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Parties and Politics in the ‘Parting of Ways’ Narrative: Reevaluating Congress-Muslim League Negotiations in Late Colonial India

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Abstract: Historians trying to understand the processes that led to India’s Partition in 1947 have often asseverated that a progressively widening gap between the Indian Muslims and the Congress led nationalist movement ultimately led to the division of the subcontinent. Within this narrative, one strand of opinion has argued that the Congress failed to attract any appreciable Muslim support right from its inception, and that Muslim aloofness from the Congress was of a much longer vintage than most historians often like to acknowledge.¹ A second perspective holds that Muslim alienation became marked after the collapse of the Khilafat movement in the early 1920s that saw Hindu-Muslims riots breaking out in many parts of India.² A third view sees an irreversible ‘parting of ways’ with the rejection of 1928 Nehru Report that was viewed by almost all shades of Indian Muslim opinion as providing insufficient safeguards for India’s Muslim minority.³ But even if there are differences regarding the origins of this rupture, there is consensus that relations between the Congress and the Muslims finally broke down and became irreparable in the aftermath of the 1935 Government of India (GOI) Act, especially after Congress governments were formed in the provinces that excluded the Muslim League.

Keywords: Late Colonial India, Congress, Muslim League

Historians trying to understand the processes that led to India’s Partition in 1947 have often asserted that a progressively widening gap between the Indian Muslims and the Congress led nationalist movement ultimately led to the division of the subcontinent. Within this narrative, one strand of opinion has argued that the Congress failed to attract any appreciable Muslim support right from its inception in 1885, and that Muslim aloofness from the Congress was of a

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much longer vintage than most historians often like to acknowledge.¹ A second perspective locates Muslim alienation from the Congress further along in time in the early 1920s, in the aftermath of the Khilafat movement whose collapse saw Hindu-Muslim riots breaking out in many parts of India.² A third view dates the beginning of Muslim separatism from the 1928 Nehru Report which was rejected by all Indian Muslim groups on the grounds that it provided them with insufficient minority safeguards.³ But even if differences persist on the origins of this rupture, there is scholarly consensus that relations between the Congress and the Muslims broke down and became irreparable after the 1935 Government of India (GOI) Act, especially after Congress ministries formed in the provinces in 1937 excluded the Muslim League.

In this overall story, an influential strand of scholarship has shifted the responsibility for Muslim separatism from the Muslim League (ML) that led the popular movement for creating Pakistan, to the Congress party or more specifically its powerful right wing, claiming that it doggedly prevented a lasting Hindu-Muslim settlement over decades, thus ultimately precipitating the final parting of ways.⁴ “Firmly anchored in Hindu revivalist traditions” and linked to the “Hindu Mahasabha and other Hindu militant bodies”, the right wing allegedly opposed a Congress-Muslim League (ML) rapprochement “right from the days of the [1916] Lucknow Pact.” In this regard, B.S Moonje, the Hindu Mahasabha leader, has been cited as saying that “Vallabhbhai Patel and other right-wing Congressmen constantly urged him to stand firm on a variety of points in the interests of Hinduism.”⁵

Furthermore, these right wing leaders were also instrumental in the Congress decision to form provincial ministries after the 1937 elections, which ultimately kept out the ML. Their alleged hostility towards the Muslims was such that “the Congress right wing in alliance with the Hindu Mahasabha fiercely attacked the [left-wing led] Muslim Mass Contacts program (MMCP) and spared no efforts to thwart its success.”⁶ This calculated assault underlined their “ideological rift with the socialist [Jawaharlal] Nehru, and was based on the fear that the success of mass contacts would further bolster Nehru’s image and provide him, as in the case of Gandhi during the Khilafat days, a solid base among Muslims. Hence, the right wing girded themselves to resist the campaign that threatened their political

¹ Robinson 2000.

² Pandey 2004: 95–96.

³ Kaura 1977.

⁴ Hasan 1979, 1987, 1991.

⁵ Hasan 1993: 13.

⁶ Hasan 1988: 214.

dominance and raised the chances of Nehru's Muslim, socialist, communist allies dominating the Congress.”⁷ These actions, it is argued, gave a fresh lease of life to a moribund ML. It dubbed the provincial Congress governments 'Hindu Raj' and launched a successful program of Muslim mass contacts that crushed the Congress MMCP. It enabled Jinnah to proclaim the ML as the 'sole, authoritative representative organization of the Indian Muslims'. What followed was the articulation of the two-nation theory that was enshrined in the Lahore Resolution and became the foundation of Pakistan.

1 Problems in the existing historiography

Much of this foregoing analysis is rather simplistic and heavily determined by the concerns and agendas of later Nehruvian secularist historiography. To begin with, while it alludes to divisions within the Congress between its right and left wings, it misidentifies and confounds the nature of their differences and more importantly, does not show us how intra-Congress tensions contributed to the process that led to a parting of ways with the Muslims. Secondly, this confusion results from a rather arbitrary and haphazard usage of concepts like 'right wing' and 'left wing', which does not account for the incongruous behavior of these groups that often defied their putative characterization.⁸ Thirdly, in trying to blame the right wing for sabotaging a Hindu-Muslim settlement, the above analysis obfuscates the evolving positions of the left and right wings regarding a range of issues including the communal deadlock, the appropriate methods for dealing with it, and possible solutions to the problem. Finally, it fails to explicate their relationships with parties and groups outside the Congress that inhabited the larger political field—so necessary to understand the politics of the period.

2 Arguments of this essay

Contrary to the above narrative, this essay argues that the most striking political convergence that could be witnessed in the aftermath of the 1935 GOI Act was

⁷ Hasan 1988: 213.

⁸ For a useful overview see Singh 2015. It shows how the 'right' and 'left' are problematic categories, and how their imposition has obscured our understanding of Congress leadership, organization, ideological currents, and dynamics. The essay nonetheless uses these categories since some of the contemporary actors themselves used them.

between the Congress right wing and a new ML under the leadership of M.A Jinnah. It extended to most vital issues of the day and culminated in an agreement between them on a formula for a comprehensive Hindu-Muslim settlement in early 1935. That it was initially kept under wraps and subsequently repudiated by Jinnah is a chronicle that will be recounted as part of the overall reappraisal of the politics of this period. Moreover, the essay contends that it is the growing contradictions between the ML and an ascendant left wing in the Congress under Nehru (that increasingly determined Congress policy on the communal question), which inaugurated political hostilities in India that proved irremediable in the end. The failure to form a coalition ministry in the U.P was precisely due to this development, an episode that this essay will try to explain at some length. In this process, it will also highlight the critical role of the Congress Muslims, the 'nationalist' *ulama* and Muslim socialists in contributing to this failure, an area of enquiry that has largely been ignored thus far. At the same time, the essay suggests going beyond the fixation of existing scholarship on this episode of failure to look at subsequent attempts by Nehru and Congress at reconciliation with the ML, and the reasons behind their failure. Only then will we be able to gain a much better understanding of the fateful politics of the 1930s and 1940s in British India.

3 Structure of the essay

The *first* section of the essay delineates a lesser known episode in the history of attempts at finding a Hindu-Muslim settlement involving secret talks between Rajendra Prasad and M.A Jinnah in early 1935 that led to an agreement between them on a formula that would replace the 1932 Communal Award and end the communal deadlock in India. The formula was however put on hold on Jinnah's insistence after it was rejected by the influential Congress veteran Pandit Madan Mohan Malviya and political groups in Punjab and Bengal that saw it as pandering to the Muslims and sacrificing Hindu interests. The *second* section shows how Jinnah's insistence on temporarily shelving the formula was based on his assessment of its unfeasibility at the time, given the existing balance of forces ranged against it within the Congress and the country at large. Among those who grew increasingly hostile to such communal accords in the aftermath of the 1935 GOI Act, as the *third* section shows, was Jawaharlal Nehru and the ascendant left wing in the Congress. Nehru's growing impatience with Jinnah and the ML's politics led to a growing convergence between him and the Congress Nationalists under Malviya as both espoused 'pure nationalism'. The *fourth*

section goes on to examine how Nehru and Jinnah's differences on the communal problem burst into the open in the context of campaigning for their party candidates during the 1937 elections. Their acrimonious exchanges ultimately doomed the prospects of a Congress-ML coalition but as the *fifth* section shows, they initially did not have an impact on their respective party units in U.P which came to an understanding to fight the government sponsored National Agriculturalist Party in the U.P. The *sixth* section shows how sweeping election victories produced bitter controversies between the Congress left and right wings over the question of ministry making followed by an entente between them. Sections *seven* through *eleven* go over the factors that led to the failure to form a Congress-ML coalition ministry in U.P while section *twelve* charts the subsequent collapse of relations between Jinnah and the right wing. Section *thirteen* looks at how the ensuing byelections to Muslim seats in U.P established an adversarial relationship between the two parties. The essay finally concludes with a mention of Nehru's attempts at rapprochement with Jinnah, how he was rudely rebuffed, and recounts how this analysis allows us to go beyond convenient ideological pieties that have obscured our understanding of Indian politics for this critical period.

4 Rajendra Prasad- Jinnah talks and the attempts at a communal settlement

Broad affinities emerged on various political issues between the Congress right wing and a newly revived ML led by M.A Jinnah in the context of the 1935 GOI Act. Notwithstanding their dissatisfaction with the Act, both sides were not just willing but eager to enter the provincial legislatures and work the reforms, seeing it as the best way of furthering the cause of India's freedom. Secondly, both were committed to negotiating an alternative settlement to the Communal Award. Finally, they were opposed to the rising tide of socialist ideas in Indian politics that emphasized boycott of the new councils, extra-constitutional agitations, and strident denunciation of 'communal' pacts. These affinities become evident from a perusal of negotiations that took place between Rajendra Prasad (a putative Congress right-winger) and Jinnah in New Delhi between January and March 1935, to arrive at a Hindu-Muslim settlement that would replace the Communal Award. Prasad kept detailed notes of their meetings, which provide us with a rich portrait of these discussions.

After an initial exploratory meeting on January 23, 1935, Prasad suggested to Jinnah that the best way forward would be to "jointly formulate some proposals

which you and I could put before our respective organizations as jointly emanating from us.”⁹ The Council of the Muslim League gave its backing to the new initiative and a cautious Jinnah wrote back to Prasad expressing his ability to meet him in “his individual capacity”.¹⁰ He however made important preliminary concessions, explicitly stating that the Award’s acceptance by the Congress was *not* a precondition for the talks. Jinnah also accepted that an agreement on joint electorates replacing separate electorates was the goal of these negotiations thus addressing the Congress concerns for the party saw separate electorates as the biggest obstacle in the development of a unified Indian nationalism.¹¹

The talks began on the question of weightage for minorities in the provinces. Jinnah stood by the general principle that if the majority community in any province did not suffer due to weightage given to minorities, they should be prepared to concede it. Weightage was necessary for the minority to have a “living interest” in and feel that it too was responsible for the government of the province. Prasad agreed with this principle which made Jinnah remark that the Congress was certainly being more generous than the Hindu Mahasabha. The latter, at the Unity talks during the previous year, was willing to concede Muslim legislative majorities in Punjab and Bengal, but only if they relinquished weightage in other provinces. Jinnah wanted weightage to be given to Muslims throughout British India on the model of Bihar and UP, where they enjoyed representation that was double their proportion of the provincial population. He therefore underscored the abiding centrality of the interests of minority provinces Muslims in any Hindu-Muslim settlement.

Weightage however became a stumbling block in Punjab and Bengal. While Muslim legislative majorities here had earlier been sacrificed for the sake of weightage in the Muslim minority provinces, the Award and the rise of powerful Muslim politicians in Punjab and Bengal no longer allowed for such compromises.¹² Prasad highlighted Hindu concerns in these provinces where even though the Hindus were in a minority, weightage to third parties was given not only out of the share of the Muslim majority, but also from that of the Hindus. This injustice was heightened by the fact that more was taken out of the Hindu share. It was therefore only fair that any further weightage to third parties

⁹ AICC File G-64/ 1937 *Notes kept by Rajendra Prasad of his talks with Mr. M.A Jinnah on January 28, 1935 at 13, Asoka Road New Delhi between 2.30–4.30 pm.*

¹⁰ Prasad too was authorized to meet Jinnah in his individual capacity initially. See Gandhi to Prasad, January 21, 1935, in *Collected Works of Mahatma Gandhi* (CWMG), Vol. 66: 68.

¹¹ Jinnah elsewhere declared that he “was not satisfied with the Communal Award ... my self-respect will never be satisfied till we produce our own scheme.” See Jalal 1985: 14.

