵⁷ *Times of India*, 2 November 1929. Also see G. Allana, *Quaid-i-Azam Jinnah: the Story of a Nation*, Lahore, 1967, pp. 222-223.

³⁵⁸ *Times of India*, 5 November 1929.

termed Gandhi's stance as negative. Even Hindu leaders like M.R. Jayakar, Sir Purshotamdas Thakurdas, Sir Chimanlal Setalvad criticized Gandhi's unreasonable stance.³⁵⁹

Despite these public expressions of difference, Jinnah took initiative to approach Gandhi in order to make him agree to the idea of RTC. For this purpose he, along with V. J. Patel, visited Gandhi in his "Ashram" in Ahmadabad on 30 November 1929 and discussed the matter of RTC in detail, but, to his disappointment, Gandhi could not agree.³⁶⁰ For the purpose of convincing the Congress leadership to cooperate with the proposal of holding the RTC an exchange of correspondence between Motilal Nehru and Jinnah had taken place a fortnight before this meeting.³⁶¹ This correspondence also proved abortive.³⁶² Gandhi and other Congress leaders were adamant for building political pressure so that the British Government is forced to hand over power to them for which Gandhi was heading towards the Assembly boycott and starting fresh Civil Disobedience Movement (CDM) on the lines adopted during 1920-22. He got this programme approved by the INC in December 1929.³⁶³ Thus from the dawn of the year 1930 the Civil Disobedience Movement was started on the Congress initiative, but Gandhi was arrested on 5 May 1930, and confined in jail. The movement, thereafter, further slackened.³⁶⁴

There was one difference between the NCO Movement started in 1920-22 and the one started in 1930. Whereas in the former case the Hindus and the Muslims were united, in the latter the Muslims did not participate, rather they were vehemently opposing it. The Sikhs had also refused to participate in the new movement.³⁶⁵ This was because not only the Muslims, but other minorities had also become fearful of the Congress designs. The AIML Council in its meeting held on 3 February 1930 at Delhi under Jinnah's presidency, called upon the British Government to arrange holding of the proposed RTC "as early as possible" in which, it emphasized, the Muslim representatives should be invited in adequate numbers. It also emphasized that any particular organization should not be called in "preponderance".³⁶⁶ The Congress threat had positive effect in

³⁵⁹ *Ibid.*

³⁶⁰ *Times of India*, 2 December 1929.

³⁶¹ *Times of India*, 20 November 1929.

³⁶² *Ibid.*

³⁶³ *Times of India*, 31 December 1929.

³⁶⁴ Allana, op.cit., p.223.

³⁶⁵ *Times of India*, 20 November 1929.

³⁶⁶ *Times of India*, 10 February 1930.

uniting the Muslim leaders. By the end of February 1930 almost all the Muslim leaders including Sir Muhammad Shafi, Allama Iqbal and other dissidents had agreed to make Jinnah's fourteen points as the united demand of Muslim India.³⁶⁷

Those Muslim leaders who were previously opposed to Jinnah were also expressing themselves against Gandhi's Civil Disobedience Movement and in favor of Jinnah's fourteen points. But Gandhi was insistent upon his CDM in order to get the power transferred from the British to the Congress hands.³⁶⁸ According to Gandhi's calculations this appeared to him as the golden opportunity because the Muslims were never so bitterly divided in history as in 1928-29. With the dawn of 1930 the Muslims also realized the intention of Gandhi and that of the INC. The All-India Central Muslim Federation and Maulana Syed Ahmed, Imam of Shahi Mosque, Delhi, also opposed Gandhi's programme which, as the latter termed, was a Hindu programme.³⁶⁹ Maulana Shaukat Ali, former supporter of Gandhi in the previous NCO movement,³⁷⁰ also denounced Gandhi's decision of launching the new Civil Disobedience Movement by terming it "highly injurious to the country in general and Muslims in particular". He called upon the Bombay Muslims not to pay any "heed to Gandhi's call".³⁷¹ The Bengal Muslim Education Conference in April 1930 also expressed opposition to Gandhi's programme.³⁷² In his address at a huge gathering in Bombay, organized by several Muslim associations. in which over twenty thousand Muslims participated. Maulana Mohamed Ali Jauhar denounced Gandhi's CDM. He censured Gandhi for his "design to establish Hindu Ral."³⁷³

In mid-May 1930 the Viceroy announced the time schedule of RTC at London to commence on 20 October 1930.³⁷⁴ While Gandhi and other Congress leaders stuck to their boycott policy, various organizations and the Muslims started preparing for participation in the RTC. Their effort was to evolve a common programme for the

³⁶⁷ *Times of India*, 27 February 1930 and 3 Mar 1930; Y.B. Mathur, *Growth of Muslim Politics in India*, Lahore, 1980, p. 1 70; and Rajendra Prasad, *India Divided*, Bombay, 1946, pp. 1 31-132.

³⁶⁸ *Times of India*, 5 February 1930.

³⁶⁹ *Times of India*, 1 5 February 1930.

³⁷⁰ For a detailed study of this movement See S.S. Caveeshar, *The Non-Cooperation Movement in Indian Politics*, Delhi, 1988.

³⁷¹ *Times of India*, 7 March 1930.

³⁷² *Times of India*, 22 April 1930.

³⁷³ *Times of India*, 24 April 1930. For All Brothers' role in the freedom struggle see Shan Muhammad, *Freedom Movement in India (The Role of Ali Brothers)*, New Delhi, 1970.

³⁷⁴ *Times of India*, 15 May 1930.

London RTC. At an All-Parties Conference arranged shortly in Bombay next day Jinnah's fourteen points formula was discussed during Jinnah's absence. The Muslim delegates showed that nothing short of these points was acceptable to them. However, because of Congress leaders' opposition, the agreement could not be evolved.³⁷⁵ Similar expressions were made at the All-Parties Conference at Simla on 5 July 1930.³⁷⁶ At a meeting of the Muslim Members of Central and Provincial legislatures held at Lucknow on 25 October 1930, presided over by Raja of Salimpur, leading taluqadar of Oudh, it was urged upon the Muslims to frame their united policy on the lines of Jinnah's fourteen points.³⁷⁷ Jinnah could not attend as he had already left for London.

Because of his involvement in elections, as mentioned elsewhere in this work, Jinnah's departure for London had been delayed. He reached London on 28 October 1930 to attend the RTC. It was mainly because of Jinnah's late departure from India that the RTC could not be arranged on 20 October as already announced. Ensuring Jinnah's participation the new date for its commencement was given as 12 November 1930.

Jinnah's arrival in London was delayed for two reasons. First, he wanted his re-election to the Indian Assembly for which he had already announced his intention.³⁷⁸ For this he had to wait for the month of October 1930. The second was that he desired to rally all the Muslim leaders around his fourteen points. The task, though very difficult, was accomplished successfully. It was because of his endeavors and cooperative nature that Muslim leaders, who were even favorable to the Congress, sought his advice. Secretary, Jamiat-ul-Ulama-i-Hind, sent a telegram to Jinnah when the latter was in Sukkur on 3 May 1930 busy in the Pir Pagara Case. Jinnah thus telegraphically advised:

My advice to all my countrymen and to Mussalmans in particular is not to associate in the methods, creed and policy of civil disobedience. It is not only premature but unwise and impractical. The negotiations with His Majesty's Government through the RTC shortly to be held, is the obvious course. I earnestly urge patience and calm till the result of the London Conference.³⁷⁹

In his press interview Jinnah termed the Congress "war" as futile" and emphasized the Indian leaders' necessity to participate at the RTC.³⁸⁰ In another interview to the Times

³⁷⁵ *Times of India*, 16 May 1930.

³⁷⁶ *Times of India*, 7 July 1930.

³⁷⁷ *Times of India*, 28 October 1930.

³⁷⁸ For instance see *Times of India*, 31 July 1930.

³⁷⁹ *Times of India*, 5 May 1930.

³⁸⁰ *Times of India*, 30 May 1930.

of India representative in September 1930 Jinnah made it clear that by continuing its Civil Disobedience Movement, the Congress was committing a grave mistake.³⁸¹ He also said that "the Congress leaders have failed to appreciate or realize the realities and have ignored the present condition of India".³⁸²

About the political conditions of India, Jinnah was very intelligent to have full grasp over the whole situation. His assessment of the situation was most correct. He was convinced that the INC and Gandhi were committing grave mistakes. On the eve of his departure for London from Karachi on 2 October 1930 Jinnah gave a press interview. In this interview he made it clear that presently there were four principal parties in India: 1) British Government; 2) Indian States; 3) Hindus; and 4) Muslims. He maintained that "if the issue" is approached by these four principal parties "in a friendly spirit and with honesty of purpose, I see no reason why a satisfactory settlement should not be reached at the London RTC".³⁸³

Reiterating the same at the 5th Plenary session of first RTC on 20 November 1930, Jinnah said: "There are four main parties sitting round the table now. There are the British party, the Indian Princes, the Hindus, and the Muslims".³⁸⁴ Therefore, he expressed his hope:

In this case now, as the Conference is constituted, it is not only possible to get the willing assent of India, but of the British Delegation's who represent the three Parties in Parliament. It would be a very bold Parliament that would dare repudiate any agreement that might be arrived at with the widest measure of support of this Table.³⁸⁵

The first RTC was held in London from 12 November 1930 to 19 January 1931,³⁸⁶ second from 7 September to 1 December 1931,³⁸⁷ and third during November-December 1932.³⁸⁸

³⁸¹ *Times of India*, 8 September 1930.

³⁸² *Ibid.*

³⁸³ *Times of India*. 3 October 1930.

³⁸⁴ Indian Round Table Conference, 12 November 1930 - 19 January 1931, Proceedings, London, 1931, p. 146.

³⁸⁵ *Ibid.*, pp. 150-151. Also See The Round Table Conference G.A Natesan & Co., Madras, n.d., pp. 210-217.

³⁸⁶ For its proceedings see Indian Round Table Conference, Proceedings, 12th November 1930 - 19th January 1931, London, IOLR. V/26/261/42.

³⁸⁷ For its proceedings see Indian Round Table Conference Proceedings, 7th September - 1st December 1931, London, 1932, IOLR. V/26/261/41.

The first two conferences were most hectic whereas the third proved to be a short and dull. Quaid-i-Azam Jinnah participated in the first and second conferences and served on various committees and sub-committees.

The plenary session of RTC was attended by all the invited representatives and it was presided over by Ramsay MacDonald, the British Prime Minister. After the Prime Minister's address important delegates were called upon to express themselves briefly. Jinnah was also asked to address the Conference. In his short speech, Jinnah, after thanking the British Prime Minister for convening such a Conference, emphasized that the British Government had made a number of promises in the past. But "India now expects", Jinnah maintained, "translation and fulfillment of those declarations into action". He was also glad to note that Indian representatives were in London "to witness the birth of a new Dominion of India which would be ready to march along with them within the British Commonwealth of Nations".³⁸⁹ This plenary session terminated with the appointment of a sixteen member General Committee, including Jinnah, to advise the Conference on the conduct of its business.³⁹⁰ According to the advice of this Committee the delegates were split into various committees and subcommittees. Quaid-i-Azam Jinnah served on the Federal Structure Sub-Committee, Minorities Sub-Committee, Defence Sub-Committee and the Sub-Committee on the Separation of Sindh from Bombay Presidency. The recommendations of all the sub-committees and Committees were to be submitted to the overall Committee of the Whole Conference. Jinnah was also kept on this Whole Conference Committee. Before going to the Committee of the Whole Conference all the recommendations of the sub-committees went to the Federal Structure Sub-Committee for evaluation and approval.

In his speech before the 5th plenary session on 20 November 1930 Jinnah appealed for a healthy agreement between the aforementioned four parties represented at this RTC for the purpose of attaining full Dominion Status for India but with due safeguards for the Muslims.³⁹¹

Jinnah actively participated in the two Round Table Conferences. In the first RTC his active expressions and participation in various committee meetings and plenary

³⁸⁸ For its proceedings see Indian Round Table Conference Proceedings, November-December 1932, London, 1933, I OLR. V/26/261/43.

³⁸⁹ Indian Round Table Conference Proceedings, 12th November 1930-19th January 1931, op.cit. pp. 21-22. Also see *Times of India*, 13 November 1930. Jinnah's speech published along with his picture.

³⁹⁰ *Ibid.*, p. 23.

³⁹¹ *Ibid.*, pp. 145-151.

opening sessions was not less than 30 meetings,³⁹² while in the second RTC he spoke in more than 20 meetings.³⁹³ In both the Conferences much of his participation in vigorous debates was on Federal Structure Sub-Committee, discussing almost every federal issue to its minutest details. On a number of points he caught the British statesmen like Lord Reading, former Secretary of State for India, participating in the Conference, on their previous promises on various matters like independent legislature, separation of Sindh from Bombay, Indianisation of officer ranks of army, provincial autonomy, etc. Naturally they feared to speak before him and were very careful as he was the topmost expert on these matters. It was with utmost care and accuracy that they dared to speak before Jinnah who caught them wherever they erred even slightly. Commenting on the nature of Jinnah's participation, the Secretary of State for India Mr. Hoare wrote to the Viceroy that "throughout the Round Table discussion he [Jinnah] invariably behaved like a snake".³⁹⁴

Even when M.K. Gandhi came to attend the meeting of the Federal Structure Committee in the second RTC and made a short proverbial speech Jinnah put him on the defensive by pointing out the way how the realities of constitutional nature should be projected and presented before the better counsels of intellectuals.

Participating in the Federal Structure Committee deliberations Jinnah pleaded for the federal executive headed by the Governor-General to be responsible before independent Legislature.³⁹⁵ On 16 and 19 January 1931 the Committee of the Whole Conference considered the Report of the Sub-Committee on Minorities. This Minorities Committee had prepared its Report in the light of Jinnah's fourteen points. The only objection raised by Jinnah was with regard to clause 14 of the Report.³⁹⁶ Participating in debate on another Report by the Sub-Committee on Burma being considered by the Committee of the Whole Conference Jinnah pointed out, as far as he remembered, the words "provided the people of Burma desire it" have been deleted as basically suggested in the deliberations of the Sub-Committee, a point duly supported by Sir B. N. Mitra.³⁹⁷ Opposing it Lord Russell maintained that since His Majesty's Government have made announcement for separation of Burma from British India, this proviso could not be

³⁹² Indian Round Table Conference 12 November 1930-19 January 1931, Proceedings of Sub-Committee (Part-I), Sub-Committee No. 1 (Federal Structure), London, 1931, pp. 1-291.

³⁹³ Indian Round Table Conference (Second Session), 7 September - 1st December 1931, Proceedings of Federal Structure Committee and Minorities Committee, London, 1932, pp. 1-630.

³⁹⁴ Hoare to Willingdon, 5 April 1934, Templewood Papers, IOLR, MSS. Eur. E. 240/6.

³⁹⁵ *Ibid.*, pp. 271-300.

³⁹⁶ *Ibid.*, p. 354.

³⁹⁷ *Ibid.*, p. 367.

inserted. On this Jinnah and Maulana Mohamed Ali Jauhar maintained that in future such an announcement should not be made unless approved by the concerned committee or sub-committee and the Plenary session.³⁹⁸ On the Report for introducing Reforms in the N.W.F.P. also Jinnah was not satisfied as it failed to meet his objective in making the N.W.F.P. equal to other advanced provinces. Though the Report was approved by the Committee of the Whole Conference and the Plenary sessions, yet Jinnah was interested to get his dissent recorded.³⁹⁹

Nineteen (19) meetings of the Federal Structure Committee were held between 1 December 1930 - 13 January 1931 in which Jinnah continuously participated.⁴⁰⁰ It was a 21 member Committee headed by Lord Sankey who conducted its proceedings. In his presentations, Jinnah pleaded that "provinces should be made sovereign states in British India" by vesting residuary powers in them.⁴⁰¹ This was not a new idea. It had already been practiced in Canada and Australia, Jinnah argued.⁴⁰² In this contention, he was duly supported by Sir Muhammad Shaft⁴⁰³ Elaborating his point further, Jinnah emphatically declared: "Unless you really make the provinces autonomous and in a position to manage their own internal affairs properly, I venture to say that your constitution will breakdown".⁴⁰⁴

At that time there were nine provinces in British India.⁴⁰⁵ Despite being a separate administrative unit, Baluchistan was not included in the list of provinces because it did not enjoy the status of a province. It was an administrative unit headed by the Agent to the Governor-General. This implied that the reforms introduced in the recognized provinces of British India were not introduced in Baluchistan. Of these nine, three were Muslim provinces - Bengal, NWFP and Punjab. Sindh had not yet been separated from Bombay presidency for which hectic demands were made by the Muslims and even in Jinnah's fourteen points. With the separation of Sindh as a separate province, as demanded by the Muslims, there would have emerged total ten provinces. Four of these

³⁹⁸ *Ibid.*, pp. 373-375.