¹² For details regarding the Lucknow Pact, see Owen 1972.

be given from the share of the Muslims. Jinnah acknowledged Prasad's concerns but pointed out that Muslim majorities in the Punjab and Bengal were slender making any further concessions quite impossible. Thus, the Sikh demand for more weightage in Punjab had to be met out of the Hindu share and it was the Congress' responsibility to bring them around on this point. However, in NWFP and Sind where the Muslims had an overwhelming majority, he assured Prasad that granting extra weightage to the Hindus and Sikhs would not be a problem.

As the first round of talks ended, Prasad asked Jinnah as to what he thought would be the result of any agreement between them, for "there would still be left people who would not accept our settlement and in that case the Award would still continue in force."¹³ Jinnah agreed that it was impossible that all Hindus, Muslims and Sikhs would ever agree on their settlement, but if the bulk of these communities were to accept it, the government would not be able to resist such a united demand. As Prasad wrote in his notes, "Mr. Jinnah further expatiated on the usefulness of a settlement as unity was our only sanction."¹⁴ Even if the negotiations were to fail, Jinnah felt that nothing would be lost. The conversations were to be kept confidential to rule out any mischief.

Prasad now probed Jinnah regarding his views on the new Constitution and found more common ground. Jinnah expressed his opposition to the vigorous tactics against it by an ascendant left wing in the Congress under Nehru that vociferously demanded 'complete independence'. He told Prasad that the Congress needed to eschew such phrases and sit down with the others to define the demand for a transfer of power on subjects like Defence, Finance, and Foreign Relations. Only such a strategy would bring convergence between different political groups in India including the Liberals, Muslims, and the Hindu Mahasabha. Insistence on 'complete independence' would only cause all these groups to withdraw. Jinnah's views on the provincial part of the new Constitution also came close to Prasad's. He saw "the provincial constitution with extended franchise, transfer of all departments to responsible ministers and wholly elected house [as] all sound."¹⁵ He also decried the special powers of the Governor and Police Powers. He was non-committal on the second chamber but felt it could not be a basis for rejecting the Constitution. Regarding the Centre, where the British government's proposed federation would shut out any

¹³ AICC File G-64/1937 *Notes kept by Rajendra Prasad of his talks with Mr. M.A Jinnah on January 28, 1935 at 13, Asoka Road New Delhi between 2.30–4.30 pm.*

¹⁴ AICC File G-64/1937 *Notes kept by Rajendra Prasad of his talks with Mr. M.A Jinnah on January 28, 1935 at 13, Asoka Road New Delhi between 2.30–4.30 pm.*

¹⁵ AICC File G-64/1937, *Notes of Conversation between Mr. M.A Jinnah and Babu Rajendra Prasad held on January 30, 1935 at 13 Asoka Road, New Delhi, between 4:30–6:00 pm.*

nationalist advance, Jinnah to Prasad's delight, unequivocally declared that "the scheme was fundamentally wrong". As Prasad enthusiastically wrote in his notes, "I find Mr. Jinnah going considerable way in meeting us on this point-in fact, he might go further than Mr. Sastri and the Liberals. If the Congress insisted on demanding 14 annas and Mr. Jinnah felt that we should not demand more than 12 annas, he would not press his view to a breaking point and fall in line with us."¹⁶

After this initial conversation, Prasad and Jinnah began to consult colleagues across the political spectrum. While Jinnah parleyed with various Muslim leaders, Prasad, Patel and Bhulabhai Desai started consultations with Pandit Madan Mohan Malviya. Malviya conceded weightage for Hindus and Muslims in provinces other than Punjab and Bengal only to the extent provided for in the Communal Award. He was also willing to concede 51% of the seats in these two provinces to the Muslims thus giving them a legislative majority. In the case of Bengal, he accepted the current distribution of seats subject to the condition that the Hindus and Muslims jointly press for reduction of European seats and distribute the seats so obtained amongst themselves. Malviya however was adamant that Muslim representation at the Centre should be restricted to one-third of the general seats.¹⁷ He was particularly irked by the fact that besides the one-third, the Muslims were also adding to their numbers through special constituencies such as commerce and landholders.

The Congress next turned to local groups in Punjab and Bengal. The Sikhs expressed dissatisfaction with weightage given to them- 19% representation in the legislative assembly even though they constituted 13% of the Punjab's population. Jinnah was ready to give the Sikhs 25%, but Punjab offered no opportunities for such margins. Prasad presented the Congress proposal to raise the seats in the Punjab Legislative assembly from 175 to 200 with the Muslims receiving 102 seats (51%), the Hindus 54 seats (27%) and the Sikhs 40 seats (24%) which would come close to satisfying the Sikh demand. But this formula was not pursued further given the additional complications involving representation for other minorities such as Indian Christians, Anglo-Indians, and Europeans. They next considered a Unionist Party formula that provided for joint electorates, reservation of seats as given in the Award, and distribution of constituencies among communities with a constituency going to the community

¹⁶ AICC File G-64/1937, *Notes of Conversation between Mr. M.A Jinnah and Babu Rajendra Prasad held on January 30, 1935 at 13 Asoka Road, New Delhi, between 4:30–6:00 pm.*

¹⁷ AICC File G-64/1937, *Notes of Conversation Between Pandit Madan Mohan Malviya on one side and Sardar Vallabhbhai Patel, Syt Bhulabhai Desai and Babu Rajendra Prasad on the other at Birla House on January 30, 1935 10 pm-12 midnight.*

with a majority in it. Franchise was to reflect the proportion of population and thus involve revision of the electoral rolls.¹⁸ Jinnah and Prasad agreed with the basis of this formula. The Muslim majority would be further protected by preventing constituencies from overlapping. Jinnah offered the Sikhs, the smallest of the minorities, the first opportunity to select the constituencies they liked, followed by the Hindus, with the remaining ones going to the Muslims.

In Bengal, Jinnah conceded Malviya's point regarding the allocation of seats. He also acknowledged that the Bengali Hindus had suffered a double blow, since they had fewer seats in the legislature than warranted by their population number. The Poona Pact had further reduced their share by allotting a portion from their kitty to the Depressed Classes. Prasad saw prospects opening in Bengal since some Depressed Class leaders were willing to adjust in Bengal if weightage was given to them in other provinces. Prasad and Jinnah finally agreed upon a formula that could be further discussed with various groups in Punjab and Bengal. The formula had Gandhi and the CWC's blessings.¹⁹

1. Franchise to be so framed and adjusted as to reflect the proportion of population of the various communities in the Electoral rolls for the provinces and the center and for that purpose, differential franchise to be adopted wherever necessary.
2. There shall be no overlapping of electorates or constituencies.
3. That in the Punjab, the Sikhs shall choose the number of constituencies for seats allotted to them in the Award and thereafter the Hindus will have choice to fix on such constituencies as they may desire for the number allotted to them, and the remaining constituencies shall be awarded to the Musalmans as in the award excluding the seats allotted to the Europeans, Anglo-Indians, Indian Christians, and special constituencies.
4. In Bengal it is agreed between the Hindus and Musalmans that if any seats are obtained from Europeans, the same shall be divided between Hindus and Musalmans in proportion to their population in the province. Joint efforts to be made by the Hindus and Musalmans to persuade the Europeans to release as many seats as they can possibly do from the quota allotted to them from the Award. Subject to this the seats allotted to the Musalmans under the Award are to remain reserved for them, excluding

¹⁸ AICC File G-64/1937, *Notes of Conversation between Mr. M.A Jinnah and Babu Rajendra Prasad held on February 12, 1935 at 13, Asoka Road New Delhi between 6:30–7:30 pm.*

¹⁹ Gandhi to Rajendra Prasad, February 7, 1935, CWMG, Vol. 66: 188. "I have your letter. If the kind of compromise you have outlined in your letter can be brought about, I would love it."

the seats given to Europeans, Anglo Indians, Indian Christians and special constituencies.

5. As regards other provinces the number of seats reserved for the Musalmans to be as given in the award exclusive of special constituencies and those allotted to Europeans, Anglo-Indians and Indian Christians.
6. Similarly, seats allotted to Musalmans for Central legislatures by the Award to remain reserved for them.
7. On that basis it is agreed that Joint Electorate shall replace separate electorates in all the provinces and in the Centre.²⁰

Initial responses to the formula were encouraging. The AIML in its February 16, 1935 meeting authorized Jinnah to carry on negotiations if Muslim seats under the Award were not reduced. Prasad met the Bengali Hindu contingent of P.N Bannerji, Surya Kumar Shome, and Amarendranath Chatterji, all of whom liked the formula. G.D Birla met Sir N.N Sircar who gave his support for the scheme. Malviya was contacted on phone and seemed willing to agree if Muslim representation at the Centre was capped at one-third of the seats. Bhulabhai Desai traveled to Lahore to lobby the Punjabi Hindus. Raja Narendranath, Manohar Lal, Sevak Ram, G.C Narang pledged support for the scheme but the Sikhs were not proving to be amenable. The plot thickened as Malviya arrived in Delhi on 20 February for further confabulations. He repeated his objections to the formula. The Muslims had more seats at the Centre than the one-third awarded to them under the Award and the Bengali Hindus had been done injustice. Besides, the Muslims had secured too much weightage in other provinces. He saw the current deal as a diluted form of the Communal Award. He was bluntly told that the Muslims already had the Award in their favor and that the Congress was trying to make the best out of a bad situation. Malviya however insisted that the Congress was playing a weak hand from a position of strength. The Muslims were anxious for a compromise and would give in if they held firm. Jinnah however refused to concede on the question of the Centre. He told Prasad that he would be hounded out and nobody would listen to him on the Muslim side if he gave in to such demands. He also reminded Prasad that the Muslims already had the Award in their favor. The Congress now decided to get the formula accepted by as many Hindu leaders as possible to pile further pressure on Malviya. If he still refused, Malviya would either be ignored or fought.

Master Tara Singh, Gyani Kartar Singh and Sardar Mangal Singh next presented the Sikh charter of demands to Prasad- 5% representation in both

²⁰ AICC File G-64/1937 *Notes of Conversations between Babu Rajendra Prasad and Mr. M.A Jinnah held on February 13th-14, 1935.*

houses of the Central legislature, and a seat each for Sikh women and Sikhs from the NWFP in the lower house. They also wanted one permanent Sikh Minister from British India in the central cabinet. In Bengal Makhenlal Sen, Jitendranath Mitter and Dr. Radhakumud Mukherjee objected to differential franchise and wanted a time limit of ten years for reservations of seats. They also demanded that after excluding 51 seats for special constituencies, the 199 general seats be divided on a population basis. The Muslims currently were getting 119 seats or 60% and the Hindus 80 seats or 40%. Redistribution would see the Muslims get 110 seats or 55% and the Hindus 90 or 45% making the Muslim position rather vulnerable. The stiffening in the position of these groups was evidently due to Malviya's influence as Prasad, G.B Pant, and Kripalani discovered when they next met. The Sikhs also raised fresh objections to statutory majorities for the Muslims and differential franchise. Sardar Mangal Singh objected to the differential franchise since it meant that a follower of the Prophet could get a vote by paying less than a follower of the Guru.²¹

As the unity talks unraveled, a desperate Prasad asked Jinnah whether a Congress-ML pact would be enough, disregarding the views of Malviya and recalcitrant elements from Bengal and Punjab. A long discussion ensued over the procedure of how to get the agreement ratified. Prasad wanted to know if resolutions by legislators or assemblies would be enough. Jinnah responded that signatures of communal organizations and individual leaders alone would count with the government. The best approach was to secure signatures of leaders of Hindu, Muslim and Sikh organizations, followed by resolutions of support from their organizations, followed by resolutions of Legislators belonging to these communities. The Muslims however were anxious to know whether the Mahasabha and Sikh leaders found the formula acceptable and were particularly keen to know Malviya's mind. If his signature could be secured, Jinnah was confident of carrying the Muslims with him.

Prasad expressed the Congress inability to convince Malviya but reiterated its readiness to ignore him and his associates and fight them if necessary. It was however ready to sign a deal with the Muslim League disregarding the malcontents on the Hindu side. But Jinnah was adamant that Malviya could not be ignored. The object was to stop political agitation in the country "by getting the Award changed, but the government would not accept the League-Congress agreement and would not change the Award. The agitation would therefore

²¹ AICC File G-64/1937 *Notes of Conversations between Babu Rajendra Prasad and Mr. M.A Jinnah held on February 26, 1935.*

continue. It was therefore useless.”²² Prasad therefore threw in the towel as well. The whole exercise though ended on a cordial note. Their joint statement indicated their own agreement over the formula but its rejection by other stakeholders. As it noted, “we have made an earnest effort to find a solution to the communal problem which would satisfy all the parties concerned. We regret that in spite of our best efforts we have not been able to find such a formula. We realize that communal harmony and concord are essential for the progress of the country, and we can only hope that forces will arise which will make a future attempt more fruitful.”²³

5 Understanding the missed opportunity: The Congress high command, Communal Award, and Pandit Madan Mohan Malviya

Malviya conceded a core Muslim demand that he and the Hindu Mahasabha had steadfastly refused to consider throughout the 1920s- statutory majorities for Muslims in Punjab and Bengal. Yet, existing historiography has blamed him for this missed opportunity at settling the communal question in India.²⁴ Even if we were to consider him partly responsible for this failure, the question remains as to why Malviya’s approval of the formula was deemed so necessary by Jinnah. On the face of it, Jinnah’s insistence was not surprising given the *Mahamana*’s influence not just in Hindu circles in Punjab and Bengal but in the country at large. Malviya and his associates had been carrying on a countrywide agitation to get the Communal Award annulled besides lobbying London on this issue. There was a lingering apprehension on the Muslim side that the British government could cave in as in the case of the partition of Bengal, which was annulled under sustained Hindu pressure. Muslim apprehensions regarding the Communal Award were heightened because it was provisional pending any settlement between representatives of India’s communities, as stated in the text of the Award itself. There was added fear that they might get trapped into another Poona like pact (signed by Ambedkar and Gandhi), based on the Nehru Report recommendations whose safeguards they deemed unsatisfactory.

²² AICC File G-64/1937 *Notes of Conversations between Babu Rajendra Prasad and Mr. M.A Jinnah held on February 27, 1935.*

²³ *Indian Annual Review* (IAR), Vol. 1, January-June 1935: 295.

²⁴ Hasan 1987b. Jalal however blames the Bengal Hindu Mahasabha in particular. See Jalal 1985: 14.

But a far more crucial factor in Jinnah's insistence regarding Malviya's assent may have been his assessment of the latter's overall importance in the Congress organization. That Malviya was not someone who could be safely ignored was evident from his influence within the Congress and his success outside whenever he broke away from the organization. The humiliating defeat that his Independent Congress Party (that had broken away from the Congress in the name of protecting Hindu interests) inflicted on the Congress Swarajists under Motilal Nehru during the 1926 council elections in UP, was not far from memory.²⁵ Malviya's resignation from the Congress Parliamentary Board and his creation of the Congress Nationalist Party (CNP) in 1934 to defend 'pure nationalism' and compel the Congress to modify its posture of 'neutrality' towards the Award, caused much alarm. The Congress Working Committee (CWC) dominated by the right wing initiated conciliatory talks with Malviya to heal the breach. The initial meeting between the CNP (represented by Malviya and M. S. Aney) and the CWC at Wardha in September 1934, with Gandhi as the mediator, ended in an impasse. The CWC agreed with Malviya that the Communal Award was anti-national but differed with him on the question of tactics best suited to end it. It therefore refused to alter its stance of neutrality towards the Award and forbade Congress candidates to make it a plank in their election campaign for the 1934 Central Assembly elections. It further forbade freedom of conscience to successful Congress candidates when voting on this issue in the Central Assembly. As Malviya and Aney pressed harder, the CWC made a slight concession, allowing freedom of conscience to just the two of them. It however rejected their proposal that the Congress allot a certain number of seats to the CNP for the Central Assembly elections.

At the AICC session at Bombay a month later, Malviya proposed an amendment to the Congress resolution on the Communal Award that would emphatically underline its rejection. In response, the 'right-wing' leader Vallabhbhai Patel calmly reiterated the High Command's stance. Patel declared that while he agreed with Malviya's sentiments, he disagreed with the former's tactics of attacking the Award as it would only lead to its perpetuation.²⁶ He rubbished "making a fetish of conscience" on the matter since it was "entirely a question of political consideration or expediency".²⁷ He also refuted Malviya's assertion that the CNP had a better claim to using the name 'Congress' than the Congress Parliamentary Board itself.²⁸ A breakdown between the two sides appeared

²⁵ Reeves, Graham, Goodman 1975: lxiv-lxv.

²⁶ *IAR*, Vol. 2: 254.

²⁷ Chopra 1994: 225.

²⁸ Chopra 1994: 184.

imminent as Malviya now declared his intention to field candidates against the official Congress nominees in the elections to the Central Assembly. In the end, the CNP supported official Congress nominees at many places, contested against some official Congress candidates, while also backing candidates belonging to the Hindu Mahasabha, Democratic Swaraj Party, and National Liberal Federation at other places.²⁹

Malviya kept up pressure on the Congress as evident from the election petition that his nephew Krishna Kant Malviya filed against its candidate Munshi Ishwar Saran who had won the election from the Gorakhpur-Benares seat. Saran was forced to resign his seat as a result. The Congress asked Uma Nehru to file papers to contest the seat but subsequently made her withdraw so that Krishna Kant Malviya could be the Congress candidate. Krishna Kant ended up getting elected unopposed. G.B Pant, another right winger, brokered this compromise and it was understood that Krishna Kant would vacate the seat as and when the *Mahamana* himself decided to enter the Central Assembly.³⁰ As evident, while taking cognizance of Malviya and making sure to not alienate him, the right wing stuck to its position on the Communal Award and ceded no ground to the veteran.

6 Another factor in the missed opportunity: Jawaharlal Nehru, socialism, and the communal question in India

The Congress right wing policy of gradualism, consultations, and consensus building on the communal question may have reassured Jinnah. But he would certainly have taken note of the ascendance of Jawaharlal Nehru and the left wing which increasingly influenced Congress policy on the communal question, and whose opinion regarding the Communal Award increasingly coincided with that of Malviya with both decrying claims for special representation and emphasizing ‘pure nationalism’. This convergence was not because of Nehru’s suddenly discovering Malviya as an ideological co-traveler. He certainly respected Malviya for his contributions to national life calling him an “indomitable and brave old man.”³¹ But he also confessed in his prison diary about “how difficult

²⁹ See Vasudevan 1987.

³⁰ Nanda 1993: 328.

³¹ Gopal 1972, Vol. 5: 484.

it is to understand each other. We move in different worlds of thought.”³² Yet, a convergence between their positions took place due to Nehru’s thought evolving under the influence of socialist doctrines, particularly after his trip to Europe in 1926–27 and then again in 1935–36. As his biographer Sarvepalli Gopal noted, Nehru came to believe that “history of man was the history of class conflicts and social struggles.”³³ He foresaw “an inevitable universal swing, not necessarily to the Soviet model, but towards the general lines of Soviet conception. The choice was between some form of Communism and some form of fascism.”³⁴ By now, Nehru also “disliked temple going, was scornful of ritual, regarded prayers as morbid ... and was particularly concerned with savagery committed in the name of religion.”³⁵

Nehru declared that the Hindu-Muslim problem did not exist since it did not affect the masses. The economic issue was the real problem and only an economic transformation of Indian society along socialistic lines addressing the problems of poverty and unemployment would end communalism. Communalism was anyways dying a natural death, as class became the new locus of community and older forms of identification faded away. Given this conviction, when asked as to how he would attract the Muslims into the Congress, Nehru responded, “I will bring in the Musalmans by treating them as non-Muslims, i. e., approach them with the economic issue ... My appeal will not be to the top leaders but to the masses with whom the economic reality is bound to prevail.”³⁶ It was only a matter of time before parties in India would be based on economic ideals. As he stated, “it will be ridiculous to think of parties formed on religious or communal basis. Religion ought to have nothing to do with politics or economics.”³⁷

For Nehru, the problems of the minority primarily pertained only to “freedom of language, script, religion, and culture.” These had been granted by the Congress in its Karachi Resolution with its declaration of fundamental rights. The focus on representation in legislatures and share in the spoils of offices was hence a “fundamentally wrong view of the subject.” He saw separate electorates as especially harmful “not only for the nation but also for the minority” as it militated against the development of a national consciousness.³⁸ He confessed

³² Gopal 1972, Vol. 5: 488.

³³ Gopal 1976: 174.

³⁴ Gopal 1976: 178.

³⁵ Gopal 1976: 175.

³⁶ Gopal 1972, Vol. 7: 277.

³⁷ Gopal 1972, Vol. 7: 277.

³⁸ Gopal 1972, Vol. 7: 284.

that he himself was thinking of something beyond both joint electorates and separate electorates. He was in fact waiting for a chance to sweep away both and aiming at a Socialist republic. Nehru insisted that while “a great majority of thinking Muslims favors joint electorates, a majority of unthinking Muslims demands separate electorates.” He therefore clarified that “the latter should not expect the Congress to sit upon their Muslim colleagues who stand by them and work with them and hand them over to those who sit on the fence while the fight is on. If they expect that, it will simply be an amazing expectation. *Much as the Congress wishes to solve the question, it cannot sacrifice one minority for another.*”³⁹ [emphasis mine]. These were prophetic words.

Nehru minced no words while expressing his intense dislike for communal politics.⁴⁰ The Muslim League did not represent “any large groups of Muslims in India except in the sense that they exploit prevailing communal sentiment.” The leaders of these organizations were not only “patently and intensely communal” but “definitely anti-national and political reactionaries of the worst kind”, who did “not even look forward to any common nation developing in India.” He pointed out that the Aga Khan, Sir Mohammad Iqbal, and Shafaat Ahmed Khan, in the House of Commons, had underlined “the inherent impossibility of securing any merger of Hindu and Muslim political or indeed social interests” and “the impracticability of governing India through anything but a British agency.”⁴¹

Jinnah’s politics especially irritated Nehru. As he bluntly stated, “If I had to listen to my dear friend Mohammad Ali Jinnah talking the most unmitigated nonsense about his 14 points for any length of time, I would have to consider the desirability of retiring to the South Sea Islands, where there would be some hope of meeting with some people who were intelligent enough or ignorant enough not to talk of the 14 points.”⁴² He was equally blunt about the Communal Award calling it “absurd and useless”, “a dangerous thing that will check the progress of the fight for independence.”⁴³ Away in Europe in connection with his wife Kamala’s treatment for tuberculosis during the Prasad-Jinnah talks, on his return to India, Nehru insisted that attempts at communal pacts between elites at all-party conferences were futile exercises.⁴⁴ The communal question could

³⁹ Gopal 1972, Vol. 7: 285.

⁴⁰ It must be noted that Nehru was harder on Hindu communalism. For example, see Gopal 1972, Vol. 6: 162–165.

⁴¹ Gopal 1972, Vol. 6: 163.

⁴² Gopal 1972, Vol. 5: 47.

⁴³ Gopal 1972, Vol. 7: 238.

⁴⁴ Gopal 1972, Vol. 7: 189.

not be resolved by self-styled leaders of different communities. It could be decided only by the Constituent Assembly elected by the people.⁴⁵ It would therefore happen only after the overthrow of British imperialism.

At the 1936 AICC meeting in Bombay Nehru declared that individuals were free to express their opposition to the Communal Award.⁴⁶ This signaled a change from the earlier Congress position which had forced Malviya and Aney to resign from the Congress and start the CNP. This shift was motivated by a revolt by the Bengal Congress, which defying the High Command, passed a resolution denouncing the Award and sought its repeal at the earliest. Nehru expressed his sympathy with the Bengal Congressmen noting that he could not complain about their attitude since the Award "wiped out the whole Hindu political class and intelligentsia in Bengal".⁴⁷ The Congress election manifesto drafted by Nehru now declared that the "rejection of the new Act involves the rejection of the communal decision, that even apart from the Act, the communal decision was wholly unacceptable, that the attitude of the Congress towards the communal decision was not one of indifference or neutrality and that the Congress disapproves strongly the communal decision and likes to end it."⁴⁸

Nehru's diagnosis of the communal problem in the light of socialist principles and his attempts to push the Congress towards a more explicitly socialist orientation sharpened his differences with his right wing colleagues in the CWC. Rajendra Prasad made a direct attack on Nehru's ideas in a public speech at Chapra in Bihar.

There may come a time when the poor and oppressed people of one community may make common cause with their comrades of other communities against their common enemy but I feel that such a future is far off. Let us face the reality. What do we see today around us? If a Hindu ruler oppresses his Muslim subjects we find Hindu subjects not making common cause with their Muslim comrades in redressing their grievances and the same thing we find in Muslim states as well between Hindu and Muslim subjects. In such circumstances is it practical politics to say that all our communal and inter-communal or inter-provincial differences will vanish away in no time if we can concentrate our attention on the economic problem and solve it along socialistic lines? This may be possible in the distant future after we have won our self-government but is it possible today, I ask in the present circumstances? Let us not at present create fresh and new problems for solution and thereby accentuate our difficulties in finding a solution of the existing problems.⁴⁹

⁴⁵ Gopal 1972, Vol. 7: 237.

⁴⁶ *The Pioneer*, August 25, 1936.

⁴⁷ Gopal 1972, Vol. 7: 83.

⁴⁸ Gopal 1972, Vol. 7: 462.

⁴⁹ *The Leader*, June 3, 1936.