³⁹⁹ *Ibid.*, p. 384.

⁴⁰⁰ Indian Round Table Conference, 12th November 1930-19th January 1931, Proceedings of Sub-Committee, vol. I, Calcutta, 1931.

⁴⁰¹ *Ibid.*, p. 36.

⁴⁰² *Ibid.*, p. 144.

⁴⁰³ *Ibid.*, pp. 156-158.

⁴⁰⁴ *Ibid.*, p. 242.

⁴⁰⁵ There were nine provinces: Madras, Bombay, Bengal, U.P., Punjab, Bihar and Orissa, C.P., Assam, NWFP.

would have been Muslim provinces. With Baluchistan being granted the status of a province, half of the provinces would have turned the shape of Muslim provinces. But the things did not develop as desired by the Muslims. When the Muslim demand of making Sindh a separate province was conceded under the Government of India Act 1935, the Hindus were also pacified by the British Government by carving out a new Hindu province of Orissa under the new Constitution. Thus in total there emerged eleven provinces in British India - 7 Hindu and 4 Muslim provinces. Despite all this, Jinnah's strategy won the praises of all other Muslim leaders. When Jinnah was demanding separation of Sindh on "population basis" his efforts were very warmly praised by Sir Aga Khan.⁴⁰⁶

Jinnah also pleaded for an autonomous Federal Legislature. This legislature was intended to have the power to make laws which may come into operation in all the Provinces and States".⁴⁰⁷ Federal Legislature should comprise two houses: Lower House and the Upper House. The members of the Lower House be as many as advised by the Committee and should be preferably elected on the basis of direct elections, based on adult franchise, whereas the members of the Upper House should be elected by the provincial legislatures, and not nominees of the Indian Princes or the British Government⁴⁰⁸ If it was not possible to make the electorate on adult franchise basis, "the qualification for the voters should be lowered so that the electorate may be enlarged to the maximum level".⁴⁰⁹ To this plea of Jinnah also Shafi agreed and expressed his support in clear terms.⁴¹⁰ The Viceroy was not to be given any special powers except those relating to maintenance of law and order in the country. The ordinances issued by the Viceroy were not required to last for more than six months unless approved by the Indian

Parliament.⁴¹¹ Along with this the Constitution was required to be approved by the Muslims. He made it clear that without the approval of the Muslims no constitution in India could be enforced. On this point he thus argued on 13 January 1931:

⁴⁰⁶ Aga Khan-to Jinnah, 21 Mar 1931, in Mukhtar Masood, *Eye Witness to History: A Collection of Letters addressed to Quaid -i-Azam*, Lahore, 1988 (first published in 1968), pp. 20-21.

⁴⁰⁷ Indian Round Table Conference, 12th November 1930-19th January 1931, Proceedings of Sub-Committee, vol. I, op.cit., p. 242.

⁴⁰⁸ *Ibid.*, pp. 276-333.

⁴⁰⁹ *Ibid.*, p. 332.

⁴¹⁰ *Ibid.*, p. 334.

⁴¹¹ *Ibid.*, p. 584.

I think I shall be failing in my duty if I do not tell this subcommittee what the Mussalman position is.

Sir, I maintain that the Hindu-Muhammadan settlement is a condition precedent nay, it is a *sine qua non* - before any constitution can be completed for the Government of India, and I maintain that unless you provide safeguards for the Mussalmans that will give them complete sense of security and a feeling of confidence in the future constitution of the Government of India, and unless you secure their cooperation and willing consent, no constitution that you frame for India will work for 24 hours.

Therefore, Sir, I would emphasize the united opinion of the Mussalmans that no constitution will be acceptable to the Mussalmans of India unless due safeguards are provided for their rights and interests which will give them a complete sense of security in the future Constitution.⁴¹²

These remarks were disliked by the Hindu members of the Sub-Committee.⁴¹³ According to an agreement reached amongst the Muslim leaders outside the Conference it was Shafi who was required to present Jinnah's 14 points being the united Muslim demand on behalf of the Muslim delegation.⁴¹⁴ Jinnah agreed to this arrangement and tacitly expressed his assent even during the Sub-Committee deliberations.⁴¹⁵

As member of the Sub-Committee on Defence, Jinnah gave J.H. Thomas, Chairman of this Sub-Committee a very hard time.⁴¹⁶ This Sub-Committee met on 7, 9, 12, and 14 January 1931 and submitted its report to the Committee of the whole Conference which discussed it in its meeting held on 16 January 1931. The report recommended that "immediate steps be taken to increase substantially the rate of Indianisation in the Indian Army to make it commensurate with the main object in view, having regard to all relevant considerations, such as the maintenance of the requisite standard of efficiency". To this Jinnah "dissented" and "desired a clear indication of the pace of Indianisation".⁴¹⁷ During the meetings of the Defence Sub-Committee Jinnah had made

⁴¹² *Ibid.*, p. 596.

⁴¹³ *Ibid.*, pp. 597-607.

⁴¹⁴ *Ibid.*, p. 619.

⁴¹⁵ *Ibid.*, p. 620.

⁴¹⁶ *The Times*, 10 Jan 1931.

⁴¹⁷ Indian Round Table Conference, 12th November 1930-19th January 1931, Proceedings of Sub-Committee, vol. VII, Calcutta, 1931, p. 87.

it clear in strong terms that recruitment of the British army officers, which was about 120 officers per year, should be banned forthwith and all the army officers should be taken from the Indians though with due regard for efficiency, merit and ability.⁴¹⁸ Even if this is accomplished, it would take at least 25 years to completely Indianise the army officers.

Recalling his own experience in the Indian Sandhurst Committee, whose report was submitted in 1926, discussed in a separate chapter of this study, Jinnah said that he had suggested completion of the process of Indianisation of officers of Indian army after 15 years, but it was for the sake of unanimity that he agreed to the pace of 25 years recommended by the main Committee.⁴¹⁹ It was also complained by Jinnah that in the Indian Sandhurst Committee the establishment of an Indian Sandhurst was recommended. Since then five years have passed but nothing has been done in this direction.⁴²⁰ He pressed the Sub-Committee to recommend that there should be "no British recruitment in future"⁴²¹ and a Sandhurst College in India should be established at the earliest.⁴²² There was difference of opinion on this. But Chairman of the Sub-Committee emphasized the need of unity amongst the members so as to achieve unanimity in the recommendations. On this Jinnah commented:

What was the result of that unanimity? We made the Report in 1926, and the Government of India and, if I may say so, the British Government have not upto the time we met in this Committee, accepted the main recommendations of that unanimity. Now you are appealing to me in the same way. You say let us be unanimous. I attach importance to it.⁴²³

In the report of the Committee, broad recommendations were made for Indianisation of army officers at the earliest possible. No specific time framework, as desired by Jinnah, was suggested. With the exception of one point mentioned before, Jinnah agreed to all the recommendations in order to maintain unanimity.⁴²⁴ Jinnah reiterated his point of

⁴¹⁸ *Ibid.*, pp. 38-39. Also see *The Times*, 17 January 1931.

⁴¹⁹ For Jinnah's services in this Committee see Chapter IV.

⁴²⁰ Indian Round Table Conference, 12th November 1930-19th January 1931, Proceedings of Sub-Committee, vol. VII, op.cit., p. 41.

⁴²¹ *Ibid.*, p.43.

⁴²² *Ibid.*

⁴²³ *Ibid.*, p. 77.

⁴²⁴ *Ibid.*, pp. 85-87.

fixing the period of Indianisation in the report, a point on which he dissented, which was noted in the report of Defence Sub-Committee discussed in the plenary session on 16 January 1931.⁴²⁵ It was as a result of Jinnah's criticism that during the RTC the British Government established a Military College in Dehra Dun in 1932 on the Sandhurst model, though with limited purposes.

During the second RTC thirty-four meetings of the Federal Structure Committee were held from 21 September to 27 November 1931, with Lord Sankey presiding.⁴²⁶ The issues of the composition, structure, administration, and finances of the Federal Supreme Court of India, establishing High Courts in all the provinces, composition, structure and powers of the lower house of Parliament with reference to the upper house, federal subjects, safeguards for the Muslims and other matters relating to the federation, and extent of provincial autonomy were discussed. It was in the R.T.C. that Jinnah showed his superb skill as a debater and an advocate. He was subtle, indirect and fully aware of the intentions of his opponents, the Hindus and the British. First, all the others were to express their views which were duly criticized, objected to or supported by him. If there was a Muslim delegate like Sir Shafi, Dr. Shafat Ahmad Khan, Sir Sultan Ahmad or others speaking, he helped them in elaborating the legal aspects of their viewpoints.⁴²⁷

With reference to the jurisdiction of the Federal Court, Jinnah suggested that "the Federal Court must be vested with jurisdiction to deal with matters relating to the Constitution and arising out of the Constitution⁴²⁸ and to the federal laws." It should also be given the authority of appellate civil jurisdiction and the criminal jurisdiction in "place of the Privy Council".⁴²⁹ Thus in all respects the Federal Court was desired to be established in British India by Jinnah in order to "take the place of Privy Council". With regard to appointment of judges of High Courts and the Supreme Court, Jinnah was not in favor of appointing judges from the civil service, as was already practiced.⁴³⁰ He

⁴²⁵ Indian Round Table Conference Proceedings, 12th November 1930-19 January 1931, London, 1931, p. 397; Yorkshire Post, 8 January 1931; and Daily Herald, 10 January 1931.

⁴²⁶ For instance see Indian Round Table Conference (Second Session) 7 September - 1st December 1931, Proceedings of Federal Structure Committee and Minorities Committee, vol. I, London, 1932, pp. 244-245.

⁴²⁷ *Ibid.*, pp. 244-245.

⁴²⁸ For instance see Indian Round Table Conference (Second Session) 7 Sept-1st December 1931, Proceedings of Federal Structure Committee and Minorities Committee, vol. II, London, 1932, p. 773.

⁴²⁹ *Ibid.*, p. 781.

⁴³⁰ *Ibid.*

believed this was the age of specialization. Lawyers from the bar should be appointed as judges.⁴³¹

Regarding the Muslim position with reference to these reforms discussed at the RTC the Quaid made it clear during the second RTC on 16 November 1931:

My Lord Chancellor, I am authorized on behalf of the Muslim delegation to state that under the circumstances mentioned by you and explained to us we are willing that the discussion on the four matters that were mentioned by you may be proceeded with, but we want to make it clear that we reserve to ourselves, and we think that it is an essential and vital condition, that until and unless the Muslim demands and safeguards are incorporated in the constitution it will not be acceptable to us.⁴³²

Shafi, who followed to speak, duly supported Jinnah on the Muslim demands.⁴³³ He even added: "Whatever the Constitution which may ultimately be framed for India, Muslim interests, the interests of the eighty millions of His Majesty's subjects, must be safeguarded; those safeguards must be included in the Constitution".⁴³⁴

Certain glimpses of the style of Jinnah's participation in the debates of the Federal Structure Committee are reproduced here:

Jinnah went to the minutest details of the language of the federal constitution in his discussion in the Federal Structure Committee. In a meeting of the Committee on 21 September 1931, he intervened in the discussion in his peculiar style of bringing new points to the notice of the members so that they may become aware of the consequences of the words of the constitution, as this portion of the debate shows:

Sir Maneckjee Dadabhoy: "So far as Money Bills are concerned, the Upper House will be simply an advisory body"?

Sir Tej Bahadur Sapru: "It may reject".

Sir Maneckjee Dadabhoy: "What is the ultimate effect"?

Sir Tej Bahadur Sapru: "A joint sitting; there is no getting out of it".

⁴³¹ *Ibid.*, p. 964.

⁴³² *Ibid.*

⁴³³ *Ibid.*, p. 965.

⁴³⁴ For instance see Indian Round Table Conference (Second Session) 7 Sept-1st December 1931, Proceedings of Federal Structure Committee and Minorities Committee, vol. II, Calcutta, 1932, op.cit., pp. 234-35.

Sir Muhammad Shafi: "Substantially your view and my view are the same, but there is a difference of phraseology".

Several members: Not even that".

Sir Tej Bahadur Sapru: "Except this, that you would at once give the power to the Upper House, whereas I give it the power of reference to the Lower House, the Lower House having an opportunity to consider the suggestions made".

Sir Muhammad Shafi: would refer their amendments to the Lower House".

Sir Tej Bahadur Sapru: "If that is what you would call an amendment we are in agreement, but I should not call that an amendment".

Lyenger: "Do you mean, when you speak of making suggestions for the consideration of the Lower House, that the procedure will be more informal and will enable these people to confer and to adjust differences more easily than if the suggestion were formally incorporated in the Statute and sent down for reconsideration, so that all the irritation caused by the latter procedure will be avoided?"

Sir Tej Bahadur Sapru: "That is exactly the reason why the formal procedure of amendment has been abandoned in the Dominions in favor of reference back".

Jinnah: "By this suggestion of yours you would put the Lower House in the position of at least believing that they are the supreme authority in financial matters. Instead of the other House deliberating and passing an amendment formally and then sending it down, you will technically keep power of the Lower House with regard to Money Bills?"

Sir Tej Bahadur Sapru: "That is my point".

Jinnah: Only you say that any reference or suggestion may be made by the Upper House as advice".

Sir Tej Bahadur Sapru: "Yes". *Joshi:* "Before rejection?"

Sir Tej Bahadur Sapru: "Yes".

Jinnah: "If the advice or reference back is considered by the Lower House, and the Lower House is still of its former opinion and sends Bill back as originally passed, then it will be open to the Upper House to reject it. What happens then?"

Sir Tej Bahadur Sapru: "Then comes the Joint Session. That is my suggestion. It is the same practice as exists in Australia and South Africa, with this difference that in Australia you require dissolution and in South Africa you do not".

Jinnah: I may interpose just once more, there is further point I should like to raise. I did not follow what you said, Sir Tej, about the Irish Constitution. You read a clause from the Irish Constitution. Was that on the supposition that, if the suggestion that Money Bills must be originally introduced in the Lower House is not accepted, then you suggest that alternative, or what?"⁴³⁵

In this way Jinnah intervened right in the middle of the discussion on a certain point, and led it to the new points which he himself threw before the Committee meeting so that members could well be aware of the consequences of what they are suggesting.

On 20 October 1931 when the Federal Structure Committee was discussing federal acts and the issue under discussion was the Sale of Goods Act, Jinnah, as a leader who was deeply interested to see the British intentions behind every act, thus put forward his proposition:

Jinnah: "We will assume that the Sale of Goods Act is a Federal Act. What is the constitutional question which you are imagining?"

Chairman: "I am not thinking of any particular constitutional question, because it is impossible to imagine. I cannot envisage what would arise. All I am saying is, supposing a constitutional question arises".

Jinnah: "I should like to know what is in your mind". *Chairman:* "The Lock Foyle Case".

Jinnah: "That will go to the root of the Act?"

Chairman: "Yes".

Jinnah: "If it is only a question of the construction or interpretation of the application..."

Chairman: "No trouble".

Jinnah: "It is only when a question is raised which goes to the very root of the matter of the very Statute that the point arises as to what is to happen?"

⁴³⁵ *Ibid.*, p. 238.

Chairman: "Yes".

Jinnah: "Yes. That is really what I had in view the question of the validity or invalidity of the Act".⁴³⁶

On 27 October 1931, Jinnah thus pleaded the cause of establishment of the Supreme Court in India during the deliberations of the Federal Structure Committee:

Jinnah: "It seems to me, if you are putting the subjects in this difficult position,⁴³⁷ that you are leaving out a large body of cases which will arise out of these various Statutes which you have called Central laws or Central subjects, and with regard to which the final Court of Appeal in India would be the High Court or High Courts, and the appeal would lie to the Privy Council."

Sir Tej Bahadur Sapru: "No, no".

Jinnah: "Where will it go?"

Sir Tej Bahadur Sapru: "It will go to the Supreme Court, in the exercise of its jurisdiction on non-federal matters".

Jinnah: "I am talking of non-federal matters".

Sir Tej Bahadur Sapru: "So am I".

Jinnah: "Where will it go?"

Sir Tej Bahadur Sapru: "To the same Court on the Supreme Court side the non-federal side".

Jinnah: "In that case, you want to vest your Federal Court with jurisdiction with regard to the constitution, federal laws, and appeal against the High Courts, in place of the Privy Council?"

Sir Tej Bahadur Sapru: "That was the suggestion".

Jinnah: "And criminal appeals?"

Sir Tej Bahadur Sapru: "In a very modified manner".

⁴³⁶ Central or Federal, what is the distinction between them?

⁴³⁷ Indian Round Table Conference (Second Session), 7 September-1 December 1931, Calcutta, op.cit., pp. 774-75.