Nehru however continued with his socialistic utterances claiming that he was making them in his individual capacity and not as the Congress President. This led to a swift response from N. B. Khare a right-wing Congressman from the Central Provinces who declared that Nehru's socialist campaign militated against the collective responsibility of the CWC. Khare also observed that in practice the distinction between Nehru's individual capacity and Congress President was "as insignificant as that between Tweedledum and Tweedle-dee."⁵⁰ The tensions that grew as a result of Nehru's socialist utterances led to Prasad and his right wing colleagues threatening to resign from the CWC but peace was restored as a result of Gandhi's mediation.⁵¹ In the end, the dilemma within the Congress over the Communal Award was not resolved. It was instead placed on the backburner and the party officially stuck to its ambiguous position of neutrality.

7 The 1937 election campaign, Nehru-Jinnah Polemics, and the beginnings of a rupture

As the election campaign progressed, intra-Congress tensions were upstaged by acrimonious public exchanges between Nehru and Jinnah given their divergent views on the communal question. Speaking in his hometown Allahabad in September 1936, Nehru declared that "the real contest is between two forces—the Congress as representing the will to freedom of the nation, and the British government in India and its supporters who oppose this urge and try to suppress it. Intermediate groups whatever virtue they may possess fade out or line up with one of the two forces."⁵² Jinnah begged to differ, seeing an important role for the revived Muslim League of which he was the new President. He instead expected "progressive elements of the different communities" to cooperate with each other and assured the Congress of the ML's cooperation in the legislatures. He however wanted Hindu friends to "weed out much of their stock". When that happened, "better Hindus and better Muslims will be sent to the legislatures and when they come together there will be genuine agreement between them."⁵³ Nehru responded to Jinnah's offer by declaring that he did not want "mays" and

⁵⁰ *The Leader*, June 15, 1936.

⁵¹ These tensions had been growing since 1934 that saw the birth of the Congress Socialist Party. See Som 1995.

⁵² Gopal 1972, Vol. 7: 468.

⁵³ *The Leader*, November 5, 1936.

"buts", he wanted "fighters". He emphasized that "so far as we are concerned, we rely on Congressmen *alone*- Congress Hindus, Congress Muslims, or Congress Sikhs. So far as our fight for freedom is concerned, it is going to be carried out by *the Indian National Congress and the Indian National Congress alone* [emphases mine]. We are not going to rely on any communal group however liberal they may seem."⁵⁴

Cut to the quick, Jinnah countered that there was a "third party" in India, the Muslims, who refused to be camp followers of any organization but were "willing as equal partners to come to a settlement with our sister communities in the interest of India."⁵⁵ The ML, he added, was the only political party in India that counted among Muslims. Dismissing Nehru's socialist rhetoric, he cautioned Muslims to not be "led away by cries of hunger and dal-bhat since nobody in the world can solve the fundamental, economic, financial and social problems of a country overnight."⁵⁶ Warning the Congress to not interfere in Muslim affairs and to leave them alone, he called for another pact like a 1916 Lucknow Pact, "a landmark in the political history of India" that could be achieved again through "sound common sense, practical wisdom, and better understanding". The Muslims, he concluded, would not "lag behind in the struggle for freedom", and in spite of separate electorates would join the Hindus to "form one party, provided they could agree upon a common policy and program according to which they could work both inside the legislatures and outside."⁵⁷

Nehru reacted sharply calling Jinnah's utterances "communalism raised to the nth power", bearing a strong resemblance to the Hindu Mahasabha leader Bhai Parmanand's advocacy on behalf of Hindu communalists. Anticipating the political vocabulary Jinnah would soon begin to use, Nehru pointed out that "carried to a logical conclusion, Mr. Jinnah's statement means that in no department of public activity must non-Muslims have anything to do with Muslim affairs. In politics and in social and economic matters Muslims must function separately as a group and deal with other groups as one *nation* deals with another. So also in trade unions, peasant unions, business, chambers of commerce, and like organizations and activities, Muslims in India are indeed a *nation* apart and those who forget this fact commit a sin against the Holy Ghost and offend Mr. Jinnah" [emphases mine]. Dripping with sarcasm, Nehru asked "Again, who are the Muslims? Apparently, only those who follow Jinnah and the Muslim League." He noted that when Maulana Mohammad Ali joined

54 Gopal 1972, Vol. 7: 538.

55 *The Star of India*, January 4, 1937 (Chopra 1986: 14).

56 Chopra 1986: 14.

57 *Star of India*, January 9, 1937, quoted in Tirmizi 1998: 88–89.

the Congress, Jinnah claimed that he fought against the Muslims. That the Congress had “thousands of Muslim members and millions who sympathized with it” seemed to not matter to Jinnah. Nor the fact that powerful Muslim organizations in Punjab and Bengal were outside the fold of the Muslim League. According to Jinnah’s “new test of orthodoxy” they too were therefore not Muslim. Nehru asked with some asperity, “what exactly would Mr. Jinnah like us, of the Congress to do with large number of Muslims, I do not know. Would he like us to ask them to resign and go on bended knee to him?”⁵⁸

For Nehru, Jinnah’s ideas were “medieval and out of date” with “no relation whatever to modern conditions and modern problems which are essentially economic and political.” Religion was about personal faith and “to stress religion in matters political and economic is obscurantism and leads to avoidance of real issues.” The ties that bound people according to Nehru, were “common economic interests, and in case of a subject country especially, a common national interest.”⁵⁹ He ridiculed the Independent Party that Jinnah led in the Central Assembly as having “no common principle or policy binding it” that would fall apart if confronted by any real problem. Such would “also be the fate of communal parties.”⁶⁰ Questioning the ML’s credentials, he demanded to know whether it stood for India’s independence. He answered the question himself. “I believe not. It represents a group of Muslims, no doubt highly estimable persons, but functioning in the higher regions of the upper middle classes and having no contacts with Muslim masses and few even with the Muslim lower middle class.” Nehru concluded on a rather condescending note: “May I suggest to Mr. Jinnah that I come into greater touch with the Muslim masses than most members of the Muslim League? I know more about their hunger and poverty and misery than those who talk in terms of percentages and seats in the council and places in the state services.” Vast Muslim audiences in the Punjab and elsewhere had not asked him about “communal problem or percentages or separate electorates” but were interested in “land revenue or rent, of debt, of water rates, of unemployment, and the many other burdens they carry.”⁶¹ In another sharply worded speech a few days later, he declared that “all those people who speak in terms of Hindu rights and Muslim interests are job hunters pure and simple and fight for the loaves and fishes of office. How long are you going to tolerate this nonsense, this absurdity?”⁶²

⁵⁸ Gopal 1972, Vol. 7: 119–120.

⁵⁹ Gopal 1972, Vol. 7: 120.

⁶⁰ Gopal 1972, Vol. 7: 121.

⁶¹ Gopal 1972, Vol. 7: 121.

⁶² Gopal 1972, Vol. 8: 7.

Jinnah's rejoinder to Nehru's acerbic statements was acidic. Dismissing Nehru's call for "real fighters" as "flippant", he emphasized that the communal problem was not a non-issue but a serious political problem that needed to be resolved. Nehru himself had recently written "at least three essays with regard to the policy and the attitude of the Congress towards the Communal Award in order to placate the other parties" and yet glibly described the communal question as "not vital".⁶³ Alluding to a convergence of opinion on the Communal Award between Nehru and Malviya, Jinnah harshly noted that Nehru was "torn between Benares and Moscow". If the Congress had a large body of Muslim followers, Jinnah demanded to know why it was not contesting every Muslim seat. Referring to Nehru's recent speech wherein he grandly "promised to give a blank cheque to the Musalmans which he was willing to write with an Indian pen on *Swadeshi* paper", Jinnah wanted to know what happened to that blank cheque.⁶⁴ He summarily rejected Nehru's claim about the Congress exclusively representing all of India.⁶⁵ Moreover, he LOFTILY emphasized a vital difference between himself and Bhai Parmanand. The latter, he claimed, stood for Hindu Raj "whereas I stand for a full democratic responsible government for the people of India."⁶⁶

Brushing off Nehru's derisive dismissal of the ML on class grounds, Jinnah sharply reminded him that the Congress High Command too was composed of "estimable persons belonging to the upper middle class". "Where are the peasants and the workers", he caustically enquired. He dismissed Congress Muslims as "a few adventurers or credulous persons belonging to other communities thrown in and who have no backing of their people." Sharpening his attack, Jinnah claimed that "even the bulk of patriotic and nationalist Hindus" were not with the Congress as they did not subscribe to its methods. He therefore insisted that the Congress was not "the sole custodian of Indian nationalism." The ML itself, he added, did not believe in simply assuming a non-communal label for the sake of appearances. He again appealed to Nehru's better instincts. "Why create this controversy and attack the ML, whose policy and programme is a full blooded national one?" The ML only disagreed with "certain methods and means to which the Congress stands pledged."⁶⁷ Accusing Nehru of impractical politics, he noted that the Congress leader talked of wiping off all the Princes and Indian States, destroying capitalists, confiscating their lands and property,

⁶³ Gopal 1972, Vol. 8: 7.

⁶⁴ Gopal 1972, Vol. 8: 99.

⁶⁵ Gopal 1972, Vol. 8: 98–99.

⁶⁶ Gopal 1972, Vol. 8: 100.

⁶⁷ Gopal 1972, Vol. 8: 100.

setting up a socialist form of government, and for a united front for achieving freedom with a Constituent Assembly deciding everything later at some unknown date. Jinnah witheringly noted: "I would request him to come to earth and study more the existing conditions and facts facing us and apply his energy and his ability as a practical man to the solution of problems that are facing us and cry a halt and give up his fantastic programme. Is he going to rise or remain as Peter Pan, who never grew up?"⁶⁸

Perturbed by the growing acrimony, the veteran Khilafatist Shaukat Ali urged Nehru to stop the controversy since it was harming the prospects of Indian unity. He conceded that Nehru was right that the two parties in the country were the government and the people of India, but the people included not only the Congress but also the ML which represented "the overwhelming majority of and better minds among Muslims."⁶⁹ On the other hand, Maulana Azad, the pre-eminent Congress Muslim, noted that "there are only two courses open to [Muslims]: supporting the Congress to win the sympathy and help of tolerant Hindus or by keeping aloof from it to strengthen the hands of fanatical Hindus."⁷⁰ The Muslims, he believed, would do well by opting for the former course.

8 The 1937 elections, Congress and Muslim League in the United Provinces

The belligerent exchanges between Nehru and Jinnah initially had little effect on the ground as provincial Congress and ML units in U.P, besides other local parties and Independents were busy trying to come up with strategies to win in the elections. In this process, they flirted with each other, sought to cut deals, strike alliances or contain rebels in a bid to maximize their pickings. Party memberships were not so exclusive nor were party structures or discipline as rigid, making the political landscape quite porous. Amorphous groupings with links cross party lines mushroomed in the UP against the institutional backdrop of separate electorates.

The Congress was keen to do well in this election to bolster its claim of being the nationalist organization that represented all of India's communities. But faced with the National Agriculturalist Party (NAP) comprised of landlords

⁶⁸ Gopal 1972, Vol. 8: 100.

⁶⁹ *The Pioneer*, January 24, 1937.

⁷⁰ *The Hindu*, January 30, 1937, in Tirmizi 1998: 101.

created by the colonial government, it expected a tough fight and was unsure of gaining a majority on its own in the provincial legislature. The Congress leadership calculated that it would require Muslim support to make up for the shortfall and it therefore turned to the M.L in U.P. The nationalist platform of the reconstituted ML under Jinnah's leadership provided a basis for their coming together in an informal alliance. Rafi Ahmad Kidwai, Nehru's top lieutenant in U.P, himself directed many Congress minded 'progressive' Muslims to join the Muslim League Parliamentary Board (MLPB) to gain influence if not control over it. The 'progressives' in the MLPB, ex-Congressmen with pronounced sympathies towards the grand old party, included men like Chaudhry Khaliquzzaman, Nawab Ismail Khan, and Maulana Shaukat Ali. Consequently, ML 'progressives' and Congress Muslim candidates avoided contests against each other in these elections for the most part. Such was their close understanding that Rafi Kidwai funded the election campaign of ML progressives against their NAP opponents. Even Nehru in his election rallies asked Muslim voters to vote for the ML candidate and defeat the NAP contestant in case there was no Congress candidate in the constituency. From the other side, Shaukat Ali grew nostalgic about the Non-Cooperation/Khilafat movement and prophesized that Hindus and Muslims would again join hands to overthrow British imperialism. The Deobandi *ulama* belonging to the Jamiatul-ulama-i-Hind (JUH) led by Maulana Husain Ahmed Madani, comprising the third element in this 'progressive' coalition, campaigned indefatigably for both Congress Muslim and 'progressive' ML candidates. The last component consisted of Muslim socialists such as K.M Ashraf, Z.A. Ahmad, and Sajjad Zaheer, who joined the Congress under instructions from their parent Communist Party of India (CPI). Ashraf effusively welcomed the MLPB election manifesto as "exhaustive and liberal in spirit."⁷¹

The 'reactionaries' in UP Muslim politics consisted of *zamindars* and *talukdars* some of whom broke away from the ML to form the NAP even though many continued to stay put in the party, thus hedging their bets. The NAP founders too held on to their ML membership until they were compelled to resign by the 'progressive' section. They included men like the Nawab of Chhatari, Nawab Mohammad Yusuf, and Sir Yamin Khan, while their associates inside the ML included the Raja of Salempur, Raja of Jahangirabad, and Nawabzada Liaquat Ali Khan. This section was suspicious of the 'progressives', keen to maintain a separate Muslim identity, and hence keep some distance from the Congress. The ML 'reactionaries' also avoided contests against NAP stalwarts in these elections. Jinnah tried his best to put up a united Muslim front in U.P by patching up

⁷¹ *The Leader*, June 25, 1936.

differences, but his efforts were only partially successful.⁷² The ML in U.P was thus a fractured entity pulling in opposing directions. To hence say that the ML and the Congress teamed up in U.P to fight the elections against the NAP, as assumed previously, would be a bit of a misnomer.

Besides keeping 'progressive' Muslims at hand, pacifying Malviya and his CNP was the other task the U.P Congress set out to accomplish in order to minimize a division of the Hindu vote in the general constituencies. Emphasizing his opposition to the Communal Award on the campaign trail, Nehru had declared that reports of his differences with Malviya were more imaginary than real. Hence, there would be no formal negotiations with the CNP over selection of candidates for the elections.⁷³ The U.P Congress under Rafi Kidwai not taking any chances negotiated with the CNP thus demonstrating the autonomy that local units still enjoyed. The press reported that they jointly put up candidates in many constituencies.⁷⁴ A later report however stated that their agreement had been scrapped in the U.P since the CWC had not ratified it.⁷⁵ Still, Malviya campaigned against two Congress candidates in Punjab while backing some Congress candidates in U.P.⁷⁶

The Congress had to fight the Hindu Sabha in the general seats in the U.P once Bhai Parmanand and his Hindu landlord loyalists from the NAP took over its control and ousted Malviya from its ranks. Justifying the ouster, Parmanand claimed that Malviya wanted them to leave an open field for the Congress while he himself wanted the Hindu Sabha to contest in the elections.⁷⁷ The Hindu Sabha also took care to avoid contests with Hindu landlords standing on the NAP ticket. In the final analysis therefore, the Congress occupied the center-stage and middle ground allying with both Hindu and Muslim political groups that had affinities with it or wanted to influence its policy, while opposing those who were further removed and with whom it had few commonalities.

The election results however came as a huge surprise for everyone, including the Congress. The party won 133 seats out of the total of 159 general seats giving it a majority on its own in the provincial legislature. It routed the NAP's Hindu landlords, and Hindu Sabha candidates thus destroying their claims of being the exclusive guardians of Hindu interests. Malviya's veto on Hindu interest, so feared by the likes of Jinnah, was now over. The Congress now

⁷² For a more detailed analysis, see Chapter 1 in Dhulipala 2015.

⁷³ *The Leader*, June 29, 1936.

⁷⁴ *The Leader*, November 14 & 21, 1936.

⁷⁵ *The Leader*, January 9, 1937.

⁷⁶ *The Pioneer*, January 26, 1937.

⁷⁷ *The Leader*, November 13, 1936.

contemplated disciplinary action against Malviya.⁷⁸ Nehru advised caution as the ailing veteran was now only an ex-officio AICC member as a past President of the Congress and did not hold any party posts. While Malviya had supported two CNP candidates in Punjab he had also campaigned for Congress candidates elsewhere, provided them money, and also desisted from supporting personal favorites such a C.Y Chintamani in U.P who was pitted against a Congress candidate. To disbar him for five years for anti-party activities would only cause resentment. Achyut Patwardhan, a left winger supported Nehru's stand citing Malviya's "old age, the great service he had rendered in counteracting Hindu Sabha propaganda at certain times, and general assurance to Hindu sentiment which his support to the Congress secures." Azad, on the contrary, felt that the Congress had only two alternatives. It could either "bid farewell to Congress discipline forever" or maintain the organization's prestige and discipline by making no exception in Malviya's case. Already the anti-Congress Urdu papers were again questioning the party's inclination and ability to take on Malviya and it was time "to show them that no such weakness could be expected from the Congress." Vallabhbhai Patel suggested a middle path, of letting Malviya off with a letter of warning. This was the best course of action since, as he pointed out "we have started taking disciplinary action for the first time" and any further action would "naturally be resented by people who have been accustomed to disregard Congress orders that are found inconvenient or unpleasant from their point of view." He however recommended strong action against his nephew Krishna Kant Malviya if he was found guilty of indiscipline "for in his case there were no extenuating circumstances."⁷⁹ Patel's colleagues on the CWC readily agreed. Malviya was almost out of active politics given his age and declining health. He would briefly come into limelight again in early 1938 after his return from a forty days Ayurvedic *kayakalpa* treatment retreat for health rejuvenation.⁸⁰

⁷⁸ See AICC Papers File E-17/1937 for a discussion within the CWC on disciplinary action against Malviya.

⁷⁹ AICC Papers File E-17/1937 for a discussion within the CWC on disciplinary action against Malviya.

⁸⁰ *The Pioneer*, May 3, 1938.

9 The Ides of March: Left-Right struggles over office acceptance and uneasy accommodation

During the election campaign Nehru emphasized the goal of *Purna Swaraj* and denounced council entry and office acceptance as tantamount to “cooperation with British imperialism.”⁸¹ The party’s resounding election victories added greater weight to his already powerful voice in the party’s highest councils. He now pushed the Congress to intensify ‘mass contacts’ with peasants, workers, and Muslims, support agitations outside legislatures to wreck the Constitution, and force the government to convene a constituent assembly that would draw up the constitution for a free India. Mass contacts with Muslims were particularly important. Congress victories, barring in the NWFP, had largely been in the Hindu majority provinces and it had not put up candidates in most Muslim seats in the rest of India.⁸² Nehru blamed this result on “our timidity” and because the “burden of running over a thousand candidates was great”. If the party had run more Muslim candidates, it would have had success, especially in the rural areas. Muslim masses “long doped with communal cries” were “getting out of the rut of communalism and thinking along economic lines”, especially the younger Muslims.⁸³

Nehru’s right wing colleagues in the CWC or even Gandhi did not necessarily share his views on these issues. The press was soon awash with Gandhi’s statement that “so far as I am concerned, if Dominion Status were offered in terms of the Statute of Westminster, i. e. the right to secede at will, I would unhesitatingly accept it.”⁸⁴ In protest, Nehru pointed out that the Congress pledge of January 26, 1930 clearly stated “that India must sever the British connection and attain *Purna Swaraj*.⁸⁵ Again, in contrast to Nehru’s views, the right wing came out in favor of office acceptance. The Governor of Madras reporting to the Viceroy about Rajagopalachari’s view on the matter noted that, “if they got a real clear majority on which they could depend, the Congress party would work the reforms down here. Their idea of wrecking appears to be to pass at various times, when they get the chance, resolutions saying they do not like the reforms.”⁸⁶ A CWC meeting at Wardha convened by Gandhi towards the end of February 1937 to resolve matters

⁸¹ Gopal 1972, Vol. 7: 495.

⁸² Out of 482 Muslims seats, the Congress contested a mere 58 seats and won 26 of them. These included 15 in NWFP, 5 in Bihar, 4 in Madras and 2 in Punjab. It drew a blank in the remaining provinces including U.P.

⁸³ Nehru to Cripps, February 22, 1937 (Chopra 1986: 161–162).

⁸⁴ Chopra 1986: 136.

⁸⁵ *The Leader*, February 16, 1937.

⁸⁶ Erskine’s Interview with Rajagopalachari, February 3, 1937 (Chopra 1986: 85).

resulted in a tense compromise. The Congress would enter the legislatures primarily to implement its election manifesto. This included significant relief in rent and debt for peasants, fixity of their tenures, restoration of lands and properties confiscated during the civil disobedience movement, unemployment relief, and release of all political prisoners. Council entry however would not lessen the demand for *Purna Swaraj* and legislative activities would be coordinated with work outside through 'mass contacts'. Above all, the CWC stated that the Congress was entering the legislatures not to cooperate with the government but to combat the Act. As regards ministry formation, a decision was to be taken at the AICC meeting in mid-March. The CWC also called for a nationwide *hartal* on April 1, 1937, when the Constitution was to be inaugurated, to commemorate it as Anti-Constitution Day.

Dissatisfaction with this compromise became evident as Rafi Kidwai labelled the CWC a "grand fascist council" and exhorted Congressmen to congregate in large numbers at the AICC meeting to stop this drift towards cooperation with the government.⁸⁷ Nehru backed Kidwai's broadside claiming that the unequivocal popular verdict of these elections was "to hell with this Constitution". It was "a great snare, a sham and a mockery" and it would be a grave mistake to "take responsibility for running this administration without a shadow of power." Those who were thinking of terms of working the Constitution were "enemies of the Congress" and would be "disowned by the people."⁸⁸ Malviya too expressed himself against office acceptance saying that closing a few toddy shops and getting a few amenities for the public could not be Congress objectives.⁸⁹ A Malviya-Rafi Kidwai Pact was now sealed under which CNP members elected on the Congress ticket to the U.P legislature were free to act on all matters related to the Communal Award.⁹⁰

The AICC meeting in the middle of March 1937 saw a fierce debate with the official resolution favoring office acceptance moved by Rajendra Prasad being met by as many as twenty two amendments. It was supported by other right wingers Patel, Rajaji, Bhulabhai Desai and G.B Pant who also agreed to Gandhi's conditions that Congressmen would enter offices only if the Governors assured them in writing that they would not utilize their special powers.⁹¹ Patel summed up the right wing position. Even though he did not believe in the councils, he was a realist. He saw that parliamentary mentality had come to stay and had accordingly adjusted himself to the situation. In a gesture towards the left wing, he acknowledged that only struggles outside the legislatures would compel the

⁸⁷ *The Leader*, March 6, 1937.

⁸⁸ *The Pioneer*, March 16, 1937.

⁸⁹ *The Pioneer*, March 19, 1937.

⁹⁰ *The Pioneer*, March 7, 1937.

⁹¹ *The Pioneer*, March 18, 1937.

government to withdraw this constitution.⁹² The office acceptance resolution was finally passed at the Delhi AICC session but the left-wing remained bitter. Jayaprakash Narayan lamented that a reformist mentality had replaced revolutionary spirit in the Congress.⁹³ Achyut Patwardhan declared that Nehru had been stabbed in the back.⁹⁴ The Bengal Congress backing Nehru too opposed office acceptance. On the other hand, Jinnah congratulated “the right wing of the Congress leaders for carrying the Congress with them”, and adopting a formula “practically the same as was adopted by the AIML”.⁹⁵ A dejected Nehru stated that office acceptance had “lowered the Congress standard”.⁹⁶ He in fact threatened open revolt if the resolution in favor of acceptance were passed but was eventually persuaded against such a course by Gandhi.⁹⁷ Putting up a brave face, he announced that work outside the legislatures was much more critical. The electorate was confined to a bare 10% of the people but, “the remaining 90% are even more solidly with us.”⁹⁸ Accordingly, ‘mass contacts’ with the Muslims began with a new cell in the party headed by K.M Ashraf spearheading these efforts.⁹⁹

The uneasy accommodation between the two groups led to two changes in the Congress while it stayed away from government in the absence of the Viceroy’s assurance regarding the Governors’ special powers. First, it led to centralization in decision making and curbing of local autonomy as Congress legislature parties were barred from forging any alliances with other groups in the assemblies without the CWC’s permission. Second, the CWC got its act together and the left and right wings showed much greater discipline and unity of purpose. If Nehru went along with office acceptance, the right wing underlined its commitment to wreck the constitution. If Rajendra Prasad earlier dismissed Nehru’s idea that the communal problem was an economic problem that could be solved along socialistic lines, he now supported Nehru’s MMCP along with its direct outreach to the Muslims. And relinquishing consultations and consensus building with Muslims outside the Congress, the right wing now let Nehru and Abul Kalam Azad call the shots on the communal issue. This marked a significant shift if not a repudiation of its earlier positions.

A charged Nehru opened a fresh round of hostilities with Jinnah soon after the election results. Cut to the quick by Jinnah characterizing him as Peter Pan, he

92 *The Pioneer*, March 20, 1937.

93 *The Pioneer*, March 18, 1937.

94 *The Leader*, March 19, 1937.

95 *The Leader*, March 22, 1937.

96 *The Pioneer*, March 20, 1937.