Jinnah: "It seems to me, then that you at once create this difficulty. What about the cost? Who is going to pay the cost? There are certain Units, such as the Indian States they are not going to submit to the appellate jurisdiction of your Federal Court quo matters other than those arising out of the constitution or federal laws. That is the first point. If you say the costs are to be apportioned, remember that it will be a very big Court. It will not be a small Court. It will be a very expensive Court and the question of cost will arise".

Sir Tej Bahadur Sapru: "The cost of maintenance of the Court?"

Jinnah: "Yes. The next question is this. Is it really not a difficult thing to work, when you have a Federal Appellate Court, having the jurisdiction that you suggest, to which one third of India does not submit? It seems to me that it is bristling with difficulties. Personally, I have no hesitation in saying that I have always been a supporter of the Supreme Court, and I have always maintained that it is high time that we had a Supreme Court in British India. The question has been debated more than once since 1921, and even before that it was discussed, and we pressed in the Legislature more than once that a Supreme Court should be established; but then we were contemplating a very different state of things; we were then confining your attention only to British India, and the question did not present itself in that difficult aspect which it now bears".

"My suggestion, therefore, is this. You have given us a conundrum, and that conundrum is to try to materialize an all India Federation. This is a corollary of that conundrum, and, therefore, my suggestion is this. You may be startled when I say that you have to divide this thing into three parts, and keep them separate. I would suggest that we should start with the Federal Court on the hypothesis that we have solved this conundrum of all-India Federation, and confine ourselves to giving jurisdiction to the Federal Court only in matters relating to the constitution and arising out of the constitution. The personnel of the Court will be qualified in those constitutional matters as constitutional lawyers, because the questions dealt with will arise, as we have contemplated. between the Federation and the Units and between the Units inter se. Further, I maintain, Sir, that it should be open to any subject, if his right is invaded or attacked relating to the constitution, of course, or arising out of the constitution to go to the Federal Court direct.

"Here I might mention the subject which was discussed with regard to the invasion of the rights of any interests or of any community or of any class-relating, of course, to the constitution or arising out of the constitution. The constitution will be a Statute; and if any right is invaded or attacked or infringed by anybody, it should be open to the subject to go to the Federal Court.

Chairman: "You would include in that, I suppose, any case where there was a commercial or religious discrimination?"

Jinnah: Yes; and here I would observe that I do not think any useful purpose would be served by getting an agency to refer the matter to the Federal Court. If my right is invaded or infringed, I would suggest, the suggestion has already been made, and I have no special objection to that at all, that if two-thirds of the members belonging to that interest or class or community object, then that measure ought to be suspended forthwith; and it would then be open to one or two persons belonging to that class or community or interest at once to file a suit, and a limit of a month or two months could be fixed for that purpose. Let any subject who is affected file a representative suit, and let that question be decided by the Federal Court forthwith".⁴³⁸

The Muslim Delegation at the Round Table Conference discussed the agenda for every meeting, and planned their responses and speeches in their private meetings before expressing themselves on the Muslim issue in the Federal Structure Committee, Minorities Committee or any other body of the RTC. While Jinnah and Shafi functioned as most important spokesmen of the Muslim Delegation, Dr. Shafat Ahmad Khan functioned as its Secretary. Such type of planning and coordination between the members of the delegation may be witnessed from the following speeches of Jinnah and Shafi on 16 November 1931 when the Federal Structure Committee considered the report of the Minorities Committee in which the British Prime Minister, Ramsay MacDonald himself participated:

Jinnah: "My Lord Chancellor, I am authorized on behalf of the Muslim Delegation to state that under the circumstances mentioned by you and explained to us we are willing that the discussion on the four matters that were mentioned by you may be proceeded with; but we wish to make it clear that we reserve to ourselves, and we think that it is an essential and vital condition, that until and unless the Muslim demands and the safeguards are incorporated in the constitution it will not be acceptable to us".

Sir Muhammad Shafi: "Lord Chancellor, with your permission I desire to add a few words to what has just been said by my friend Mr. Jinnah. At the very first Plenary Session of this Conference on the 18th November last, speaking on behalf of the Muslim Delegation, I said:-

Now that we have met in order to try to find that solution, it is my business as spokesman today of my community, of the Muslim group, to tell you what we,

⁴³⁸ *Ibid.*, pp. 964-65.

the representatives of the Muslim community in this Conference, think. Our position is very simple; to repeat what I said in the Viceregal Lodge at Delhi in November, 1924, we want our countrymen in India to rise to that stature to which other people have risen in their own countries. We want India to attain Dominion Status as equal partners in the British Commonwealth of Nations.

At the same time it is perfectly natural for the seventy-one millions of His Majesty's Mussalman subjects to insist upon this, that in the constitution and administrative evolution of India they must have their legitimate share both in the Provincial and in the Central Government.

This was one position at the very commencement of this Conference; this is our position today; and, therefore, while we have no objection whatever to the discussion of the four subjects named by you, Sir, we still insist that, whatever the constitution which may ultimately be framed for India, Muslim interests of the eighty millions of His Majesty's subject must be safeguarded; those safeguards must be included in the constitution."

Chairman: "I should like to express my personal thanks to the two individuals who have just spoken, Mr. Jinnah and Sir Muhammad Shafi...."⁴³⁹

On 26 November 1931 Jinnah repeated his stance, earlier expressed in the first RTC, that no constitution "will work for 24 hours" in India if it fails to meet the Muslim demands.⁴⁴⁰ This position was emphasized by Jinnah on a number of occasions during the discussion.⁴⁴¹ On this also Shafi duly backed Jinnah.'

Jinnah had demanded the formation of the United States of India on the American model in which provinces should be autonomous. In most of the matters the provinces were to be independent having residuary powers. The 562 princely states in British India were required to be dispensed forthwith as they were withholding the advance desired by Jinnah. For this he suggested that the princely states should join their immediate neighboring province henceforth to be known as the State of the British India.⁴⁴²

⁴³⁹ *Ibid.*, p. 964. Full quotation has already been given in this Chapter.

⁴⁴⁰ *Ibid.*, pp. 1212-23, 1215.

⁴⁴¹ *Ibid.*, p. 1214.

⁴⁴² *Ibid.*, p. 1217.

Gandhi participated only in the second RTC but his performance was very poor.⁴⁴³ He was asked to participate in the hectic debates of the Federal Structure Committee where Jinnah was already acting as one of the constitutional giants. By attending the meeting of the Federal Structure Committee he came across Jinnah on the debating table. When Jinnah caught him on a number of legal points Gandhi was left with no other choice than admission of his ignorance of the legal aspects during his talk.⁴⁴⁴ A glimpse of this Gandhi-Jinnah debate is given here:

At the 39th meeting of the Federal Structure Committee held on 22 October 1931 the issue of Defence as a federal subject was being discussed. On a matter relating to it when Gandhi misquoted Jinnah, the latter thus questioned Gandhi's credentials:

Jinnah: "Mahatma Gandhi made a reference to what I said. I did not quite catch that".

Gandhi: "Yes Sir, you put Dr. Ambedkar in a quandary by saying what should happen, and Dr. Ambedkar was afraid of the logical consequences of his own remarks. Therefore, I simply brought your name in and said that, if India is divided into two parts, one governed by the Crown and the other governed by herself, we are likely to fall between two stools".

Jinnah: "I did not express my opinion".

Gandhi: "No, I know you did not express any opinion; but you said: I assume that Defence is a Crown subject".

Jinnah: "I did not say 'I assume'. I said that, so far as the report of the Federal Structure Committee has gone, it is assumed that Defence is a Crown subject. I expressed no opinion".

Gandhi: "That is right".⁴⁴⁵

It was not clear that Gandhi deliberately misquoted Jinnah or it was just a mistake on his part. Keeping in view the type of personality, Gandhi had the habit of confusing the matters whereas Jinnah explained the matters in a clear and straightforward manner going into even the minutest possible details. As a matter of fact, the close relationship

⁴⁴³ See Indian Round Table Conference (Second Session), 7 September 1931-1 December 1931, Proceedings of Federal Structure Committee and Minorities Committee, London, 1932, op.cit.

⁴⁴⁴ *Ibid.*, p. 268.

⁴⁴⁵ *Ibid.*

between Jinnah and Dr. Ambedkar did naturally pinch Gandhi. In reality all the Muslim delegates and Dr. Ambedkar in their discussions at the Federal Structure Committee in the second RTC had reached a settlement by which they were not ready to discuss any matter until the question of Communal representation was "settled", which made Gandhi to behave in an "unreasonable" manner.⁴⁴⁶ As leader of 50 million untouchables of British India Dr. Ambedkar was in close liaison with Jinnah to promote the cause of minorities. It were not only the Muslims who had their grievances against the Brahman dominance in Indian politics in the shape of Gandhi and Nehru the untouchables also shared the fears and suspicions of Muslims. May be, with the intention of bringing disunity between Jinnah and Dr. Ambedkar, Gandhi would have misquoted one against the other in order to create misgiving amongst them.

The Muslim demands in the shape of Jinnah's Fourteen Points had already been presented to Lord Sankey, Chairman of the Federal Structure Committee.⁴⁴⁷ These Muslim demands were presented to Lord Sankey jointly by the Muslims.⁴⁴⁸ The Hindu delegates were not favorable to these demands. It was out of these points/demands that provincial autonomy was intended to be achieved with the purpose that five out of ten total provinces would be the Muslim provinces. Thus in the upper house of Indian parliament the Muslim provinces were intended to secure equal share in power, i.e. half of the members of the House to be the Muslims.

Most of the Muslim leaders who attended the RTCs or were outside and most of the Muslim political parties in their press statements or meetings impressed upon the British Government and the RTC delegates to accept Jinnah's fourteen points, as the unanimous demand of the Muslim India. It was for this reason that towards the close of his famous address to the Allahabad session of the AIML on 29 December 1930 Allama Iqbal had noted with great satisfaction:

⁴⁴⁶ Hoare to Willingdon (letters) 30 October and 6 November 1931, in Templewood Papers, MSS, Eur. E. 240/6.

⁴⁴⁷ *Times of India*, 8 December 1930. Nawab of Bhopal's statement in the press.

⁴⁴⁸ Sankey Paper, MSS. Eng. hist., C. 541, fol. 168, Bodian Library, Oxford. In these demands Jinnah's points were fifteen. 15th point with a note was given as follows:

15. That in the present circumstances representations of Mussalmans in different legislatures of the country, and of the other elected bodies through separate electorates is inevitable, and, further, Government being pledged not to deprive the Mussalmans of this right, it cannot be taken away without their consent, and so long as the Mussalmans are not satisfied that their rights and interests are safeguarded in the manner specified above (or herein) they would in no way consent to the establishment of joint electorates with or without conditions".

Note: "The question of excess representation of Mussalmans over and above their population in the provinces where they are in the minority to be considered hereafter".

[As 15th point was in the nature of explanatory note, it was not emphasized in the main demand, limiting the basic Muslim demand to Jinnah's Fourteen Points.]

This document is also preserved in the Templewood Papers, I OLR. MSS. Eur. E. 240/65.

I am glad to be able to say that our Muslim delegates fully realize the importance of the proper solution of that I call Indian international problem. They are perfectly justified in pressing for a solution of the communal question before the question of responsibility in the Central Government is finally settled.⁴⁴⁹

Presiding over a public meeting at Madras on 31 December 1930, Maulana Yakub Hassan, Member, Legislative Assembly and former Deputy Speaker of the Assembly, explained in the course of his address that "Iqbal's utterances had given new complexion to the legitimate and rational demands of Muslims as contained in Mr. Jinnah's Fourteen Points".⁴⁵⁰ Sir Shah Nawaz Bhutto, M. A. Khuhro, Mir Mohamed Allahbux, Mir Mohamed Baloch, Haji Abdullah Hassan and 20 other leaders from Sindh and Baluchistan in their joint press statement urged upon the Government to accept Jinnah's 14 points.⁴⁵¹ The All-India Muslim Conference maintained the same position.⁴⁵² For this purpose both the groups of the AIML passed various resolutions supporting Jinnah's points. The AIML Council meeting on 15 November 1931 reaffirmed its former resolutions on the Muslim demands "embodied in Jinnah's fourteen points".⁴⁵³

Jinnah was not appointed on the third RTC which proved to be a conference of shortest duration as compared to the previous two conferences. But it was to meet the same fate as the previous conferences, i.e. no settlement amongst the Indian or British delegates could be reached. However, as far as the Muslims were concerned, through their concerted efforts, they made the British realize that nothing short of separate electorates for the Muslims, one-third representation at the federal legislature, separation of Sindh from the Bombay presidency, introduction of reforms in the NWFP and Baluchistan, etc., were to be desired by the Muslims in any future Constitution, demands accepted in the Communal Award of 1932. However, the demand of introduction of reforms in Baluchistan was not accepted. The Communal Award was the great achievement for Jinnah who during the debate in the second RTC had asked the British Government to accept the Muslim demands through unilateral declaration if the Hindus do not consent to the Muslim demand on the conference table. Jinnah's bold stance at the RTC was "disliked" by the British Government but, as a matter of fact, continued to cause fear in the government circles.⁴⁵⁴

⁴⁴⁹ *Times of India*, 30 December 1930.

⁴⁵⁰ *Times of India*, 2 January 1931.

⁴⁵¹ *Times of India*, 1 April 1931.

⁴⁵² *Times of India*, 6-7 April 1931.

⁴⁵³ *Times of India*, 16 November 1931.

⁴⁵⁴ Hoare to Willingdon, 5 April 1934 Templewood Papers, MSS. Eur.E.240/4.

VII

FOUR YEARS' STAY IN LONDON

During his four years' stay in London Jinnah was engaged in a number of political activities. Apart from his heavy involvement in the first two RTCs, he pleaded the cause of India particularly that of the Muslims in his individual and group meetings with the Secretary of State for India, Under Secretary of State, Members of British Parliament, British Ministers and the Prime Minister. He also issued a number of press statements and gave interviews to the press. He even attended public functions, which were well attended both by Indians and Europeans. In all these activities, Jinnah's basic concern was to promote the cause of the Muslims. During this stay, he also purchased a big house in London and earned his livelihood by practicing before the Privy Council. All these aspects, not much known to Jinnah's biographers, are discussed in this chapter.

Quaid-i-Azam purchased house⁴⁵⁵ No. 67, West Heath Road, Hampstead, London NW-9 in Oct 1931, measuring about 4 kanals.⁴⁵⁶ He lived in that house till August 1934.⁴⁵⁷ This was an old but big house with a big garage, stable for the horse cab, and a garden.⁴⁵⁷ Jinnah lived in that house along with his sister Miss Fatima Jinnah. He paid annual tax @ £. 476/=.⁴⁵⁸ In 1933, tax for this house was paid by him in four equal quarterly installments.⁴⁵⁹ In these four years Jinnah's and Fatima's names were shown in the list of voters because they fulfilled the condition of owner-ship of property in England. As her brother owned this property, Fatima was also given the right of vote as shown in the list.⁴⁶⁰ In 1935, their names disappeared from the list of voters.⁴⁶¹ This was because towards the close of 1934, Jinnah had sold this property in order to prepare himself along with Fatima to come back to India.

⁴⁵⁵ Originally this place was West-Heath House, West-Heath Road, Hampstead, London NW-9 6835. See Hampstead and Child's Hill Directory, 1933, London Borough of Camden, Swiss Public Library, London, 299.

⁴⁵⁶ *Henden Rates Book*, 1 933-34, p. 994.

⁴⁵⁷ *Ibid.*

⁴⁵⁸ *Henden Rate Book*, 1931, Archives and Local History Section, Public Library, London.

⁴⁵⁹ *Ibid.*

⁴⁶⁰ Register of Electors 1933, Henden Parliamentary Division of Middlesex, County of Middlesex, London, p. 31; Register of Electors 1934- 35, Henden Parliamentary Division of Middlesex, County of Middlesex, Henden, London.

⁴⁶¹ Register of Electors, 1935, London.

During the summer vacations of 1990, this author had an opportunity of visiting this house. This old house does not stand there in its original form but the area of Golders Hill appears to be a pleasant place for a peaceful life. After Jinnah's departure, this house was purchased by somebody who demolished it and in its place constructed some four houses, each with an area of about one kanal. The place reflected the aesthetic sense of Jinnah, though the new buildings have appeared there. On the lower side of the Golders Hill still there is an old small lake providing some fun for children. The stable and garage for the horse-cab in the map suggest that Jinnah might have maintained his old love for horse cabs in addition to keeping motor car for his personal use. As in Bombay, Jinnah must have used horse cab particularly for driving on holidays.