97 Chopra 1986: 777.

98 *Hindustan Times*, March 20, 1937 (Chopra 1986: 251).

99 For an analysis of the Muslim Mass Contact program see Chapter 2 of Dhulipala 2015.

contemptuously remarked, "what does Mr. Jinnah know of the national movement when he has not cared to take part in it even once ... There are Muslims in the Congress who can provide inspiration to a thousand Jinnahs."¹⁰⁰ Muslim socialists in the Congress picked up from where Nehru left off. K.M Ashraf who had earlier praised the ML's manifesto now declared that the Congress had no commonality with the ML on "political creed, objectives or tactics. He loftily claimed that "the League is wedded to Dominion Status and is otherwise committed to work the new constitution at every stage in the provinces. And if we are to be guided by Mr. Jinnah's tactics in the past in the Legislative Assembly, we shall be joining hands not with anti-imperialists but with opportunists of various shades. We Congressmen are committed to wreck the new constitution. Can we possibly cooperate with those who are pledged to work it?" He added that even if the Congress decided to form ministries, it would not include non-Congressmen for it militated against all canons of parliamentary responsibility. "I am for a 100% Congress ministry and if there is no Muslim returned on the Congress ticket, we shall have a Ministry without Muslims. We cannot trust non-Congressmen in carrying out our policy. The only honest course for our friends in the ML is to resign and make way for Muslim candidates on the Congress ticket."¹⁰¹ The right wing looking to maintain peace with Nehru maintained a tactical silence when Jinnah issued a statement that he saw "no difference between our policy and that outlined during a recent interview by Mr. Rajagopalachari" that "the ministries and legislatures [must] function in the government of the provinces as if the special emergency powers of the Governors did not exist as a real and responsible ministry would do."¹⁰² Now was not the time to rock the Congress boat.

10 ML 'Progressives' and Congress in U.P, and rising National pressures

Even if the Congress centralized decision making and its factions at the Centre came to a tenuous accommodation with each other, the provincial level tacit pacts and agreements *across* party lines continued and would take a little longer to unravel. The announcement of a by-election to the Bahraich district south Muslim constituency occasioned by the death of its just elected League MLA, Thakur Asghar Ali, created possibilities of a Congress-ML contest. Even though

¹⁰⁰ See Dhulipala 2015, ch. 2.

¹⁰¹ *The Pioneer*, February 28, 1937.

¹⁰² *The Leader*, March 11, 1937.

the NAP had won 38 Muslim seats as compared to the ML's 28 in U.P, it was utterly demoralized and found no takers for its party ticket. The U.P Congress put up Rafi Kidwai for this by-election but did not want to risk his defeat since he had lost in the just held elections and another debacle would have been deeply embarrassing. The U.P Congress through Mohanlal Saksena therefore reached out to Khaliquzzaman to request the UP MLPB to not put up a candidate against Kidwai.¹⁰³ Khaliquzzaman immediately obliged thus demonstrating the continuing understanding between the ML 'progressives' and the local Congress party in U.P. It must be noted that Rafi Kidwai himself while campaigning for the Congress candidate in the Bijnor by-election a few months later, insisted that both parties definitely had a pact before the 1937 elections, for otherwise, the ML would not have done any better than the Hindu Sabha in U.P.¹⁰⁴

Even though Jinnah himself declared that the ML would contest this by-election, warned the Congress against doing the same, and in fact threatened to resign as the ML President if the Bahaich seat went uncontested¹⁰⁵, Khaliquzzaman ensured that Kidwai won unopposed. It is in this context that Nehru was informed about "a scheme being hatched" by Khaliquzzaman and U.P Congressmen to bring about a Congress- League coalition ministry.¹⁰⁶ Nehru responded that he was "opposed to all pacts and coalitions with small groups at the top" as were his CWC colleagues, especially Azad who was with staying with him. While having "a warm corner in heart" for Khaliquzzaman and wishing that he "broke loose from the reactionaries who surround him"¹⁰⁷, Nehru wrote to Pant that "any kind of pact between us and the ML will be highly injurious." It would mean "that we almost lose our right to ask the Muslims to join us directly."¹⁰⁸ A defensive Pant wrote back that Nehru's correspondent was "suspicious if not cynical". He had only talked to Khaliquzzaman about the "advisability of the Mussalmans merging themselves in the Congress." Khaliquzzaman had "well-nigh agreed to do so but wanted to examine the matter further before taking an irrevocable decision." The matter had been "discussed orally and some letters exchanged between Khaliq and Mohanlal Saksena primarily to avoid conflict in the Bahaich election."¹⁰⁹ He also informed Nehru of the *hartal*'s success on 1 April in U.P.

¹⁰³ Kumar 1995: 231–232.

¹⁰⁴ *The Leader*, October 28, 1937.

¹⁰⁵ *The Leader*, March 30, 1937.

¹⁰⁶ Abdul Wali to Nehru, March 28, 1937 (Chopra 1986: 288–289).

¹⁰⁷ Nehru to Abdul Wali, March 30, 1937 (Chopra 1986: 294).

¹⁰⁸ Nehru to Pant, March 30, 1937 (Chopra 1986: 299).

¹⁰⁹ Pant to Nehru, April 3, 1937 (Tirmizi 1998: 149).

Perhaps in the flush of election victory, the right wing rather optimistically saw the hartal's success as an indication that the Muslims were possibly on the verge of joining the Congress in large numbers. Rajendra Prasad was moved to say that Hindu Muslim cooperation during the *hartal* reminded him "of the early days of the non-cooperation movement." He used the opportunity to endorse Nehru's call for Muslim mass contacts declaring that "Let the slogan be no village without a Congress committee, and no committee without a Mussalman."¹¹⁰ With Kidwai winning the Bahrach by-election unopposed, the Viceroy noted that there seemed to be a growing "tendency on the part of the rank and file of Muhammadans to drift towards the Congress."¹¹¹ Jinnah's close colleague, Sir Wazir Hasan, who had presided over the ML's recent 1936 Bombay session, urged Muslims to join the Congress in large numbers.¹¹² The JUH's Maulana Ahmad Saeed and Mufti Kifayatullah also started confabulations with Gandhi and Nehru.¹¹³ In this context, Khaliquzzaman invited G.B Pant, the Congress Legislature party leader in U.P, to unfurl the Congress flag on the Lucknow municipal board building. Waxing eloquent about the tricolor, Khaliquzzaman reminded his listeners that just as "other nations fed their national flag with blood" the members of the board needed to ensure "respect [for] the flag which was being hoisted today and which should have been permanently flying there."¹¹⁴ The UP ML Working Committee under his influence next passed a resolution expressing its willingness to co-operate with the Congress party in the legislature.¹¹⁵ He also refused to join the Chhatari ministry pleasing his friends in the Congress further.

11 The Ides of March in Muslim Politics: Jinnah's Struggles for a united front in U.P

M.A Jinnah wanted a power sharing arrangement with the Congress in provincial coalition ministries. As the mid-March Delhi AICC session was going on, he presided over a meeting of thenewly elected ML MLAs in Lucknow to which Muslim MLAs of the NAP and Muslim Independents were also invited, to forge a united Muslim front without "lowering the League's prestige and objectives or

¹¹⁰ *The Leader*, April 8, 1937.

¹¹¹ Linlithgow to Zetland, April 9, 1937 (Tirmizi 1998: 151).

¹¹² *The Leader*, March 16, 1937.

¹¹³ *The Leader*, March 25, 1937.

¹¹⁴ *The Leader*, April 13, 1937.

¹¹⁵ *The Pioneer*, April 26, 1937.

merging its identity with others.”¹¹⁶ He found a majority of the party members against the inclusion of MLAs who had opposed ML candidates in the just concluded elections. As Ismail Khan the U.P ML President noted, “there was a general feeling that it would be better if some sort of understanding was reached with the Congress. The feeling was that differences between the Congress and the League do more harm than good to the country.”¹¹⁷ The ‘progressives’ feared that “if the ML with 27 MLAs was to allow the more numerous non-Leaguers into the party, they would outnumber members of the League and do as they please.”¹¹⁸ At the same time, they also confessed that “the Congress high command’s recent declarations of no coalition with the League were bound to react, and it would not be surprising if some via media was decided and all the MLAs united.”¹¹⁹ The meeting unanimously elected Khaliquzzaman as the ML legislature party leader reflecting the ‘progressives’ strength in that forum. To protect its own turf though, the ML kickstarted its own mass contact program.

Jinnah’s efforts ultimately yielded results for the Muslim NAP MLAs and Muslim Independents decided to accept the ML’s program and sign its pledge. The ML working committee would scrutinize their applications and decide on their inclusion on the basis of merit.¹²⁰ Following the Congress party’s playbook, the ML prohibited party members from negotiating with any other party or the Governor except through their leader whose negotiations would be subject to ratification by the party.¹²¹ Jinnah also announced that the ML would put up a candidate for the Bahraich seat and that it would be a great mistake for the Congress to do the same. As he noted, “there is really no substantial difference now at any rate between the League and the Congress as the wrecking of the Constitution has disappeared from the Congress program.” He warned against “encouraging an individual Musalman to come into the fold of the Congress for the sake of a prize.”¹²² Finally, he asked Muslims not to participate in the *hartal* called by the Congress. The ML was already committed to working the provincial side of the Constitution for what it was worth. Moreover, it would be a futile demonstration involving enormous losses to traders and business people.¹²³

¹¹⁶ *The Leader*, March 16, 1937.

¹¹⁷ *The Leader*, March 16, 1937.

¹¹⁸ *The Leader*, March 17, 1937.

¹¹⁹ *The Leader*, March 16, 1937.

¹²⁰ *The Leader*, March 16, 1937.

¹²¹ *The Leader*, March 17, 1937.

¹²² *The Leader*, March 22, 1937.

¹²³ *The Pioneer*, March 27, 1937.

Jinnah's politics found support from Sir Muhammad Iqbal who urged him to call a convention of all Muslim MLAs and prominent Muslim leaders to emphasize that the Indian Muslims were a distinct political unit.¹²⁴

The unity efforts suffered a blow when the Nawab of Chhatari, under pressure from the U.P Governor, formed a ministry in the U.P.¹²⁵ The Raja of Salempur quit the ML to join this government as a Minister. The party meeting held the following day on April 4, 1937, "condemned Salempur for joining the government, but not very vigorously", for as Haig noted, "it is evident he has a definite following."¹²⁶ This tepid response led the JUH *ulama* and their supporters to resign from the ML. With these exits, Khaliquzzaman's public overtures to the Congress, and Kidwai's unopposed election from Bahraich, Jinnah's strategy lay in tatters. But help was not far as the ML 'reactionaries' now began to organize for battle. As Haig reported, "the avowed policy of the Congress to capture the Muslim masses have seriously alarmed the non-Congress Muslims."¹²⁷ The veteran Khilafatist Shaukat Ali unequivocally criticized the Congress MMCP and asked Nehru to talk to "real Muslims who count" such as Jinnah. He also advised Nehru to follow the example of Sir Sikander Hayat Khan, the Unionist Party leader, who in spite of the majority his party enjoyed in the Punjab legislature, offered seats in his cabinet to Raja Narendranath, Sundar Singh Majithia, and Sir Chhotu Ram. Shaukat Ali bitingly concluded that "we need no Mussolini to wield the sword of Islam to protect Islam. We are quite capable of looking after ourselves."¹²⁸ Rafi Kidwai immediately retorted that "people who count in order to keep their position as people who count have frustrated negotiations in the past. The Congress has at long last realized the futility of such settlements. Mr. Jinnah and Mr. Shaukat Ali must realize that they are not addressing India of the 1920s. Old divisions are fast disappearing and being replaced by class communities."¹²⁹ New battle lines were now beginning to emerge.

¹²⁴ Iqbal to Jinnah, March 20, 1937, *TF* (Chopra 1986: 261).

¹²⁵ *The Pioneer*, April 3, 1937.

¹²⁶ Haig to Linlithgow, April 5, 1937 (Carter: 103).

¹²⁷ Ibid., Haig to Linlithgow, April 23, 1937, 113.

¹²⁸ *The Pioneer*, April 22, 1937.

¹²⁹ *The Pioneer*, April 23, 1937.

12 Tactical struggles between Jinnah and Khaliquzzaman

In this rapidly changing political environment, Jinnah issued a statement that he had sent an enquiry about U.P matters to Khaliquzzaman but not heard back from him in three weeks. He hoped that the U.P ML leader would “not enter into any commitments which may be repudiated not only by Muslims in his province but the Muslims of all India.”¹³⁰ Khaliquzzaman responded that Jinnah had been “carried away by half-truths” and that he was only working “towards an honorable political settlement with the majority community with a view to make the freedom of the country easy of attainment.”¹³¹ His public overtures to the Congress continued as the ML legislature party under his guidance resolved to participate in the meeting of the UP MLAs convened by G.B Pant, the leader of the Congress legislature party. Jinnah opposed the move and witheringly noted that it was “no use dealing with those men who are in and out of the Congress and in and out of the League, at one time with one and another time with the other, as it suits them.”¹³² A showdown between the two sides in the ML seemed imminent during the next meeting of the UP MLPB on 7 May.

In this situation, Khaliquzzaman’s position in the ML was not helped by Nehru who expressed his opposition to pacts with non-Congress groups and reiterated the party’s resolve to directly approach the Muslim masses. As Nehru noted, “those who talk of the Congress entering into a pact or an alliance with Muslims or others, fail to understand the Congress or the new forces that are moving our people. We have already made a great pact among our people, a great pact among ourselves, among all those who desire national and economic freedom, to work towards this common end. The Muslims are in this pact as the Hindus and Sikhs and so many Christians.”¹³³ Echoing Nehru, K.M Ashraf declared that minority rights were totally guaranteed by the Congress resolution of Fundamental Rights and hence no fresh pacts with Muslims were necessary.¹³⁴

Not surprisingly, at the ML meeting on 7 May that was meant to be a trial of strength between Jinnah and Khaliquzzaman, the latter’s policy “was completely defeated.” He “now professed to accept the policy laid down by the League

¹³⁰ *Bombay Chronicle*, April 26, 1937 (Tirmizi 1998: 428).

¹³¹ *The Pioneer*, April 27, 1937.

¹³² *Bombay Chronicle*, April 26, 1937 (Tirmizi 1998: 428).

¹³³ April 25, 1937, AICC Papers File 31/1937, TF, 424–427.

¹³⁴ *The Leader*, April 26, 1937.

under Jinnah's influence."¹³⁵ Yet, the *Pioneer*, a day later provided a more nuanced view of the balance of power in the ML. It noted that Khaliquzzaman was asked to provide an account of his negotiations thus far with Pant. While the meeting deprecated Congress attempts to create dissensions in the Muslim camp, he was authorized to continue negotiations to find a common program. He was to also make it clear to the Congress that its Whip on matters relating to the Communal Award should not be imperative. While the UP ML decided against a merger with the Congress, he was asked to find out if the Congress-League alliance contemplated by Pant was to be of a permanent nature or only for the sake of overturning the interim ministry. If a more permanent arrangement was envisaged, Khaliquzzaman was to enquire if the Congress was willing to form a ministry and discuss in detail the program on which they could work together.¹³⁶ While the meeting expressed confidence in Mr. Jinnah's leadership, it also allowed ML MLAs in their individual capacity to attend the MLA's conference convened by the U.P Congress. The prospects for a coalition between the Congress and the ML were still not over by any means.¹³⁷

At this conference, Khaliquzzaman seconded the Congress resolution condemning the formation of the minority ministry under Chhatari.¹³⁸ Jinnah also issued a fresh statement that he sought a united front with the Congress. The Muslims wanted "to be assured of their position in the future government because they are afraid of the majority's attitude, and placing their demand before the Congress they are dubbed as communalists which puzzles the young Muslims."¹³⁹ In response, the Congress Muslim leader, Asaf Ali, wrote to Jinnah asking what political adjustments he had in mind since in ten out of the eleven provinces the substance of his Fourteen Points had been conceded. He wanted Jinnah to formulate concrete proposals that would secure "general economic welfare of the Muslims", promising to convey them to those who could speak authoritatively for the Congress.¹⁴⁰ Keen to get started with talks regarding power sharing, nervous about Khaliquzzaman's attempts to undercut him, and hence irritated by this Nehruvian vocabulary, Jinnah shot back that it was for the Congress high command with not being earnest in tackling the communal question.¹⁴¹

¹³⁵ Haig to Linlithgow, May 24, 1937 (Carter 2010: 133).

¹³⁶ *The Pioneer*, May 8, 1937.

¹³⁷ *The Leader*, May 10, 1937.

¹³⁸ *The Pioneer*, May 11, 1937.

¹³⁹ *The Pioneer*, May 12, 1937.

¹⁴⁰ Asaf Ali to Jinnah, May 23, 1937 (Tirmizi 1998: 177–179).

¹⁴¹ Jinnah to Asaf Ali, May 28, 1937 (1998: 182).

Tensions spilled into the open as Jinnah lamented in a public meeting that he had recently had conferences with Rajendra Prasad trying to get the Muslim viewpoint accepted by at least the Congress if not the Hindu Mahasabha but had failed. He cryptically added that “the new Constitution had been in operation for more than a month and conditions were different.”¹⁴² It was a clear indication that Jinnah wanted fresh negotiations and more concessions in the changed scenario. This statement caught Rajendra Prasad by surprise. Instead of publicly responding to it, he privately wrote to Kripalani that “the terms that were ultimately evolved were entirely accepted by me and I offered to sign any document embodying them and assured him that he might take my signature as on behalf of the Congress. I told him further that I would get these ratified by the Congress. But he insisted on Pandit Malviya and Hindu Sabha and Sikh leaders accepting those terms and would not be satisfied with the Congress accepting them. So the matter had to dropped.” Given the vitiated atmosphere, Prasad added that it was currently not worthwhile “pursuing this controversy” and that Vallabhbhai Patel felt the same.¹⁴³ But even as Jinnah sought fresh talks with the Congress, he was keen to form a government in Bombay once the existing minority government was defeated on the floor of the house. He told the Bombay Governor that Ambedkar and his party were willing to back him as were ten Congress MLAs.¹⁴⁴ Thus, while seeking an alliance in U.P, Jinnah was ready to break the Congress party in Bombay in his quest for power.

13 The Cracks Widen: The Jhansi by-election, its questions, and implications

A second by-election in the middle of July due to the death of a sitting Independent MLA for the Jhansi-Jalaun-Hamirpur Muslim rural seat in Bundelkhand raised the political temperature in the U.P. As Haig wrote to the Viceroy, “I do not think the Muslim League have done a great deal at present but I fancy they will put up a good deal of effort into it from now onwards. Jinnah is interested himself in the election. If the Congress were to be successful, it would undoubtedly be a serious blow to the Muslim League.”¹⁴⁵ The Congress selected Nisar Sherwani, the brother of the deceased Congress veteran Tasadduq Ahmad

¹⁴² *Times of India*, May 22, 1937 (Chopra 1986: 557).

¹⁴³ Rajendra Prasad to Kripalani, June 10, 1937, AICC File G-65/1937 (Chopra 1986: 645).

¹⁴⁴ Brabourne to Linlithgow, June 5, 1937 (Chopra 1986: 625).

¹⁴⁵ Haig to Linlithgow, June 23, 1937 (Carter 2010: 150).

Khan Sherwani, as their candidate for this crucial contest. He had resigned his position as a Superintendent in the postal department and joined the Congress but like all other Congress Muslim candidates, had lost in the recent elections.

Yet, even as this important election neared, the U.P Congress strangely showed little interest in this contest. Nisar's brother Fida Sherwani, who was his election manager, lamented to Nehru that the UP Congress showed cruel indifference to his brother's election. The Congress Muslims also seemed unwilling to help. Ataullah Shah Bukhari, the Congress party's 'most potent Muslim orator' refused to come to Jhansi citing preoccupation with his Ahrar conference. Maulana Husain Ahmad Madani, who campaigned extensively for both the Congress and ML candidates during the recently concluded elections declined to come to Jhansi claiming rather curiously that no one knew him there. Rafi Kidwai, G.B Pant, and Mohanlal Saksena while sympathetic to the Sherwanis' predicament offered no help in terms of men or money.¹⁴⁶

The ML candidate was a local lawyer Rafiuddin Ahmed whose campaign slogan was that of Islam in danger. He also circulated a statement allegedly signed by Jinnah, Khaliquzzaman and other ML leaders appealing for Muslim votes in the name of Allah and the Holy Quran. While Jinnah stayed away from Jhansi, Shaukat Ali as the ML's chief campaigner talked of a possible civil war between Hindus and Muslims in India. The party also circulated a *fatwa* signed by the legendary *alim* Maulana Ashraf Ali Thanawi asking voters not to vote for the Congress candidate. In response, the Congress too utilized services of the *ulama* aligned with the party. In this context, a letter written by Nehru to Rafi Kidwai got accidentally delivered to Rafiuddin Ahmed and the latter falsely announced that it contained details of monetary payments being made to these *ulama* for supporting the Congress campaign. They were now vilified as traitors to the community whose services were readily available for a price, a charge that would dog them for the remainder of their lives in undivided India.

Nehru also deputed K.M Ashraf to campaign in Jhansi after what he felt was Ashraf's successful tour of Punjab during which the MMCP's propaganda had been well received by the Muslim masses.¹⁴⁷ Yet, in his memoir, Muzaffar Hasan, a Congress Muslim, derided the Muslim socialists propaganda in this campaign, castigated their failure to resonate with Muslim voters, and described how these young Muslim socialists who fancied themselves as Jinnah's equals bit the dust in Jhansi.¹⁴⁸ Nehru himself campaigned for Sherwani in the last two days but the atmosphere had turned so poisonous that the car in which he was traveling was

¹⁴⁶ For a detailed analysis of the Jhansi by-election see Dhulipala 2015: 83–90.

¹⁴⁷ Dhulipala 2015: 50–66.

¹⁴⁸ Hasan 1983.

stoned by ML supporters. Sherwani lost the Jhansi election but Nehru was not disheartened. As he noted, though an outsider to Jhansi, Sherwani had won a clear majority in two of the three segments in the constituency besides winning the rural vote. Moreover, the ML candidate was a local who paid money for votes and freely raised the cries of Islam in anger. Nehru saw the Bundelkhand election as a very encouraging sign since it heralded the inevitable growth of the Congress among the masses.

Is it possible that Rafi Kidwai and other U.P Congressmen continued to have a tacit agreement with Khaliquzzaman and hence were not too keen on this contest, especially after the walkover facilitated by the latter for Kidwai at Bahraich? An intriguing account by his acolyte M. Hashim Kidwai, of Rafi Kidwai's political strategy to control Hindu and Muslim communal politics in U.P suggests such a possibility.¹⁴⁹ According to this account, as the Congress sought to maximize its seats in the 1937 elections, Rafi Kidwai first reached out to Malviya to prevent a division of Hindu votes in the general constituencies. Under the Malviya-Kidwai Pact, Congress Nationalists were allowed the freedom to vote according to their conscience on the Communal Award. Rafi thus effectively defanged Hindu communalism. Moreover, Malviya brought in money drawn from his many admirers in the Indian capitalist class for the Congress election campaign. Similarly, Rafi Kidwai was instrumental in persuading many Muslim Congressmen and Nationalist Muslims to join the ML in order to effectively fight the NAP in the Muslim seats. He was also responsible for the subsequent 'entente' between the Congress and the ML. This 'entente' was successful as the ML won 28 Muslim seats in U.P and also ensured Kidwai's unopposed victory in the subsequent Bahraich by-election. Hashim Kidwai explains that after this election, Rafi Kidwai "thought of a move which if it had succeeded would have finished the Muslim League just as he had finished Pandit Madan Mohan Malviya's Congress Nationalist party. He got Khaliquzzaman to agree to a formula by which the ML would join the Congress party in the assembly and like Malviya's CNP would retain the freedom to vote independently on any issue affecting the cultural and religious interests of Muslims. He agreed to the special indulgence for the League's merger with the Congress because he could hardly imagine any communal issue coming up before the U.P assembly under provincial autonomy. The Muslim share in services had already been fixed, Urdu was safeguarded, and the Congress had no intention of interfering with the Muslim Personal law or endowments. There was no possibility of any fundamental differences between the Congress and the League on any Hindu-Muslim issue and there was to be no occasion for League members in the Congress party to

149 Kidwai 1986.

exercise their conceded right of dissent from the Congress party on any issue affecting Muslims. The only issue, which could have come up before the assembly would have been the question of political and civil liberties, reduction in land rent, the protection of U.P's oppressed tenancy from landlords by some reforms in the agrarian system of U.P. The League manifesto had also mentioned agrarian reforms. Thus, Rafi Ahmad had by a shrewd stroke of political tactics eliminated the possibilities of Hindu communal opposition in the shape of Malviya's Nationalist Party and he was now engaged in a maneuver which would eliminate the possibility of Muslim communal opposition to a Congress ministry in U.P. This maneuver had been approved by Pandit Pant and Khaliquzzaman and it only remained to formalize the arrangement by both parties.”¹⁵⁰

What undermined Rafi Kidwai's strategy was Jinnah's strong opposition since this arrangement threatened his political ambition. Moreover, it was also discarded by Nehru who was convinced that the MMCP would bring Muslims in droves into the Congress effectively ending Muslim communalism. Hashim Kidwai blamed Muslim socialists in the Congress such as K.M Ashraf and Z.A Ahmad for drilling such false beliefs into Nehru's ears. Jinnah's absorption of several Muslim landlord MLAs into the ML unfortunately strengthened their argument that ML ministers would tone down the economic and social radicalism of the Congress ministries. Moreover, the Raja of Salempur's joining the interim Chhatari ministry further convinced Nehru that ML ministers in a coalition government would not resign if the Congress ministries decided to sacrifice office. Hence, Rafi Kidwai's plans were thus dashed and the Congress-ML coalition experiment fell through.