Outside the RTC too Jinnah made various attempts in London to bring about Hindu-Muslim settlement. In December 1930 a number of private meetings were held in London in which those, amongst others, who participated were Sir Tej Bahadur Sapru, Jinnah, V. S. Sastri, Sir Chimanlal Setalvad, Sir Muhammad Shafi, Ghaznavi, and Chintamani. These meetings were held under Aga Khan's presidency but they all failed.⁴⁶² Such meetings were arranged at the behest of Jinnah but no Hindu-Muslim settlement could be arrived at because all the Muslim delegates unanimously wanted to deal with future constitutional set up based on Jinnah's fourteen points,⁴⁶³ being the unanimous demand of Muslim India.⁴⁶⁴

Jinnah had gone to England to attend the first RTC with no intention of settling there. If it had been so, he would not have contested for the membership of the Indian Assembly in October 1930 on the eve of his departure for London. Secondly, he did not purchase a house in London immediately after his arrival in London but in the last quarter of 1931. These factors provide an ample proof that initially Jinnah had no plans to prolong his stay in England or settle there. It was only when the first RTC concluded without any substantial results even after prolonged parleys, and when the British statesmen announced their intention to convene a second RTC towards the end of 1931, that Jinnah visualized that now was the time when the Indian constitutional fight would be conducted for a long time to come in London.

After the end of the first RTC. Jinnah, through a press interview gave to the representative of the Reuter in early February 1931. disclosed for the first time that he was to remain in England "indefinitely". It was also announced that during his stay in England, he will take up legal practice before the Privy Council, but the main reason for

⁴⁶² *Times of India*, 24 December 1930.

⁴⁶³ *Times of India*, 15 January 1931.

⁴⁶⁴ Sankey Papers, MSS. Eur. List., C. 541, fol. 108, Bodian Library, Oxford.

his staying in London was "to fight India's battle in England". Jinnah considered that he could be more useful to India by remaining in England than being in India. For this reason he planned to contest the coming elections to the Parliament.⁴⁶⁵ This was against what most of Jinnah's biographers have tried to project, i.e. he left India and settled in London because he was disillusioned with division amongst the Muslims or with the Indian political situation.⁴⁶⁶

However, it was reported in the press next month that Jinnah was returning to India in August 1931. It was also reported that he had abandoned his idea of entering the Parliament.⁴⁶⁷ Reasons for this were not made known. The fact was that Jinnah arrived in Bombay on 31 July 1931 for his five weeks stay. Immediately after he landed at the Bombay seaport, he was interviewed by a representative of the Times of India, in which he said:

It is an obvious truth when I say that no constitution giving India self-government can be framed when the two major communities are not agreed. At the resumption of the RTC next September, what, with the great tension between the Hindus and the Muslims, the stupendous task of constructing an All-India Federation and the sharp divisions regarding "safeguards" that is sure to arise, there will be much diversity of opinion that I fear we shall be lost again in words and perhaps adjourn for another year.⁴⁶⁸

During this interview Jinnah also made it known that he adhered to his decision to stand for election to the Parliament at the earliest opportunity he gets. He also announced that he had decided to resign his seat in the Legislative Assembly (Bombay city. Muhammadan) so that the electorate might choose a representative who would be able to take his seat at the next session. Moreover, a person could not retain membership of two houses. If he was to contest for membership of the British Parliament (House of Commons), he was required to resign from the membership of Indian Assembly.⁴⁶⁹ Following his resignation new elections were held in September 1931.

During the intervening period of his leaving India and his subsequent return in August 1931, Muslim India had become united behind Jinnah's 14 points. Even the All-India

⁴⁶⁵ *Times of India*, 6 February 1931.

⁴⁶⁶ For instance see Hector Bolitho, *Jinnah, Creator of Pakistan*, Karachi, 1969 (first published in 1954), pp. 98-97. Bolitho does not speak about his sources. He has passed judgment without any documentary evidence.

⁴⁶⁷ *Times of India*, 18 March 1931.

⁴⁶⁸ *Times of India*, 1 August 1931.

⁴⁶⁹ *Ibid.*

Muslim Conference, a body previously opposed to Jinnah, presided over by Nawab Mohammad Ismail Khan, passed a resolution in November 1930 that the Muslim demands contained in Jinnah's 14 points should be accepted.⁴⁷⁰ Nawab of Bhopal, in a statement, declared Jinnah's 14 points as the basis of Muslim demands.⁴⁷¹ A statement signed by Sir Shah Nawaz Bhutto, Khan Bahadur Khuhro, Khan Bahadur Allahbux, Mir Mohamed Allahbux, Mir Mohamed Baloch, Haji Abdullah Haroon, and about 20 other leaders from Sindh and Baluchistan was issued to the press on 31 Mar 1931 from Karachi. It strongly urged upon the government the acceptance of Jinnah's 14 points.⁴⁷²

At another All-India Muslim Conference in early April 1931 Gandhi was urged to accept 14 points of Quaid-i-Azam.⁴⁷³ When Gandhi did not accept this Muslim demand, Shaukat Ali warned Gandhi to "leave Muslims alone".⁴⁷⁴ However, Gandhi was successful in keeping with him a handful of Muslims like Maulana Abul Kalam Azad and others of Jamiat-ul-Ulama-i-Hind who were made to speak against the grant of separate electorate to the Muslims.⁴⁷⁵

During this period, two major changes occurred. One was the appointment of Lord Willingdon, who joined as the new Viceroy on 17 April 1931 at Bombay at a rousing welcome.⁴⁷⁶ The other was appointment of Sir S. Hoare, a Conservative M.P., as Secretary of State for India in August.⁴⁷⁷ Both these appointments were made against the wishes of Jinnah who had again become very vocal in expressing his hatred against the British Raj. Willingdon, former Governor of Bombay, had suffered humiliation at Jinnah's hands while Hoare as a member had heated exchange of arguments with Jinnah at the first RTC. Thus the two top most persons were appointed who best understood the mind of Jinnah so that the latter may be checked in his design of getting freedom at the earliest possible time. These appointments also indicated that the greatest threat to the Raj was feared from Jinnah and not from Gandhi.

⁴⁷⁰ *Times of India*, 8 November 1930.

⁴⁷¹ *Times of India*, 8 December 1930.

⁴⁷² *Times of India*, 1 April 1930.

⁴⁷³ *Times of India*, 6-7 April 1931.

⁴⁷⁴ *Times of India*, 13 April 1931.

⁴⁷⁵ *Ibid.*

⁴⁷⁶ *Times of India*, 18 April 1931.

⁴⁷⁷ *Times of India*, 26 August 1931.

After his five weeks stay in British India, Jinnah sailed for England on 5 September 1931, to attend the second RTC in London. On 4 September 1931 a big farewell was arranged in his honor by the Muslim Students Union, Bombay. During this farewell, Jinnah threatened that if "the British gave India a constitution according to the Hindu demand, naturally the Muslims would be opposed to it and would resort to every means that was possible to destroy and break that constitution".⁴⁷⁸ Such a strong statement against the British and Hindus was never issued before by Jinnah. Naturally the British and Hindus considered this a threat of war. With reference to Indian political situation, he thus explained:

I am an Indian first and a Muslim afterwards and I agree that no Indian can ever serve his country if he neglects the interest of the Muslims, because it is by making Muslims strong, by bringing them together, by encouraging them and by making useful citizens of the State that you will be able to serve your country.

What is a State? Does it mean that the 70 million Muslims should be tied hand and foot in a constitution where a particular class of Hindu can possibly tyrannize over and deal with them as they like? Is that representative government? Is that a democratic government? Certainly not?⁴⁷⁹

Jinnah also pointed out that if 70 million Muslims and 50 million untouchables were suppressed, India would not be a strong nation, able to resist any danger at a critical time. About the policy followed by the Hindu leaders, Jinnah said: "I can tell you honestly that the Hindus are foolish, utterly foolish in the attitude that they have adopted today.... The bulk of the Hindus have lost their heads, and that mentality perhaps you may not know it, but I know it."⁴⁸⁰ He called upon the Muslims that they "must stand united at the present time" because in the past they had been "exploited." The Hindus were refusing to give the Muslims a statutory majority in Punjab and Bengal. He went on to conclude: "Unless certain safeguards and brakes were provided for the purpose of preventing any undue mischief, the constitution would break down. The constitution should provide for a reasonable guarantee to Muslims."⁴⁸¹

On Rampurship, Jinnah, Sir Muhammad Iqbal, Shafi Dawoodi, Secretary of the All-Parties Muslim Conference and some other leaders sailed for England on 5 September 1931.⁴⁸² On arriving in London, Jinnah got busy in the second RTC. Outside the RTC

⁴⁷⁸ *Time of India*, 5 September 1931.

⁴⁷⁹ *Ibid.*

⁴⁸⁰ *Ibid.*

⁴⁸¹ *Ibid.*

⁴⁸² *Times of India*, 6 September 1931.

various meetings between the leaders were held mainly for the purpose of bringing Hindu-Muslim settlement. On 29 October all the Muslim delegates to this RTC met in London and decided to authorize Jinnah, Aga Khan, Sir Shafi, Maulana Shaukat Ali, and Ghuznavi to meet Sir Herbert Carr, Col. Gidney, Dr. Ambedkar, a leader of untouchables, and Pannir Selvan for the purpose of evolving a common formula for all the minorities of India.⁴⁸³ By 7 November an agreement between the Muslims and minorities of India was evolved by which separate electorates for the

minorities was considered *sine qua non*.⁴⁸⁴ Thus at least Muslims and the other minorities became united against the Congress. This pact was welcomed by AIML Council on 15 November 1931. The Congress leaders were naturally perturbed by this unity amongst the minorities. Consequently, the INC Working Committee met in Bombay on 8 November 1931 in which none from Muslims, Sikhs or other minorities participated. This meeting requested Gandhi to return to India as he had gone to London to attend the second RTC. 31 Gandhi also felt perturbed and opposed minority claim for separate representation on the ground that he himself represented "vast mass of untouchables".⁴⁸⁵

Along with it, Jinnah was also busy in uniting all the Muslims on the platform of AIML.⁴⁸⁶ He emphasized upon Nawab Ismail Khan, President, and Maulana Shah Masood Ahmad, Secretary, All-India Muslim Conference to disband this party. Consequently, both the Secretary and the President of All-India Muslim Conference in a statement from London in early January 1932 resigned from their offices and announced the merger of All-India Muslim Conference in the AIML.⁴⁸⁷ Shafi had already announced the end of his controversy with Jinnah. However, Shafi died on 7 Jan 1932 of pneumonia at his residence in Lahore.⁴⁸⁸ Maulana Mohamed Ali had died in January, the previous year (1931). This was another shock to the Muslims.

Jinnah's important role at the RTC was duly recognized and appreciated by the AIML Council in its meeting held in Delhi on 6 December 1931. Along with him, the role of Aga Khan, Shafi and other Muslim delegates was also commended as they all presented

⁴⁸³ *Times of India*, 31 October 1931.

⁴⁸⁴ *Times of India*, 9 November 1931.

⁴⁸⁵ *Ibid.*

⁴⁸⁶ *Times of India*, 14 November 1931.

⁴⁸⁷ *Times of India*, 5 January 1932.

⁴⁸⁸ *Times of India*, 8 January 1931.

the Muslim demands based on Jinnah's 14 points with a complete spirit of "unanimity and solidarity".⁴⁸⁹

During first half of 1932 a highly tense situation prevailed in British India, Congress resorting to civil disobedience movement, and the Muslim leaders issuing strong statements against Gandhi and other Hindu leaders. Both the major communities were passing through a tense period. There were even reports of Hindu-Muslim riots in some parts of the country.⁴⁹⁰

While this was happening in British India, Quaid-i-Azam and the Aga Khan, according to Dr. Moonje's remarks, were living in England as if they were Ambassadors-at-large of the Muslims at St. James . Court) Though this statement was passed to ridicule Jinnah, yet the fact remains that Jinnah during his stay in England never missed any opportunity to plead for Muslim rights.⁴⁹¹

Jinnah was not invited to the third RTC, but he remained in London during the time when the sessions of various committees and sub-committees of this RTC were held in London. Gandhi and Congress leaders were also not there to attend this RTC. As no important leader was there, the third RTC proved to be a mere farce. That was why the proceedings of this Conference could not be prolonged. Moreover, the Conference came to an end without reaching any consensus on any major issue. The same was the case with the previous two RTCs, but with a difference. While all the major issues were thoroughly debated in the first two RTCs, in the third RTC even the debate was not interesting. Thus all the three RTCs ended without bringing any agreement between the Hindus, Muslims and other minorities being represented at the RTC. However, one consensus emerged and that was between the Muslims and other minorities in favor of separate electorates. Despite this reality the Congress leaders were adamant in their opposition to separate electorates. Now it was for the British Government to announce its own decision so that constitutional advancement could take place.⁴⁹²

In this background, Ramsay Macdonald, the British Prime Minister, in a statement on behalf of the British Government, announced the Communal Award on 16 August 1932 by which it was made known that His Majesty's Government proposed to grant separate electorates to the Muslims, Sikhs, Indian Christians, Anglo-Indians and Europeans living in India in the provincial legislatures. As far as Muslim representation or those of minorities at the federal legislature was concerned, no allocation was

⁴⁸⁹ *Times of India*, 7 December 1931.

⁴⁹⁰ *Times of India*, 6 June 1932.

⁴⁹¹ *Times of India*, 17 August 1932.

⁴⁹² *Ibid.*

announced. However, the British government announced that a decision regarding the federal legislature would be declared in the near future. In the allocation of seats in the provincial legislatures, no mention of Baluchistan was made. Barring these demands of the Muslims, almost all other demands, including the separate electorates for the Muslims were accepted. The Muslim demand for the separation of Sindh from Bombay Presidency was also accepted but only on the condition "if satisfactory means of financing" were to be found. Seats for Sindh legislature were, however, announced. Special constituencies such as those for the depressed classes, were to continue for the next 20 year if not abolished earlier with the consent of the concerned communities. Muslim majority in the Punjab and Bengal was not to be disturbed. In the Punjab legislature the Muslims got 51% of seats, Hindus 27%, and Sikhs 18.8%. In Bengal, Muslims got 48.4% seats in the provincial legislature, Hindus 39.2% and Europeans 10%. The provincial distribution of seats was in accordance with the chart shown at Appendix 1.

Seats for women were also reserved in each province out of the quota allocated to all the major communities, i.e. Hindus and Muslims. The general seats basically meant the seats reserved for the Hindus. The Award consisted of 24 paragraphs. The aforementioned allocation of seats was made in the last paragraph. Paragraph 6 dealt with the separate electorates. It stated: "Election to the seats allocated to Mahomedan, European and Sikh constituencies will be by votes, voting in separate communal electorates covering between them the whole area of a province apart from any portions which may in a special case be excluded from the electoral areas as "backward." Provision will be made in the constitution itself to empower a "revision of this electoral arrangement (and other similar arrangements mentioned below) after ten years with the assent of the communities affected, for ascertainment of which suitable means will be devised".⁴⁹³

The Hindus were not happy with this Communal Award. Gandhi was in jail. He was released next year in 1933. To some extent the Muslims were happy with the Communal Award. Though their basic demand was accepted, yet no allocation of seats for the central legislature was announced in which the Muslims demanded 1/3 representation. Sindh's separation was conditioned with financial feasibility. Baluchistan was not given the status of a province. The number of Muslim seats in Assam was less than their population.' Despite all such drawbacks from the Muslim point of view, the AIML Council was not in favor of reversal of the Communal Award until some better alternative was provided.⁴⁹⁴ Thus it was a very complex situation even after the announcement of the Communal Award.

⁴⁹³ *Times of India*, 6 September and 22 October 1932.

⁴⁹⁴ Proceedings of the AIML Council held in Delhi, on 23 October 1932 published in the *Times of India*, 24 October 1932.

Jinnah guided the nation even though he was living in London. In his telegram to Sardar Suleman Cassum Mitha, a leader from Bombay, Jinnah appealed to the "Muslims to stand solid by fourteen points."⁴⁹⁵ On this basis we should not bar talks for settlement with the Hindus.⁴⁹⁶ In an interview given in London on 23 October 1932, Jinnah thought that the absence of a communal settlement in India renders the prospects of the new conference in London decidedly gloomy . . .⁴⁹⁷ He also declared that "the most effective safe-guards both for the Hindus and the Muslims depended on a settlement of the communal difference, establishment of friendly relations and cooperation which would guarantee smooth and just work of the future constitution".⁴⁹⁸ Here Jinnah was talking of the principle of Hindu-Muslim settlement which, he thought, would have been better if the two communities would have themselves agreed as in Lucknow in 1916. For him, it was a sorry state of affairs that the British Government had to announce the Award to settle the communal issue because the leaders of the two communities failed to evolve a common and fresh formula of their own.

The AIML was not in a position to give a lead to the Muslims in such a difficult situation as it became divided into two new groups: 1) Aziz group⁴⁹⁹, and 2) Hidayat group.⁵⁰⁰ The All-India Muslim Conference, headed by Dr. Sir Muhammad Iqbal, was another Muslim party leading the Muslims differently.⁵⁰¹ Both of these Muslim organizations were further divided. By March 1933 Iqbal also realized that AIML and All-India Muslim Conference should be merged together. A decision to this effect was taken on 5 Mar 1933 at Delhi in a meeting of the Executive Board of All-India Muslim Conference presided over by Iqbal. The AIML Council also met in Delhi on the same date under Abdul Aziz's presidency and passed similar resolution. There were Muslim leaders in India like S. M. Abdullah, Abdullah Haroon, Malik Barkat Ali who were not in favor of disbanding AIML being the parent Muslim organization.⁵⁰² This difference was even expressed before the press, dooming the chances of uniting both the Muslim

⁴⁹⁵ *Times of India*, 15 October 1932.

⁴⁹⁶ *Ibid.*

⁴⁹⁷ *Times of India*, 24 October 1932.

⁴⁹⁸ *Ibid.*

⁴⁹⁹ Syed Sharifuddin Pirzada (ed), *Foundations of Pakistan*, vol II, Karachi, 1930 pp. 194-204.

⁵⁰⁰ *Ibid.* pp. 205-228.

⁵⁰¹ *Times of India*, 25 August 1932.

⁵⁰² *Times of India*, 6 March 1933.

organizations.⁵⁰³ The two new factions of AIML were united in a meeting of the Councils of both the AIML groups which was held in Delhi on 4 Mar 1934 on the behest of Jinnah who had come all the way from London to accomplish the task. Jinnah was also present in the meeting. He was elected President of AIML by combining the two groups.⁵⁰⁴ After the amalgamation of both the groups, Jinnah sailed for England. However, All-India Muslim Conference and other parties had yet to be united. Sir Akbar Hydari, Finance Minister of the Hyderabad State, stated in Sept 1934 that there were too many Muslim parties which must be amalgamated into one party if unity amongst the Muslims was to be realized.⁵⁰⁵

Absence of Jinnah from the Indian scene was deeply felt by the Muslims. Bombay Muslims could no longer do without Jinnah and were keen to have him return from London. When the elections to the Indian legislature were announced in October 1934, Jinnah's candidature was filed in his absence. There were certain nationalist Muslims like Dr. M.A. Ansari who tried to make some other Muslim nationalist stand in this election against Jinnah, but all their efforts were foiled by the strong supporters of Jinnah who on 7 November 1934 was declared elected to the federal legislature unopposed.⁵⁰⁶ Thus Jinnah was forced to sell his property in London in October 1934 whose accounts were cleared by December 1934 after which Jinnah sailed back to India reaching Bombay on 6 January 1935, some days before the start of session of the Indian federal legislature.⁵⁰⁷ How he participated in the legislative debates and indulged in Indian politics since 1935 is outside the scope of this study.

After the conclusion of the third RTC the British government was busy in compiling a policy statement which on the one hand would be a summary of all the three RTCs and on the other it would indicate the overall recommendation of the British government on the basis of which a new Constitution Bill may be proposed. Thus the Parliamentary White Paper was issued on 17 March published in the newspapers of 18 Mar 1933.⁵⁰⁸ This White Paper embodied His Majesty's proposals for Indian constitutional reform, a document of 125 pages, divided into three portions. The first consisted of a general explanatory introduction, the second set forth the actual proposal in detail by paragraphs, of which there was a total of 202; and the third contained various appendices dealing, inter alia, with the composition of legislative chambers at the centre

⁵⁰³ *Times of India*, 7 March 1933.

⁵⁰⁴ Pirzada, *op,cit.*, pp, 229-134.

⁵⁰⁵ *Times of India*, 8 September 1933.

⁵⁰⁶ *Times of India*, 8 November 1934.

⁵⁰⁷ *Times of India*, 7 January 1935.

⁵⁰⁸ *Times of India*, 18 March 1933. Report in India Office Library, London,1933.

and in the provinces (with figures also for the new provinces of Sindh and Orissa), the proposed franchise qualifications, and lists of legislative powers-Federal, Provincial, and Concurrent.

It recommended that India should be a Federation of princely States and Provinces. On this basis, the paper recommended, Parliament should set-up a Joint Select Committee to consider these proposals in consultation with Indian representatives. After the report of J.P.C. was laid down, it was to be the duty of His Majesty's Government to introduce a Bill in the Parliament embodying their final proposals.

In this Federation, the Governor General was to be given special powers with respect to peace, tranquility, legitimate interests of minority, public services, protecting rights of Indian princely states, commercial discrimination, administration of reserved departments. Dyarchy abolished in the provinces, was now to be introduced at the Centre. A bicameral federal legislature was suggested in which the lower chamber was to consist of 250 members, of which 82 were reserved for the Muslims to be elected on the basis of separate electorates. The Hindu seats called the general seats were 105. The rest were divided amongst the other minorities. The upper house was to be called the Council of States. 136 seats of the Council of States were to be filled up by election through means of single transferable vote by the members of the provincial legislatures. The number of seats elected by each provincial assembly was to be as follows:

1. Madras, Bombay, Bengal, United Provinces, Punjab and Bihar ... 18 each
2. Central Provinces (with Berar) ... 8 each
3. Assam, N.W.F.P., Sindh and Orissa ... 5 each

In provinces where there was the upper house in addition to the lower house, the election of the seats for the Council of State was to be accomplished in a joint session.⁵⁰⁹ One seat each for Baluchistan, Delhi, Coorge also was to be provided in the Council of States.

By adding two new provinces of Sindh and Orissa, the number of provinces were increased from nine to eleven. This was because Sindh was created as a Muslim majority province and Orissa as a Hindu majority province. Four of these total eleven provinces were Muslim, whereas Hindu provinces were seven. Thereby the Hindus could be pacified in terms of balance of power being in their favor at the centre. Baluchistan, despite its vast territory, was still not given the status of a province. That was why it was not included in the list of provinces. If this would have been

⁵⁰⁹ *Ibid.*

accomplished the Muslims could enjoy nearly equal balancing power at the federal level. The Hindu-Muslim division of seats in the provincial legislatures was as follows:

General Seats (Mainly for Hindus)		Muslims		Total
Madras	152	29	(The rest were given to other interests, groups and minorities (Sikhs 32)	215
Bombay	119	30		175
Bengal	80	119		250
U.P.	144	66		228
Punjab	43	86		175
Bihar	89	40		152
C.P.	87	14		112
Assam	48	34		108
NWFP	9	36		50
Sindh	19	34		60
Orissa	49	4		60

The allocation of seats was, more or less, in accordance with the Communal Award already discussed in this chapter, except the addition of seats for Orissa, the new Hindu province. Complete provincial autonomy by discarding diarchy, was to be granted to the provinces, but the Governor of the Province was vested with vast veto powers including the power of issuing ordinances in emergency and veto powers against legislature.⁵¹⁰

The Secretary of State's India Council as constituted was to be abolished. However, it was to be re-constituted. The Secretary of State was to be empowered to appoint not less than three, nor more than six persons (of whom at least two must have held office for ten years under the Crown in India) for the purpose of advising him. A person so appointed was to hold office for five years.

The Federal Court called the Supreme Court of India, with its seat at Delhi, was also to be set up by His Majesty, having the jurisdiction to decide matters relating to interpretation of constitution, relationship between the provinces, states and federation. It would also act as the body having appellate jurisdiction against any decision of any High Court or Indian court. There was also to be a Supreme Court of Appeal for the whole of British India.⁵¹¹

⁵¹⁰ *Ibid.*

⁵¹¹ *Ibid.*

After his two and a half years absence from India Jinnah visited Bombay on 4 January 1934.⁵¹² He was given a rousing reception. On 24 February 1934 a debate was held at the Blavatsky Lodge, Bombay on the Constitutional Reforms and India".⁵¹³ Speaking on this occasion as the principal speaker, Jinnah criticized the White Paper in terms of introduction of diarchy at the centre which, he thought, was not a true federal scheme. The grant of unlimited powers to the Governor-General in federal affairs and Governors in the provincial affairs was also deeply censured by him. Thus Jinnah advocated a "genuine" kind of federation.⁵¹⁴ This view of Jinnah was widely supported including the letter to the Editor by A.E. Bengali.⁵¹⁵ The Communal Award, however, was acceptable to him. Jinnah presided over a unified Council of AIML at Delhi on 2 April 1934 in which resolution accepting the Communal Award was passed. The resolution said: The Council accepts the Communal Award so far as it goes until a substitute is agreed upon by the various communities and parties to secure such further constitution for India as would be acceptable to the country.⁵¹⁶

For starting dialogue with the Hindu leaders Jinnah desired that Congress leaders should first accept the Communal Award as the basis for further talks for Hindu-Muslim settlement. Various meetings were held at Patna in which Muslim and Hindu leaders participated. But Hindu leaders refused to accept the Communal Award. Jinnah considered it a great mistake on the part of the Hindu leaders. The terminology used by him was that the "Congressmen who met at Patna missed the bus once again. They have refused the hand of cooperation and friendship offered by the Council of AIML".⁵¹⁷ This implied that Congress had previously also committed various mistakes. This was stated by him on the eve of his departure for Europe on 24 May 1934 by the S.S. Conte Verde. The Joint Parliamentary Committee finalized its recommendations by October 1934.

These recommendations were termed "more reactionary than the White Paper" by Jinnah.⁵¹⁸ Thus when the constitutional proposals had been finalized in England and there was no threat to separate Muslim electorates Jinnah decided to leave London and come home on Venice on 14 December 1934.⁵¹⁹ Though Jinnah was not allowed to

⁵¹² *Times of India*, 5 January 1934.

⁵¹³ *Times of India*, 26 February 1934.

⁵¹⁴ *Ibid.*

⁵¹⁵ *Times of India*, 13 March 1934.

⁵¹⁶ *Times of India*, 3 March 1934.

⁵¹⁷ *Times of India*, 3 March 1934.

⁵¹⁸ *Ibid.*

⁵¹⁹ *Times of India*, 5 January 1934.

appear before the Joint Parliamentary Committee⁵²⁰, he preferred to remain in England till the finalization of recommendations by the J.P.C.

During his stay in London Quaid-i-Azam practiced before the Privy Council and dealt with the Indian appeals arising out of the decisions of the High Courts of Bombay, Calcutta, Madras and other Indian Courts. During this author's visit to London in 1990 he tried to check the records of the Privy Council, but the author was told that these records were not available. They were either destroyed or in matters of reported cases, the files were transferred to the Library of the Lincoln's Inn. Through the help of Lincoln's Inn Librarian, I was able to locate huge files of some of the cases. In his earlier research this author located 15 reported cases pleaded or prepared by Jinnah before the Judicial Committee of the Privy Council.⁵²¹ The files of all these cases could not be traced by this author, despite his best efforts in the Lincoln's Inn Library, London. He was, however, able to locate only ten files⁵²² out of which in seven cases Jinnah himself prepared the briefs.⁵²³ These suits mostly related to property disputes between the individuals or with the government. From this it appears that Jinnah took keen interest in preparing the cases, giving summary of the whole case and bringing out the reasons for appeal. Sometimes the reasons ranged to a dozen or even more which made the judge to easily pick up the points.⁵²⁴ In most of the cases the office address of Jinnah was as Solicitor Hy. S.L. Polak and Co., Danes Inn House, 265 Strand, WC 2, London. In two cases the office address was Watkins and Hunter, 61/62 Lincoln's Inn fields, W.C.2, London which was later shifted to 54 Victoria Street, Westminster, S.W.1., London. In one of the cases the address of Jinnah as Solicitor for respondent was given Hicks, Arnold & Bender, 25 Southampton Street, Strand, W.C.2, London. 71 Keeping in view the nature of these suits Jinnah must have earned hundreds of pounds in this legal practice.⁵²⁵ The last case was decided by the Privy Council on 18 December 1934.⁵²⁶ As

⁵²⁰ *Ibid.*

⁵²¹ Dr. Riaz Ahmad, *Quaid- i-Azam as An Advocate*, Rawalpindi, 1987, pp.407-410,.

⁵²² Bibi Aesha v. Muhammad Abdul Kabir, Privy Council, vol. 12, 1 931; Manohar Das Mohanta v. Hazarimull Babu and others, Privy Council, vol. 16, 1931; Bageshwari Charan Singh v. Jagarnath Kuari, Privy Council, vol. 27, 1931, Jehangir Shapoorji Taraporevala Savarkar, Privy Council, vol. 19, 1 932; C.P. Commissioner of Income Tax v. Chitnavis, Privy Council, vol. 21, 1932; Bahu Rani v. Rajendra Bakhsh Singh, Privy Council, vol. 1,1933; Abdul Majid Khan v. Saraswatibai, Privy Council, vol.72, 1933; Secretary of State v. Debendra Lal Khan, Privy Council, vol. 91, 1933; Kama Khya Dat Ram v. Khushal Chand, Privy Council, vol. 100, 1933; and Ejaz Ali Qidwai v. Court of Wards, Privy Council, vol. 81, 1934.

⁵²³ *Ibid.*

⁵²⁴ For instance see Appeal No. 114 of 1931, Appeal No. 59 of 1933 and Appeal No. 4 of 1933, Privy Council, London.

⁵²⁵ Case No. 114 of 1931, Privy Council, Lincoln's inn, Library, London.

he had completed his arguments earlier, Jinnah sailed for India on 14 December 1934, as mentioned before. If one studies the appeals prepared by Jinnah, one is fascinated by the way he presented his arguments in a straightforward and forthright manner. Apart from preparing the case as Solicitor, Jinnah pleaded the cases before the Privy Council. But in England the job of Solicitor was of more importance and paying than those of a barrister who advocated the cases before the Court. This was the reason why Jinnah mostly opted for the job of Solicitor in addition to his function of Advocate. Moreover, he preferred to prepare his own briefs.

In terms of Indian politics, things were very clear for Jinnah, if not for others. He made the Communal Award as the main wicket on which he wanted to deal with the Hindus in future. If they first agreed to its terms then he would be ready for talks with the Congress leaders. This was result of his experience of his dealings with them. Previously he used to negotiate with them without any precondition, a matter of open heartedness, often misunderstood and enabling them to play talks with him. Now he was not ready to do so because he had become aware of cunning and deceitful nature of the Congress leaders. From 1934 onwards he invited them first to agree to the Communal Award and then proceed to talk with him about Hindu-Muslim settlement. Before 1932 he used to stick to his fourteen points. By doing so he wanted them to realize that Muslim demand of separate electorates could not be brushed aside. The mistake or the large heartedness shown by him in Delhi in March 1927 was never to be repeated. Being a forward looking man he always made decisions in the light of the new political realities.

For this purpose he reorganized the AIML on a sound basis but still there were challenges from other Muslim parties like the Khilafat Conference, Jamiat ul-Ulema, and All-India Muslim Conference. His endeavor was to bring all these parties together by merging them in AIML. This was the challenge with which he was confronted at the end of 1934 and afterwards. However, he was happy that two factions of AIML had merged into one AIML by unanimously electing him its President. The unification within the AIML, the oldest Muslim party, ultimately helped him to unite the whole of Muslim India around one platform, despite the existence of some other smaller/Muslim parties supported by Congress leaders but they were of lesser importance and could be easily ignored by Jinnah.

It was as a result of his stay in England that Jinnah developed close relationship with Sir Fazle Hussain, a Muslim leader from Punjab, during the RTC discussions. Fazle Hussain also became a convert to Jinnah's fourteen points and was convinced about the integrity and sincerity of Jinnah to the Muslim cause. When during Jan-May 1934 Jinnah visited India to accomplish the task of uniting the two factions of AIML he fell ill in

⁵²⁶ *Quaid- i-Azam as An Advocate, op.cit.*, pp. 409- 410

April. On 25 April 1934 Fazle Hussain wrote a letter to Jinnah enquiring about the latter's health. In reply Jinnah thus wrote on 11 May 1934:

Many thanks for your letter of 25 April. Yes, I am very much better now and hope that I shall be able to sail on the 24th May. I am glad that you approve of the resolution passed by AIML. It is a great comfort to me that I have the approval of a man whose judgment I value. I also, when I was in Delhi, was anxious to see you, but on account of my indifferent health at the moment and the pressure of work during the few days that I was there I was unable to do so. I am glad that you are much better and trust you will be soon quite well. Thanking you again for your good wishes for my speedy recovery.⁵²⁷

Fazle Hussain's cordiality was again expressed in his reply of 15 May 1934 which is reproduced here:

I am very glad to get yours of the 11th May, saying that you have recovered from your indisposition and that you hope to be strong enough to sail on the 29th. I wish you a complete recovery and the best of health. India and, in particular, Muslim India cannot afford to lose you. Men of clear vision, independent judgment and strength of character are very few, and when one sees efforts made in non-Muslim Indian quarters with a view to secure their cooperation but simply to persuade the Muslim community to entrust its future to them, the need for a strong man of independent judgment, integrity and strength of character becomes apparent and overwhelmingly great.⁵²⁸

Indian leaders have, I much regret to say, made a mess of political work in India and during the last two years or so, English public life has undergone a great change. From this distance, owing to lack of touch and lack of knowledge, I can hardly form an opinion but you who have been there undoubtedly know that India's case stands a very poor chance in the public life of England today. This is no doubt most regrettable, but then what is the alternative? Between the Devil and the Deep Sea the Muslim Community must keep its head. At such crisis it is only men of very outstanding ability like yours who can guide the community, and that is why I was pleased indeed when I found you had given your consent to reorganize the League under your leadership.⁵²⁹

⁵²⁷ Haily to Haig, 15 December 1933 and Haily to Irwin, 19 January 1934, in Haily Papers, IOLR, MSS. Eur. E. 220/15B.

⁵²⁸ Jinnah to Fazle Hussain, 11 May 1934, Fazle Hussain Papers, MSS. Eur. E. 352/16-17.

⁵²⁹ Fazle Hussain to Jinnah, 15 May 1934, Fazle Hussain. Fazle Hussain was "extremely distrustful of Jinnah whom he still suspected of having Congress sympathies, taking all precaution to reduce his influence to a minimum" at the RTC. See Abdul Hamid, *Muslim Separatism in India*, Lahore, 1971 (first published in 1967), p. 214.

Like Sir Muhammad Shafi, Sir Fazle Hussain was vehemently opposed to Jinnah up to 1930. But afterwards Hussain became an admirer of Jinnah. Shafi had already come to support Jinnah on 14 points since March 1930, as mentioned before. Shafi died in January 1932, and Fazle Hussain died in July 1936. Even after his return from England in January 1935 Jinnah kept close understanding with Hussain. In January 1936 Jinnah extended an invitation to Hussain to preside over the AIML session due to be held on 11-12 April 1936.⁵³⁰ But Hussain declined this offer because of his deteriorating health.⁵³¹

Jinnah's four years stay in London significantly contributed towards the cause of the Muslims, a matter even recognized by his contemporary Muslim opponents. If he had not struggled the way he did during the constitutional debates around the conference table and made the Muslim leaders a group of common interests, the Muslims would not have been given their rights which was very important for their future political advancement. The Communal Award, the White Paper and finally the Act of 1935 gave the Muslims a platform on the basis of which they could generate their movement for a separate state of Muslims in South Asia. For all this the credit goes to none but Jinnah the greatest leader of the Muslims of South Asia. His greatness was recognized, as witnessed before, even by Shafi and Fazle Hussain, his former detractors and rivals.

⁵³⁰ *Ibid.* Jinnah to Fazle Hussain, 5 January 1936, Fazle Hussain Papers, op. cit.

⁵³¹ *Ibid.* Fazle Hussain to Jinnah, 23 February 1936, Fazle Hussain Papers.

VIII

CONCLUSION

Throughout the period of this study, Quaid-i-Azam Mohammad Ali Jinnah continuously functioned as President of All-India Muslim League, being elected after every three years. There were, however, two occasions in this period when his authority as the League's President was challenged. First was in 1927, on the issue of Delhi Muslim Proposals of March 1927, that a faction of the Muslim League, headed by the Punjab leader Sir Muhammad Shafi. broke away from the main body and founded their separate Muslim League. The main issue of dispute under the Delhi Muslim Proposals was the issue of separate electorates for the Muslims. This issue has been discussed in another chapter.⁵³² This division continued for three years. However, through the better counsels of Jinnah, the split in the AIML ranks was resolved in March 1930 when both the factions Jinnah group and Shafi group decided to merge themselves into one powerful AIML under the presidentship of Jinnah. The second occasion came in 1932 when Jinnah was in England fighting the Muslim case in London. Then the AIML again came to be split into two groups - Aziz group and Sir Hidayat group. Differences in these two groups were finally resolved by Jinnah who sailed all the way from London to Bombay in January 1934. It was mainly through his efforts that in April 1934 these two groups also merged into one unified AIML under his presidentship. Having accomplished this work Jinnah again sailed for London to dispose off his property in London and finally left London to return to India in December 1934 to fully devote himself for the cause of Muslims as well as the freedom of India.⁵³³

The period 1924-34 is characterized by hectic developments in terms of rapid birth and disappearance of various political parties. Indian National Congress was the oldest political party established in 1885 but since the rise of M.K. Gandhi in Indian politics in 1920, it became a Hindu communal organization. To protest against this character of the Congress, Jinnah first protested and when his advice was not given due attention he left the Congress with the intention of never returning to its fold, though various attempts were made for his return by various liberal minded Hindu leaders. For Jinnah, the Congress of the old liberal leadership had gone. What had remained behind after the rise of Gandhi in Indian politics was mixing Hindu religion with politics. Again and again Jinnah exposed the typical Hindu character of the Congress. To allay such allegations the Congress leaders of the extreme side formed the All-India Hindu Mahasabha in 1922, so that it could be shown to non-Hindu communities that it is only

⁵³² See Chapter V.

⁵³³ B.N. Pandey (ed.), *Leadership in South Asia*, New Dehli, 1977, p.397.

the Mahasabha which is of Hindu character. As far as the Indian National Congress was concerned, they projected, it was a non-communal organization. As a matter of fact it was just eye wash. But there was none but Jinnah who best understood the Hindu mind because of having worked in their inner circles. All the Mahasbha leaders were also the leaders of the Congress. When this proxy could not trap Jinnah and other genuine Muslim leaders and there was the burning issue of entering the Council, to which Gandhi was vehemently opposed, another party, with the name of All-India Swarajya Party was formed in 1923 with Motilal Nehru as its President, through a secret understanding of Motilal Nehru with Gandhi. Though there were rumors that Jinnah would join this party, yet Jinnah was no simpleton to join it. He best understood their underhand collusion with Gandhi. However, as a farsighted leader Jinnah extended his full cooperation to the extent that some of the meetings of Swarajya leaders were held in Jinnah's Bombay residence. Despite his cooperation he maintained his independent posture. Still he was made to preside over certain deliberative meetings of leaders under the garb of All-Parties Conference like the one in January 1925.⁵³⁴ Next day's deliberations were presided over by M.K. Gandhi while Jinnah led the Muslim delegation.⁵³⁵ Despite a number of meetings held after intervals it was realized in the month of March 1925 that it was very difficult to arrive at an agreed settlement.⁵³⁶

However, in the Indian Assembly at the time of holding its first meeting in early 1924 Jinnah formed his Independent Party consisting of elected members of the Assembly. Swarajya Party maintained its separate character in the Assembly. Both the Independent Party and the Swarajya Party formed a coalition in the Assembly which functioned as the main Opposition group in the Central Assembly chambers during 1924-26 with Jinnah and Motilal Nehru as the topmost leaders of this joint opposition. It was because of this importance that Jinnah was appointed member of the Muddiman Committee and Skeen Committee, two grueling experiences through which the British Government had to endure despite their show of indifference expressed in the private papers of Lord Birkenhead, Secretary of State for India, discussed elsewhere in separate chapters.⁵³⁷

Differences between the Independents and the Swarajists were first noticed by the Viceroy who thus telegraphically informed the Secretary of State in October 1925:

Political situation is becoming more interesting. There is now open controversy between the Swarajists and the Independents, Motilal Nehru and Jinnah attacking each other in

⁵³⁴ *Times of India*, 23 January 1925.

⁵³⁵ *Times of India*, 24 January 1925.

⁵³⁶ *Times of India*, 3 March 1925.

⁵³⁷ See Chapters III and IV.

the press. Jinnah has publicly made a charge against the Secretary of the Swaraj Party of gross breach of faith in publishing a confidential letter from Jinnah to the Swaraj Party and in suppressing material parts of it.⁵³⁸

This was because the Government attached the highest importance to these differences that it was immediately reported to the Home Government. Jinnah, however, continued to extend his cooperation to the Swarajists. These differences between the Swarajists and the Independents culminated in the elections of September-October 1926. Jinnah, in his election speeches, had to complain of the unreliable character of the Swarajist leaders.⁵³⁹

Jinnah's important political position in 1924 compelled the British Government to appoint him member of the Indian Reforms Committee popularly known as the Muddiman Committee. He disagreed with the Report of the main committee and submitted his separate report called the Minority Report by making three other members to side with him. Main purpose of the Minority Report was to give India a final and full responsible constitution which should pave the way for the country's independence.⁵⁴⁰ Despite this bitter experience next year Jinnah was appointed on the Indian Sandhurst Committee for the purpose of Indianisation of officer ranks of the army. This Committee is also known as the Skeen Committee which submitted its report towards the end of 1926. As Chairman of the sub-committee of the Skeen Committee, Jinnah, with other members, visited military, naval and air force institutions of England, France, Canada and United States of America in 1926. This committee submitted its separate Report along with long witnesses examined by it. The British Government thought this report of Jinnah to be dangerous for the continuity of the Raj. That was why it was never allowed to be published. The critical nature of Jinnah's questions put to various witnesses appearing before the sub-committee and their replies were most embarrassing for the government. It was, however, with great difficulty that Jinnah's consent was obtained to the report of the main Skeen committee. Official promises to gear up Indianisation at a rapid speed made with Jinnah were never fulfilled, though Indian Sandhurst was established in 1932 after various complaints from Jinnah raised at the Assembly floor and at the RTC.

In the attack on the government on the floor of the Assembly it was Jinnah who, in most of the cases, led the attack. For instance in the debate on the Muddiman Report, Jinnah became "leader in the Muddiman Committee Report discussions".⁵⁴¹

⁵³⁸ Viceroy to Secy. of State (telegram), 18 October 1925, Birkenhead Papers, I OLR, London, MSS. Eur. D. 703/25b.

⁵³⁹ For instance see *Times of India*, 11-25 October 1926.

⁵⁴⁰ See Chapter III.

⁵⁴¹ See Chapter IV.

The Assembly formed on the basis of elections in last quarter of 1926 functioned during 1927-30. According to Jinnah this Assembly was unfortunately composed of more varied groups than the last Assembly. This fact "rendered concerted opposition more difficult. All this was because "the communal problem had made matters worse. In his bid to resolve differences between the various political bodies outside the Congress. he helped formation of Indian National Party in October 1926. This was in reply to a new attempt of the Hindu leaders, including Motilal Nehru, and Padit Malaviya, who formally established an Independent Congress Party in September 1926. Indian Liberal Federation also refused to join this party. Sir Chimanlal Sitalvad, its leader, charged in December 1926 that it was Gandhi who was primarily responsible for the present state of distrust in the country. He even maintained: "*It was due to one of the many Himalayan mistakes committed by Mr. Gandhi that he chose to mix religion with politics.*" In the election of October-November 1926 the Swarajists fared badly. In the new Assembly, six parties emerged, with Jinnah reviving his Independent party. The party-wise position in the newly elected Central Assembly was:

1.	Swarajists	..	..	..	..	..	32
2.	Non-Swarajists						
	(Independents, Responsivist, and Liberals).						50
3.	Europeans	..	..	..	..	..	10

The Muslims also became further divided amongst themselves. While AIML, Jamiatul Ulama. and Khilafat Conference were already functioning, another organization with the title of All-India Muslim Conference was proposed in September 1927 at a Bombay Conference of Muslim leaders presided over by Salehbhoy K. Barodawalla, Sheriff of Bombay. While Ali Brothers participated in this meeting Jinnah did not attend as he did not favor the idea of creating new Muslim parties in addition to the AIML. The Delhi Muslim Proposals of March 1927 caused split in the AIML, especially its clause of discarding separate electorates for the Muslims. The AIML thenceforward came to be divided into two groups, Jinnah group and Shafi group as mentioned before. The All-India Muslim Conference continued to function till 1934 when Allama Iqbal, its President, through the sane counsels of Jinnah, decided to dispense with the idea of Muslim Conference. Iqbal even called upon all the Muslim leaders to strengthen AIML under Jinnah's superb leadership by discarding all other Muslim organizations. Consequently the Khilafat Conference was dispensed. With the exception of Jamiat ul Ulama, and All-India Shia Political Party, all other Muslim organizations merged themselves in the AIML, which was to grow stronger after 1934. Jinnah never attended the meetings of Jamiat-ul-Ulama or those of All-India Shia Political Party, though he was extended various invitations. In return for this, the Shia Party opted in 1932 for joint electorate in a Conference at Lucknow on 30 October 1932.

The Government announced appointment of an all-British Simon Commission in November 1927 at a time when the whole of political India was divided. Despite this division Jinnah tried his best to manage a joint boycott by major parties against the all-British character of this Commission. A tug of political war started between Jinnah who organized and led a joint opposition from all the major parties against the Simon Commission and the British Government, who manipulated and arranged deputations to the Simon Commission in order to show to the Home Government that political India was cooperating with the Statutory Commission. In this tug of political war, Jinnah succeeded and the Government failed. Despite arranged official delegations meeting the Simon Commission, no substantial political support could be won by the Government from the Indians. Wherever the Commission went demonstrations were staged against it while the government could only manage to get small groups to welcome Simon. The pressure was so high that it was forced to return to England. But the publication of the Nehru Report in August 1928, heightened political controversy between the Hindu parties and the Muslim organizations. In this background, the Simon Commission was encouraged to visit India again in September 1928. Nothing substantial was witnessed in terms of cooperation with the Statutory Commission, as all the parties were busy attacking each other on communal lines. Forced by the new historical forces next year the Commission presented its report to the British Government which was discussed at the RTCs during 1930-32. For all this Jinnah was to be congratulated who chiefly organized anti-Simon demonstrations despite repeated difficulties caused by his Muslim and non-Muslim detractors.

The idea of holding the RTC in London occurred to the intellectual brain of Jinnah who proposed it to Ramsay Macdonald, the British Prime Minister. Not only was the idea accepted, Jinnah significantly contributed to the deliberations of the two RTCs. His efforts triumphed in winning the Communal Award of 1932 from the British Prime Minister, if not from the Hindus like those of Lucknow Pact of 1916.

Having himself fully ensured that most of the Muslim demands shall be protected in whatever future constitution to be given by the British Parliament, Jinnah terminated his four years' stay in London and decided to return to India in December 1934 to serve the cause of Muslim Nation.

In this divided Indian political world, Indian National Congress, functioning as a symbolic body under Gandhi's leadership, lost its political importance during 1924-27. It was only when the Muslims as a whole and AIML particularly was divided that INC exploited the Hindu fears of All-Parties Conference during April-Aug 1928 struggled hard to create unity secretly amongst the Hindu parties. This unanimity mind became fully exposed.

During the period 1927-33 Jinnah came under great political pressure and had to bear a heavy political strain. It was through his perseverance, dedication and farsightedness

that he was able to mould all political developments by 1934 in the direction he wanted. He gave to the Muslims of India a grand strategy as well as tactics in their struggle for freedom. He was convinced by 1929 that chances of Hindu-Muslim settlement were gone, though he continued to keep up the slogan of Hindu-Muslim unity as a matter of political expediency. From the core of his heart he was convinced that from thenceforward the Muslims would have to chalk out a course separate from the Hindus which he himself did in the next phase of his political career.

**THE TRAINING OF CADETS:
JINNAH ON BRITAIN AND FRANCE
11 July 1926⁵⁴²**

Interviewed by the Daily Herald with reference to the Indian Sandhurst Committee's visits to the military training colleges of Europe and America, Mr. M.A. Jinnah said that they were enormously impressed with the rigor of life of the cadets in France who had to live like private soldiers at least for three years, regardless of the class to which they belonged. Mr. Jinnah contrasted this with the English system, which he said tended to keep a military officer's career in the hands of a certain class. He expressed the opinion that the American Westpoint Military Academy was by far the finest organization. (Reuter)

⁵⁴² *Times of India*, 12 July 1926.

NO HOPE OF FURTHER REFORMS YET:

MR. JINNAH'S GLEANINGS, Bombay, 13 August 1926 ⁵⁴³

A representative of the *Times of India* had a long and interesting interview on various topics of public importance with Mr. M. A. Jinnah, who returned to Bombay on Friday (13.8.1926) morning after his sojourn in England, France, the United States and Canada, as a member of the sub-committee of the Sken Committee. The outstanding topic of conversation was the state of public feeling in England towards the grant of further constitutional reforms to India. "As far as I can make out, public opinion in England is that there is nothing doing," said Mr. Jinnah to the interviewer. "There is no hope even of an announcement of an early appointment of the Royal Commission, for which I at any rate have been pressing since the publication of the Muddiman Report".

"What is the impression created by the communal riots in India? Will it adversely affect the appointment of the Royal Commission ?", was the next question asked. Mr. Jinnah replied : "Undoubtedly, it has produced the most disastrous effect on the English mind and even in America".

⁵⁴³ *Times of India*, 14 August 1926.

MILITARY TRAINING

Asked to describe his observations as a member of the Skeen Committee Mr. Jinnah said: "You know we were appointed a sub-committee consisting of Sir Pheroze Sethna, Major Zorawar Singh and myself, and I happen to be the chairman. Both my colleagues one a soldier and the other a very shrewd business man - were to me a pillar of support and strength, and I am very happy to tell you that there was complete unanimity between us throughout. We have submitted our report to the main committee. We saw various institutions in France, England, Canada and America. The system no doubt was different in each country. You cannot take any single system en bloc and apply it to India having regard to the circumstances of this country. Therefore, you will have to consider what particular elements in each system would suit Indian conditions and probably it will ultimately be a combined system in its main features. Whatever system India may adopt ultimately its success will greatly depend upon enlisting the cooperation of the educational authorities in India."

Asked for his views on the Currency Report, Mr. Jinnah hoped that Government would not try to rush any legislation through during the present session of the Assembly.

MR. JINNAH'S ADDRESS TO MUSLIM UNION

Bombay, 13 September 1926⁵⁴⁴

Mr. M. A. Jinnah delivering the inaugural address of the ensuing session of the Bombay Muslim Students Union on Tuesday (13.9.1926) evening at the Marwadi Vidyalaya Hall before a fairly large audience, laid emphasis on the importance of military training and vocational and technical education for Indian youths at the present time. Justice Sir Lalubhai A. Shah occupied the chair.

Mr. Jinnah declared that Unions such as theirs offered a splendid training ground for mutual understanding and friendship among the members. The average student had only a few prospective avenues of life open to him. There were some people who could not resist the glamour of the Bar, while others the Civil Service and the profession of doctor. The lawyer contributed little to the economic progress of the State but all the same he was a necessity like the civil servant, who had to carry on the administration of the country. All the professions now available could not, however, accommodate the thousands of graduates that were manufactured by the colleges and universities and thrown out on the country. The field of agriculture, Mr. Jinnah said, offered a splendid future to many of the unemployed. Methods employed by Indian agriculturists were crude and not suited to modern times.

EXAMPLE OF JAPAN

The speaker emphasized the importance of vocational and technical education for young Indians at the present time. He compared the growth of technical education in India and Japan, pointing out that Japan, which about a quarter of a century ago, was on a par with India, had since spent millions of pounds sterling to promote technical education among the people and had built up an enormous industry. On the contrary India had sadly neglected to advance technical education all along. He wanted young men to look to a field where there was no limit to their prosperity. The future of India to a very large extent depended upon them and in his opinion the progress of India lay in their helping the development of industries and in making the best use of a most fertile land, which provided more than what they required. They could thereby make the nation stronger and wealthier than it was at present, and wealth, they should remember, was an important factor without which no State could flourish.

⁵⁴⁴ *Times of India*, 15 September 1926.

Mr. Jinnah next turned his subject to military education for the young men of India. He referred to the gradual Indianisation of the army and said that King's Commissions had been thrown open to Indians by the Government. He explained the nature of military training imparted at Sandhurst and exhorted them to bestir themselves and take advantage of a fresh but limited field, the scope of which, he was sure, would be widened in the course of a few years. Military career had its own charms and was a noble and glorious profession. Unless they were prepared to face the battlefield and the bullets to defend their own country, self-government was impossible of attainment. While he admitted it was the fault of Government that they were so very backward in military education - and a foreign Government could not be expected to do much for them - young men must stir up and do something for themselves.

GOOD MATERIAL AVAILABLE

He was convinced that if proper facilities were given to them and if they took to military career seriously, they would within a short time be ready for the defence of their country. He denied that in India there was not material for the making of good officers. The strength of the standing army in India was 2,20,000 which was composed of Europeans and Indians. What would be the position of India if the whole army was destroyed. The answer must be they would be nowhere and the conqueror, whoever he was, would rule over them. It did not matter to them whether the usurper was a Shivaji or Aurangzeb. Their real future, Mr. Jinnah wound up saying, lay in those avenues, which he had indicated and he asked them to direct their energies in exploring and utilizing those avenues in the best possible manner.

Sir Lalubhai said that the best way of thanking Mr. Jinnah was to assimilate what he had told them and follow his advice. He wished that the students of the Union, who would be the future citizens of Bombay, would evince a greater interest in the educational problems of the Presidency and take advantage of the new avenues that might be opened up for them by the Bombay University under the reform scheme.

MUSLIM LEAGUE UNITED:

END OF SCHISM

28 February 1930⁵⁴⁵

At New Delhi, on February 28, 1930 an important meeting of the Council of the Muslim League, was held with Mr. Jinnah in the Chair when over 50 persons from both sections of the League were present. It was announced amidst cheers that both the sections of the League had been reunited after their separation two years ago. After this announcement both Mr. Jinnah and Sir Muhammed Shafi, the respective leaders, embraced each other.

A resolution was passed welcoming the attempts of certain persons to solve the communal questions.

The next meeting of the League's Council will be held on March 14 to consider the question of holding the next session of the United Muslim League and selecting its President.

⁵⁴⁵ *Times of India*, 1 March 1930.

MR. JINNAH ON CIVIL DISOBEDIENCE:

Sukhur, 12 May 1930⁵⁴⁶

Mr. M. A. Jinnah, who is engaged in the Pir Pagaro case at Sukhur received a telegram from the Secretary. Jamat-ul-Ulama as follows:-

"Your advice in Jamat-ul-Ulama at this critical juncture is necessary. You are earnestly requested to attend."

Mr. Jinnah replied: "Regret can't attend, case not permitting".

"My advice to all my countrymen and to Musalmans in particular is not to associate in the methods, creed and policy of civil disobedience. It is not only premature but unwise and impractical. The negotiations with His Majesty's Government through the Round Table Conference, shortly to be held, is the obvious course. I earnestly urge patience and calm till the result of the London Conference."

⁵⁴⁶ *Times of India*, 15 May 1930.

**COUNSEL'S ARGUMENTS IN PIR OF PAGARO CASE:
MR. JINNAH ON HEARSAY EVIDENCE:
Sukhur, 17 May 1930⁵⁴⁷**

Orders will be passed on Monday (19.5.30) by Diwan Udharam Madhandas, the City Magistrate at Sukhur in the Case in which the Pir of Pagaro, one of the most influential and leading spiritual heads of the Muslims in Sind, is charged with murder. It is alleged that about five months ago one Mussamat Mariam, a Mahomedan widow aged about forty, a weaver by occupation, lodged one night in the Mussafarkhana of the accused and the next morning she was discovered dead from bleeding caused by grievous wounds. As a result of Police investigation followed by a raid on the accused's ancient fortress he and several others were arrested. The accused is being tried in the District Prison at Sukkur where he is an under trial prisoner charged with six distinct offences under the Indian Penal Code, murder being one.

Public Prosecutor's Case

After evidence had been recorded Mr. Lobo, the Public Prosecutor, dealing at length with the circumstances of the deceased's murder, explained that the accused's interest in Mariam's death was proved from the deposition recorded by witnesses who had sworn that Mariam's son was actually seen by them in wrongful confinement for a long period with the accused. Mariam had persisted in her campaign to get her son released and had made herself obnoxious and a cause of danger to the accused by her frequent petitions to the authorities. The woman Emna had deposed that the accused had knowledge of the deceased's doings that she was a thorn on the accused's side and that very likely he did away with her by getting her killed. There was evidence that the deceased was warned by the people that she would be murdered by the accused and the deceased had made a statement of her apprehensions with Police Inspector Sirdar Abdul Rahman.

Mr. Lobo argued that none except the accused would be interested in Mariam's murder for reasons firstly, that the deceased was indigent and robbery was not the motive of her murder; secondly that the deceased was aged forty and could not have been killed for immoral purposes. Thus the only reason for her murder could be her repeated applications against the accused with whom her son was a captive. Summarizing his arguments urging the Court to commit the accused to the Sessions, Mr. Lobo emphasized that there was evidence which might be accepted by the Sessions Court for there was someone who wanted a riddance of the deceased. The accused, said the

⁵⁴⁷ *Times of India*, 19 May 1930.

Public Prosecutor, threatened to do so. He confessed before three witnesses that he had done so.

Defence Counsel's Plea

Mr. Jinnah, M.L.C, Bar-at-Law, Counsel for the accused, replied that it was not proved that the deceased Mariam was murdered in the Mussafar-khanna or outside. Can you imagine Sir that a sensible person like the accused would have her murdered in his own Mussafar-khanna? Can it be believed that the accused's people would be so idiotic as to give information against the accused with whom they were in League as alleged? Mr. Jinnah submitted that the case was cooked up and witnesses were tutored for no witness had come forward except three women witnesses until the accused was arrested and thereafter certain witnesses recorded their statements. Those witnesses since then had remained in police custody. He requested the Court to believe the three witnesses who had resoled from their previous statements because. the learned counsel argued. that it generally happened that the truth came out from the witnesses when they were released from police control and shook off police terror.

"Hearsay Evidence."

Referring to the evidence for the prosecution Mr. Jinnah emphasized that the evidence regarding complaints from the deceased woman Mariam were not worthwhile looking into as they contained no effective material. Similarly the deceased's statements to witnesses were merely hear-say. Those witnesses had not personally observed anything. Witness Paru had deposed that he told the deceased not to go to the accused's *langar* (free eating), but she made no reply and actually went out that night. That, observed Mr. Jinnah, showed that the deceased did not apprehend danger to herself. The first investigating officer, the head constable's evidence, does not show who murdered the deceased or where she was murdered. Proceeding Counsel argued that it was evident from the prosecution evidence that the deceased used to go to the accused's *langar* in his *Durgah* every day at bed time.

Proceeding Counsel said that no reason had been given by the three women witnesses why the accused maltreated them. The evidence showed that they respected the accused in all his commands. Concluding Mr. Jinnah, addressing the court, urged that no court would hang even a dog on such evidence. If the Court considered the evidence untrustworthy Mr. Jinnah requested the learned magistrate that he must not shrink from doing justice even if the heavens fell upon him. Mr. Jinnah added that if the accused were committed to the sessions there would be enormous waste of public time and Government funds, and will tell heavily on the accused.

After the conclusion of arguments the third case against the accused for alleged wrongful confinement of Ebrahim, son of Mariam, was proceeded with.

CONGRESS "WAR" FUTILE:

**Mr. Jinnah's View:
Bombay, 29 May 1930⁵⁴⁸**

Mr. M. A. Jinnah, the Muslim leader of Bombay, interviewed by a representative of the Times of India regarding the speech made by Mr. Wedgwood Benn, Secretary of State for India, in the House of Commons, declared that to use Mr. Benn's own phrase his latest pronouncement "stands as it stands." In the opinion of Mr. Jinnah it did not change the situation in any way at all. He condemned the civil disobedience campaign as unwise and impracticable and emphasized the supreme necessity of all the parties in the country participating in the Round Table Conference with a view to framing a constitution so directed and so aimed as to lead India to the realization of complete Dominion Status at the earliest possible moment which in his opinion, was the same thing as the substance of Independence claimed by Mr. Gandhi.

Mr. Jinnah proceeding observed: "I notice that there is dissatisfaction in some quarters that Mr. Benn did not define the terms of reference of the Round Table Conference which it is now definitely announced will meet on October 20. There is also the suggestion coming from more than one quarter that the terms of reference should be defined but none has yet suggested except in a vague way as to what should be the term of reference. However, I find that in the interview which Mr. Gandhi gave to Mr. Slocombe he suggests that the terms of reference should include the framing of a constitution, giving India the substance of independence. The phrase can be interpreted by each individual according to his own mentality and predilections.

Outstanding Issues

"I take it that the substance of independence rules out independence and that it equally rules out complete Dominion Status immediately. Else I think Mr. Gandhi would not have hesitated at least to use that well known expression, complete Dominion Status. According to Mr. Gandhi, he is willing to negotiate as to what should be the substance it should include and the form of constitution that should be framed. So whether you accept the vague phraseology of Mr. Gandhi, i.e., "substance of independence," or the more defined phraseology that the purpose and aim and object of the Conference should be to frame a constitution as to lead India to the realization of complete Dominion Status at the earliest possible moment is to my mind the same thing.

⁵⁴⁸ *Times of India*, 30 May 1930.

"This has been clearly defined by the Viceroy's October pronouncement and has since been emphasized by him in these words : That the object of the Conference was to find a solution which will lead India to her appointed goal most rapidly and surely". I think every thinking man knows that the real issue whether you use Mr. Gandhi's words or use the words I prefer, is the transfer of power from the present bureaucratic system of Government to representatives of the people responsible to the legislatures and that is the problem we have to negotiate. In doing so there are at least four if not more outstanding and difficult issues that have to be negotiated and settled.

Question of Defence

"First, the question of defence. The immediate and complete control and responsibility of defence can be transferred to the Indian legislature and to what extent and within what time is one of the questions. Secondly, we know that Indian Princes in their recent announcement and all along have insisted that before Dominion Status and responsible government are established in India they must have certain guarantees and safeguards. The question therefore arises: Is the Indian legislature to inherit and be vested with all the powers of the paramount Sovereign which are now claimed and enforced by the British Government? If not, what adjustments should be made between British India as a Sovereign Legislature and the Indian States?

"Here I may say not only from my personal and individual contact with the Princes but also from the informal conference at Delhi in March last that it has led me to believe that Indian Princes as a body are generally willing to help India to get Dominion Status if we come to some adjustment with them on reasonable lines. This question requires to be thrashed out and it will form the subject of negotiation at the conference and is one of the most important issues.

Minorities Problem

Thirdly, the question of minorities and particularly the Hindu-Muslim question has got to be settled either before the Conference between ourselves or at the Conference. The Mussalmans are as anxious and as keen to advance the national cause as any other community and I believe the bulk of them will without hesitation support the demand for Dominion Status by India as rapidly as possible. Yet when we talk of responsible government and Dominion Status, we must not forget that it is for the first time in the history of India that we are aiming at setting up a representative Government which will have the power to decide by a majority vote and minorities are naturally apprehensive of their position in the future constitution. Therefore, it is essential that safeguards should be provided which will obtain their willing consent and create a feeling of real security among them.

Foreign Affairs

"The question of foreign affairs involving international relationships is one which will also have to be considered and some satisfactory solution will have to be hammered out at the conference.

"These are a few vital matters among others which can only be settled by negotiation between the four important parties, namely, the Hindus, the Indian Princes, representatives of the British Government at the Conference and the Muslims and other minorities. Whether the terms of reference are defined in a vague fashion or whether they are not defined at all, the position seems to be that all parties will be meeting at the conference unrestricted and free to negotiate.

"The other points of Mr. Gandhi, namely, the repeal of the salt tax, the prohibition of liquor and the ban on foreign cloth are matters not of constitutional issue. These are matters which can only be dealt with by legislative and administrative means and methods, and once power is transferred to the representatives of the people it will be for them if they choose to repeal the salt act and enact measures for the prohibition of liquor and to impose a tariff wall against foreign cloth.

Amnesty to Prisoners

"Another point of Mr. Gandhi is that amnesty to political prisoners should coincide with the end of the civil disobedience campaign. All I can say is that if Mr. Gandhi had not taken up the attitude that he did on December 23 when we met the Viceroy and he refused to talk or discuss the question unless the guarantee which he asked for was given, Lord Irwin would have done his best to meet us reasonably on that point. I recognize that the Congress movement is an expression of opinion which good many of us knew full well existed. Even the Government, at least some of the highly placed officials, knew it.

"It is not only the Congress that is dissatisfied but I should say the entire politically minded people are dissatisfied with Government's policy and the present administration. I cannot say that the civil disobedience movement is supported by all or even by the bulk of the people of India but that is not because they are satisfied with the present state of things but because, I believe, a large body of thinking men knew and understand that the movement is unwise and impracticable. I do not think anyone can view with equanimity the lawlessness practiced by the Congress or the measures adopted by Government such as the enactment of Ordinances and interference with the freedom of speech and press-measures which must be repugnant to every lover of freedom and constitutional government and I am sure that it is not less repugnant to Lord Irwin.

No Half-Way House

"The question now is how long is this futile war to continue. If all that the Congress wants is that the terms of reference should include the framing of a constitution giving India the substance of independence, I see no difficulty because I am absolutely convinced that no Indian representative who is worth the salt would at the Conference agree to anything but a substantial transfer of power which Mr. Gandhi may call the substance of independence. No patch work, no half way house, will satisfy any honest Nationalist in India today.

Mr. Jinnah in conclusion quoted the following passage from Mr. Benn's speech:

"It is equally true to say that Indians of all races and classes are looking for progress in the satisfaction of their desires. They are looking for the disappearance of the manifestations of race superiority and for recognition which is indeed vital to the stability of our Commonwealth that within it there is complete equality of citizenship. It is idle, therefore, to complain if patriotic Indians whilst condemning the attempt which is proceeding to organize anarchy in India have also expressed in the most earnest fashion their own desire for a great constitutional enfranchisement.

Undue Delay

Commenting on this Mr. Jinnah expressed satisfaction that Mr. Benn had realized the true situation in India and hoped that he would not allow all to support the movement of lawlessness and that he would pursue a wise, firm and honest policy, that is to lead India to realize Dominion Status at the earliest possible moment. He regretted very much that Mr. Benn seemed to think that he had done everything which ought to satisfy the people of India.

Mr. Benn asked: "What more could we do?" To begin with though the announcement was made on 31st October the date had not been fixed till the middle of May and meeting of the Conference was to take place on October 20, *i.e.*, a year after the announcement. That was hardly the way to inspire confidence among the people or to prove the "bona fides" of the efforts of His Majesty's Government. If Mr. Benn and the British Government had agreed to call a conference within three or four months after the announcement, he ventured to say a great deal of trouble and innocent loss of life might have been saved but Mr. Benn and the British Government had marked time to find a decent burial for the Simon Commission's report. Hence this undue delay. Mr. Benn stated that within a short time they would have in their hands one of the great State documents of our time. It was quite clear that that would not be the only document, continued Mr. Jinnah. He had very little doubt in his mind that the report was not going to constitute an obstacle in the way of the Conference. The Simon Commission scheme stood scrapped and Mr. Benn must give some consolation to Sir John Simon for having labored for two years.

MR. JINNAH'S FAITH IN ROUND TABLE CONFERENCE

Karachi, 2 September 1930

Sir Shah Nawaz Khan Bhutto and Mr. M. A. Jinnah left for Bombay, from where they will sail for London to attend the Round Table Conference.

Interviewed shortly before his departure, Mr. Jinnah said: "I consider the Congress leaders have made a great mistake in refusing to participate in the London Conference on the ground that private assurances by the Viceroy or His Majesty's Government on certain points should be a condition precedent to a settlement. The delegates that went to London to settle the Irish question went on the following formula: 'With a view to ascertaining how the association of Ireland with the community of nations, known as the British Empire, may best be reconciled, with the Irish national aspirations.'

Four Principal Parties

"This shows that it was a free conference between the Irish delegates and His Majesty's Government, and I am convinced that the only course open to us is to take the fullest advantage of this Conference, and if we succeed, we shall have rendered the greatest possible service to India. If the issue is approached by the four principal parties in a friendly spirit and with honesty of purpose, with the sole view to serve the best interests of India, I see no reason why a satisfactory settlement should not be reached. The four principal parties are, the British Government, the Indian States, the Hindus and the Mahomedans. I can only say to my people that I shall hold India's interests as sacred, and nothing will come in the way of doing my duty to my country."

Lecture to College Students

"Why I am going to London?"

Addressing the students of the Sind College last night on "Why I am going to the Round Table Conference," Mr. Jinnah said, if India wanted Dominion Status, it could only be given by a statute of the British Parliament. If they did not go to the Round Table Conference they would be told that they had kept deliberately away. He did not say they would succeed at the Conference, but he hoped it would be open to Indian delegates to reject anything injurious proposed, and by going to the Conference they would be able to pin Britishers down to something definite.

The Chairman refused permission to Mr. B. T. Shahani, a student, to reply to Mr. Jinnah. whereupon some students held a protest meeting outside the College and denounced Mr. Jinnah in strong terms. Mr. Jinnah came before them in European dress when he should have worn khaddar and held the banner of khaddar in his hand.

The Muslim section of the College, who had organized Mr. Jinnah's lecture, became enraged at this and held a public meeting and passed a resolution expressing deep resentment and a vote of censure on the students for injuring the feelings of the Muslim community by denouncing Mr. Jinnah, while he was their honored guest.

MR. JINNAH'S CLARION CALL TO MUSLIMS TO STAND TOGETHER

Bombay, 4 September 1930⁵⁴⁹

Mr. Jinnah, prior to sailing for England on Saturday (5-9-1930) to attend the Round Table Conference, made an outspoken speech at a party held in his honor in Bombay, and expressed great concern at the attitude of the Hindus towards the Muslim demands.

Urging on Muslims the imperative need to stand together, Mr. Jinnah assured them that the secret of the diehard attitude of Hindus was fear of Muslims and their incurable desire to keep them and the huge mass of depressed classes under eternal subjection.

He warned the British Government that, if the necessary safeguards and brakes were not guaranteed to Muslims, they would resort to every possible means of destroying and breaking the new constitution.

A grave warning as to what would happen to any new Constitution if harmonious relations between Hindus and Muslims did not exist was uttered by Mr. M. A. Jinnah, at an "At Home" given in his honor by the Muslim Students' Union, Bombay, on Friday (4.9.30) evening. He is sailing for England on Saturday to attend the Round Table Conference. Mr. Jinnah thought the present attitude of Hindus was foolish and he urged Muslims to organize themselves so that their voice might be heard.

There was a fairly large number of Muslim youths, including some ladies, present at the Union Hall. Mr. Justice Faiz B. Tyabji, who presided over the function and Mr. M. C. Chagla, a Nationalist Muslim, spoke highly of the services and work to the country by the guest of the evening.

Muslims Should Organize

Mr. Jinnah, in the course of his reply, adverted to the problem before the country. He said that they were living in an age of organization, and if their voice was to be heard and felt they should also organize. When he told Muslims to be organized so that they could make their voice heard definitely and in a powerful manner that it would be respected. He had been urging this all along, and he hoped the young men would bear

⁵⁴⁹ *Times of India*, 5 September 1930.

this in mind. He had spoken to his contemporaries and he had failed. He was, however, glad that they were waking up now.

"I am an Indian first and a Muslim afterwards," said Mr. Jinnah, "and I agree that no Indian can ever serve his country if he neglects the interests of the Muslims, because it is by making Muslims strong, by bringing them together, by encouraging them and by making them useful citizens of the State that you will be able to serve your country."

No Hindu Tyranny

"What is a State? What is representative government?", he asked next. "Does it mean that the 70 million Muslims should be tied hand and foot in a Constitution where a particular class of Hindus can possibly tyrannize over and deal with them as they like? Is that representative government? Is that democratic government? Certainly not."

The speaker pointed out that if 70 million Muslims would not be a strong nation, able to resist any danger at a and the 50 million untouchables were kept under, India would not be a strong nation, able to resist any danger at a critical time. "I have said this openly," proceeded Mr. Jinnah. "I have no eye on any party. I have no mind for popularity. I can tell you honestly that the Hindus are foolish, utterly foolish in the attitude that they have adopted today."

The Acid Test

"Differences must be settled among ourselves. Mr. Gandhi had at last agreed to attend the Conference. The speaker also was going to attend the Conference. None of them, however, could speak on behalf of India. The Britishers would tell them that they were not agreed."

Government was not a thing that each and everyone could be given something. Government pre-suppose certain requisite conditions, namely, that the people should be so trained and should live so harmoniously that whatever difficulties there might be, whatever differences there might be they themselves would be able to solve them. That was the acid test.

Supposing the British gave India a Constitution according to the Hindu demand, naturally the Muslims would be opposed to it and would resort to every means that was possible to destroy and break that Constitution.

Was the Englishman going to see that the British soldier in India would stand by the side of every Muslim and that the Government was carried on, questioned Mr. Jinnah. That would not be representative government and it was not possible to run such a Constitution.

"The bulk of the Hindus have lost their heads, and that mentality perhaps you may not know it, but I know it. I assure you that unless Hindus will have the courage and confidence - and they are afraid of the Muslims - this India will never get Swaraj. "It is not the joint or separate electorates or five or ten seats. Hindus have not the necessary courage and Hindus are afraid of Muslims."

Muslim Majority in Punjab and Bengal Hindus' Attitude

Urging the necessity for discipline among the Muslim community, Mr. Jinnah said that even if the leader of a party or community was going wrong, they should not break the discipline and thus break the force. Muslims must stand together at the present time. They had been exploited. Mr. Jinnah then dealt with the question of the Punjab and Bengal. The speaker thought that India should evolve her own Constitution, and statesmanship and exigency needed settling the matter.

"I like straight play," continued Mr. Jinnah. "Tell me that I do not want to give you a majority in the Punjab and Bengal. Hindus do not say that. Then say you can have a majority with joint electorates. Hindus know perfectly well that Muslims have got only 40 percent of voters in these provinces."

Unless certain safeguards and brakes were provided for the purpose of preventing any undue mischief, Mr. Jinnah concluded, the Constitution would break down. The Constitution, he asserted, should provide for a reasonable guarantee to Muslims.

COMMUNAL SETTLEMENT ESSENTIAL

Mr. Jinnah on R. T. C. Prospects Bombay, 31 July 1931⁵⁵⁰

"It is an obvious truth when I say that no constitution giving India self-government can be framed when the two major communities are not agreed. At the resumption of the Round Table Conference next September, what with the great tension between the Hindus and the Muslims, the stupendous task of constructing an All-India Federation and the sharp divisions regarding "safeguards" and "reservations" that are sure to arise, there will be such diversity of opinion that I fear we shall be lost again in words, and perhaps adjourn for another year." The above view was expressed to a representative of The Times of India by Mr. M. A. Jinnah who arrived in Bombay on Friday (31-7-1931) from Europe for five weeks' stay prior to return to England for participating in the deliberations of the Federal Structure Committee and the plenary session of the Round Table Conference.

Mr. Jinnah was quite emphatic about the urgent need for a settlement of the Hindu-Muslim differences and of the outstanding questions of common interest to Indian States and British India. Pressed for his opinion regarding the formula arrived at by the Congress Working Committee on the communal question, he felt glad that it had kept the door for a settlement yet open.

Mr. Jinnah said: "The question of questions is whether India can put up a united front at the Conference in September next".

It may be noted in this connection that opinion in England is hardening against India. Whatever may be the language or expressions of opinion used. It is only a difference in tone but Westminster stands united regarding the British policy towards India.

The key to India's freedom and the immediate problem lies in the obvious direction of a settlement of the Hindu-Muslim question. Our inability to find a settlement of this question beforehand, made a vital difference to us at the Round Table Conference last year. I feel sure that a similar, if not greater, disappointment awaits us if we go again to the Conference without a settlement of the communal difference. I am sure that every right-minded and thinking man desires a settlement most fervently; for therein lies India's salvation."

Princes and Indian Delegates Agreement An Advantage

⁵⁵⁰ *Times of India*, 1 August 1931.

"It is not possible for us," he continued, "to approach the task before us with any degree of success unless we settle at least the Hindu-Muslim question, and if possible, establish a definite understanding between the Princes' delegation and the British Indian delegation before we enter the Conference this time. Otherwise, I have no doubt that the fullest advantage will be taken of our weakness which manifestly lies in our own divisions. Hindu-Muslim unity and a united front are absolutely essential at this moment for our success."

Mr. Jinnah intends to leave Bombay for London again on September 5 in time for the Federal Structure Committee meetings. His object in visiting India for such a brief interval is to get into touch with public opinion and to be of such service of his countrymen as might be required of him.

Mr. Jinnah adheres to his decision to stand for election to Parliament at the earliest opportunity he gets. He has decided to resign his seat in the Legislative Assembly (Bombay City, Mohammadan) almost immediately so that the electorate might choose a representative who would be able to take his seat at the next session.

MUSLIM LEAGUE SECTIONS UNITE

Mr. Jinnah Elected President Delhi, 4 March 1934⁵⁵¹

The two sections of the All-India Muslim League have united, and have decided to elect Mr. Jinnah as President.

This decision was arrived at a meeting of the representatives of the two sections held this afternoon under the presidency of Mr. Hafiz Hidayat Hussain. The following resolution was passed at the meeting:

"As it is the united wish of the community that the cleavage between the two sections of the All-India Muslim League should be made up, and as in pursuance of this wish the office bearers of the two sections have resigned their respective places and Mian Abdul Aziz has expressly stated that he would also resign in favor of Mr. Jinnah, and as Mr. Jinnah has expressed his willingness to accept the presidency, it is hereby resolved that the two sections do amalgamate and that the two councils of the League combine and form a united body, and that the constitution of the League adopted in 1922 shall remain in force"

Office-Bearers Resign

An earlier message stated: Eight office-bearers of the Muslim League have placed the resignations of their respective offices and membership in the hands of Mr. Jinnah with a view to bringing about unity in the Muslim League.

They are: Mr. Shah Mohamed Maswood, Secretary; Syed Murtaza Saheb, Mr. Abdul Matin Choudhary, Mr. Uppi Saheb, Mr. Mohamed Azahar Ali, Mr. Anwarul Azim, the Hon'ble Nawab Sir Mehr Shah and Raja Ghaznafar Ali Khan, vice presidents. They were elected at the Howrah session of the All-India Muslim League.

⁵⁵¹ *Times of India*, 6 March 1934.

NEED OF SAFEGUARDS FOR MUSLIMS

**Mr. Jinnah's Views:
Bombay, 8 March 1934⁵⁵²**

"They have done me a very great honor. But it will not be a bed of roses for me."

In these words Mr. Jinnah, who, following the amalgamation of the two sections of the All-India Muslim League, has been elected its president described his new position in the course of an interview with a press representative in Bombay.

"I shall do my utmost to adhere to and carry out loyally the objects of the League," said Mr. Jinnah, "but to achieve this I need the help and support not only of the Muslims but also of the other communities. The Muslims occupy a unique and very important position in the political movement of India. But at the same time there lies a great responsibility on them, and I believe that the future of India depends as much on their policy, their programme and attitude as on that of the Hindus or any other community."

" Since my arrival in India," added Mr. Jinnah, "I have received suggestions from various quarters. and I am beginning to see a streak of silver lining in the clouds of the political situation. But a very big effort is necessary. We can achieve our object provided we can restore complete harmony, cooperation and unity in the country. I have great faith in the political judgment of the Muslims, and I am sure that they will not be slow nor behind any other community in their desire to stand by and work for the best interests of India."

Safeguards for Muslims

Referring to the question of safeguards for Muslims, Mr. Jinnah said that under the present conditions Muslims might legitimately claim protection and safeguards which were necessary to give them a sense of security in the future constitution of India. but they must not forget the higher interests of the country as a whole, interests which I have always considered sacred."

Concluding, Mr. Jinnah said that he would do his utmost to bring about friendly relations and better understanding between Muslims and other communities. "I have made fervent appeals to the leaders, and I am anxiously waiting for a warm and earnest response."

⁵⁵² *Times of India*, 09 March 1934.

PREPARE TO SERVE INDIA

Mr. Jinnah's Advice to Muslims

New Delhi, 3 April 1934⁵⁵³

A declaration that from the very first he was never directly or indirectly in favor of an All-India Federation was made by Mr. M.A. Jinnah addressing a large gathering of Muslims in Delhi under the auspices of the Muslim Youth League.

Mr. Jinnah advised Muslim youths to "work hard and study and keep in touch with political events and movements." He asked them to be ready to play their part in the national development of the country. "Train the backward Muslims and those who are not blessed with university education", he said.

Duty of Youth

Mr. Jinnah said: "India is passing through a very rapid development of events and it is the youth who will have to bear the burden of what is happening today. India is politically young. India is on the path of renaissance and is pulsating more and more with life. Muslims and specially Muslim youths have to play a very big part."

Muslims, he added, occupied a very powerful position in the country and the progress of the country depended as much upon them as on the other communities.

The future constitution of India was passing through various stages. There was the scheme of reforms contained in the White Paper. At the meeting of the Council of the Muslim League they had examined the various problems.

Referring to a press statement that he favored the All-India Federation at the first Round Table Conference Mr. Jinnah said that it was absolutely incorrect. From the very first, he was never directly or indirectly in favor of Federation. In this connection Mr. Jinnah said that while he wanted the press to be independent and free, he quarrelled with it when facts were misstated.

Stand United

Addressing the young men Mr. Jinnah said: "The students of today are the leaders of tomorrow. Muslims should prepare themselves. Individual opinion does not count. If they want themselves to be heard, they should have the voice of the people behind them. The Muslim community is not sufficiently organized, trained and equipped and is more or less in no man's land. Make it your own land and allow no trespass.

⁵⁵³ *Times of India*, 05 April 1934.

"Think well before selecting your leader and when you have selected him follow him, but in case you find his policy detrimental to your interests kick him out. "I am not in favor of a stirring programme for youths. Begin with a modest programme and you will have enough stirring things in life."

Mr. Asaf Ali, who presided over the meeting, said that Mr. Jinnah's personality was unique, not only among Muslims, but also among Indian Leaders, for in his whole life no trace of selfishness could be found.

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