If Rafi Kidwai's local strategy for the U.P was indeed the one noted above, his and the U.P Congress' lack of interest in Sherwani's election campaign opens other possibilities. Sherwani's victory would have provided the Congress a second eminently qualified Muslim to appoint as a Minister after Kidwai. That would certainly have shut out both Khaliquzzaman and Ismail Khan from the U.P ministry. As things stood, Kidwai and these two ML leaders could have been inducted into the cabinet since Pant told Haig that the Congress was contemplating a ministry of either six members with two Muslims or eight members with three Muslims.¹⁵¹ Khaliquzzaman and Ismail Khan, though inclined towards the Congress, had a vested interest in Sherwani losing the Jhansi election. This election however caused great bitterness between the two parties and was instrumental in precipitating the final break.

¹⁵⁰ Kidwai 1986: 100.

¹⁵¹ Haig to Linlithgow, July 21, 1937 (Chopra 1986: 771).

14 Ministry making in U.P: Historical controversies and understanding the final rupture

As Congress-ML relations nosedived, Khaliquzzaman wrote to Nehru denying signing any statement supporting the ML candidate in the name of Allah and the Holy Quran. The Jhansi contest, he suggested, was a side issue to the main question of how to address the minority question in India. He himself had joined the ML to root out the “baneful influence of the Muslim reactionary group which was successfully resisting the growth of patriotism among the Muslims by raising communal issues meant more to help their own cause and British imperialism than to advance the Muslim cause.” Avoiding conflict with the Congress at every step he had tried to “raise the standard of political thought in the Muslim community.” His success had however been converted into defeat ever since the Congress saw no utility in this “indirect method of dealing with the Muslim question”. His position had thus turned “pitiable”. The direct method of approaching the Muslim voter, he warned Nehru, only tended to “stiffen the back of the opposition and give a longer lease of life to the reactionaries.” He had recently held talks with Rafi Kidwai and Mohanlal Saksena about the “position of League members in case the Congress decided to accept offices”.¹⁵² He had made them the same offer as he had made to Nehru when they last met. He would have no hesitation fighting another election on this issue in case the party refused to accept his lead on the matter.¹⁵³ Lamenting the “irony of fate and coincidence of event” that he was “debarred from actively associating with some of the activities that are so dear to you, he hoped that “events will so shape themselves soon that I shall be allowed to pursue my line of thought and action freely.”¹⁵⁴

Nehru responded by first noting that there was a great difference between what Khaliquzzaman had stated in his letter and what he had told Nehru when they last met. Dismissing the indirect method of fighting Muslim communalism, Nehru asserted that the strategy of associating with communal and reactionary elements in order to make them progressive was futile. “All our past experience in India has shown that ends in one thing- the absorption of the progressive in the reactionary group.”¹⁵⁵ The Bundelkhand election had “thrown this flashlight on the real conflict” in India. It had nothing to do with the minority question but

¹⁵² Khaliquzzaman to Nehru, June 29, 1937 (Tirmizi 1998: 198–199).

¹⁵³ Tirmizi 1998: 198–199.

¹⁵⁴ Tirmizi 1998: 200.

¹⁵⁵ Nehru to Khaliquzzaman, July 1, 1937 (Chopra 1986: 702).

was a conflict between "progressive thought in action" and "sheer communalism, religious bigotry and political reaction". Nehru concluded that "when such clear conflicts occur, people have to choose definitely on which side of the barricade they will be. They cannot remain in the manger."¹⁵⁶

As the Congress decided to form ministries following the Viceroy's assurance regarding the Governor's special powers, the ongoing negotiations with Khaliquzzaman finally broke down inaugurating Congress-ML hostilities that proved irremediable in the end. Why it happened is a question that would haunt the actors in this drama as also subsequent historians. Like in Akira Kurosawa's *Rashomon*, some of the *dramatis personae* have left us divergent memories about this episode. Azad's 1959 memoir which set the historiographical ball rolling blamed Nehru for not taking in both Khaliquzzaman and Ismail Khan into the ministry, thus paving the way for the creation of Pakistan.¹⁵⁷ M.R. Masani's 1977 memoir endorsed Azad's view.¹⁵⁸ Mohanlal Saksena reviewing Azad's memoir claimed that the ML was offered only one ministry and that Azad was responsible for this decision as Nehru. The reason was that Azad wanted Hafiz Mohammad Ibrahim accommodated in the cabinet. Saksena further noted that the ML would have been happy to have only one minister alongside Kidwai but was greatly irritated by Ibrahim's appointment and hence turned down the Congress offer.¹⁵⁹ He also hinted that the startling claims in Azad's memoir were more likely interpolations by his secretary Humayun Kabir.¹⁶⁰ Rajagopalachari obliquely endorsed this view by casting doubt on the veracity of its claims when he cryptically noted that "it is unnecessary to buy errors in order to correct them", adding that autobiographies should never be written.¹⁶¹ Another UP Congressman, Sriprakasa, whom Nehru appointed as India's first High Commissioner to Pakistan, reminisced that Azad regretted this grievous mistake in a later conversation with him.¹⁶² Nehru himself commenting on Azad's book, especially in reference to this episode, stated that "Azad had thought too much sometimes in individual terms and not in terms of historical forces at work."¹⁶³ Khaliquzzaman in his 1961 memoir claimed that his negotiations with Azad centered on two points: whether the Leaguers would resign from office if Congress ministries resigned, and whether

¹⁵⁶ Chopra 1986: 703.

¹⁵⁷ Azad 1988: 170–171.

¹⁵⁸ Masani 1977: 109–110.

¹⁵⁹ Kumar 1995: 230–232.

¹⁶⁰ Kumar 1995: 230–232.

¹⁶¹ Felton 1962: 177.

¹⁶² Felton 1962: 173.

¹⁶³ Gopal 1989: 223.

he would agree to another Muslim in place of Nawab Ismail Khan. While he agreed to the former condition, he put his foot down on the latter.¹⁶⁴

As regards the historiography that developed around this episode, a lot of effort went into defending Nehru in the face of Azad's claims. The most forceful attempt to bust the 'myth' of Nehru's responsibility for this blunder, came from his biographer, Sarvepalli Gopal. The crux of Gopal's argument was that the ideological contradictions between the Congress and the ML doomed the coalition's prospects from the very beginning. Any coalition with the ML meant the Congress relinquishing the right to speak on behalf of all Indians and being reduced to a Hindu organization. The ML being an upper class organization of zamindars would have torpedoed land reforms envisaged by the Congress government. Even if Nehru was responsible for the decision to exclude the ML from the ministry, it was "too superficial to trace the growing influence of Muslim communalism to one such single event."¹⁶⁵ The most recent re-examination of this episode by Salil Misra has sought to underline and further fortify Gopal's argument.¹⁶⁶

The one account written in the middle of the whole drama is by Nehru, whose July 21, 1937 letter to Prasad describes the train of events that led to the breakdown of the talks. We need to pay close attention to it along with contemporary press reports. Nehru wrote that after the bitterly fought Bundelkhand election, Khaliquzzaman approached Azad towards the end of June practically offering a blank cheque if he and Ismail Khan were included in the ministry.¹⁶⁷ Nehru discussed the matter with Azad and Pant further since, "we disliked taking in two persons, who, from the Congress point of view, were weak. We feared reaction among Congressmen in general, and Congress Muslims in particular, who would have been irritated at their being excluded in preference for those who had been fighting the Congress."¹⁶⁸ Moreover, after the Jhansi election, rumors about negotiations with Khaliquzzaman caused "consternation among all our people, especially the Muslim Congressmen, the Jamiat people, and young Muslims."¹⁶⁹ The JUH *ulama* were particularly angry since the ML had portrayed them as traitors to the community and having sold their souls for crumbs thrown at them by the Congress party. Maulana Husain Ahmad Madani sent a special messenger to Nehru to propose Hafiz Muhammad Ibrahim as their

164 Khaliquzzaman 1961: 160.

165 Gopal 1989: 222–223.

166 See Chapter 2 of Misra 2001.

167 Nehru to Prasad, July 21, 1937 (Chopra 1986: 766).

168 Nehru to Prasad, July 21, 1937 (Chopra 1986: 766).

169 Nehru to Prasad, July 21, 1937 (Chopra 1986: 767).

nominee in the cabinet. Ibrahim had won the 1937 elections on an ML ticket but resigned from the ML along with the JUH ulama and joined the Congress. Azad backed him as well. Pant warned Nehru that appointing Ibrahim to the cabinet would not be "dignified in the present circumstances. It looks like a bait and may even lower him in public estimation."¹⁷⁰ A day later he added that if Ibrahim were to resign his seat and fight a reelection on the Congress ticket, a solution could be found.¹⁷¹

Azad however continued his negotiations with Khaliquzzaman since the ML's absorption in the Congress would have had a great effect not only in U.P but all over India, leading to an end in communal troubles, and more importantly, "knock over the British government which relied so much on these troubles."¹⁷² The final Congress terms were categorical. The Muslim League legislature party members had to become Congress party members, participate in its deliberations, and be subject to its discipline. All matters were to be decided by a majority vote in the party with each individual member having one vote. Congress policy and instructions regarding work in the legislature had to be faithfully carried out by all members of the Congress party including these members. The MLPB in U.P was to be dissolved. It could not set up candidates in any by-election. All party members had to support Congress candidates. Finally, in the event of the Congress ministries resigning, members of the ML group were bound to be abide by that decision.¹⁷³ In return the Congress would induct two ML members as Ministers.¹⁷⁴ Khaliquzzaman, according to Nehru, supposedly agreed to all the conditions except two. He hesitated to wind up the MLPB and wanted to retain its right to set up candidates for byelections in Muslim seats. He was willing to agree to these conditions as well but had no authority to do so. Yet, he conceded that "this might happen anyhow."¹⁷⁵ He was ready to call an emergency meeting of the ML to take up the issue of candidates in byelections if the Congress could postpone its decision for a few days. But Nehru under pressure from the JUH ulama and repelled by these "opportunistic dealings" sent Khaliq a message that the deal would happen only if he agreed to all the conditions. Thus, talks which began three months earlier finally collapsed on July 28, 1937.

¹⁷⁰ Pant to Nehru, July 19, 1937 (Chopra 1986: 755).

¹⁷¹ Pant to Nehru, July 20, 1937 (Chopra 1986: 759).

¹⁷² Nehru to Prasad, July 21, 1937 (Chopra 1986: 767).

¹⁷³ Chopra 1986: 767. Also see *The Pioneer*, July 30, 1937.

¹⁷⁴ Nehru to Prasad, July 21, 1937 (Chopra 1986: 767).

¹⁷⁵ Nehru to Prasad, July 21, 1937 (Chopra 1986: 767).

In their press statement after their talks with Azad failed, Khaliquzzaman and Ismail Khan gave a different reason for the breakdown of talks. They had tried to explain “to the Maulana sahib our position in regard to the unfairness of the conditions generally but we laid *special stress on the inclusion of a clause in the agreement that communal matters such as the questions relating to Communal Award, language, culture, religious observances etc. will be outside the scope of the agreement*” [emphasis mine].¹⁷⁶ Azad expressed his inability to concede on this point though he told them that the Congress in its own interest would desist from raking up any communal controversies.

Nehru’s letter to Prasad makes it clear that the views and interests of the Congress Muslims, especially of the JUH ulama and Muslim socialists, were of paramount importance and a critical factor in the breakdown of negotiations with Khaliquzzaman. Saksena too blamed the JUH ulama and Muslim socialists for preventing a truck with the ML. In an explosive note that he prepared in 1945 to review the political situation in India since the launch of the Quit India movement, Saksena went further than what he had said when reviewing Azad’s memoir. He particularly blamed Muslim socialists for the Congress failure to form a coalition with the ML in U.P. As he bitterly noted, “personal prejudices and ambitions in the garb of political ideologies and high sounding slogans came in the way and were responsible for turning down the offer of whole-hearted and unconditional cooperation from the Muslim League members in the UP and elsewhere. All Congressmen are fully aware of the dire consequences of this one false step- shall I say blunder- on our part and I need not reiterate them. And those very people who were responsible for the rejection of the aforesaid offer on the ground that there could not be any understanding with a reactionary body like the Muslim League are urging today to settle with the League and accept Pakistan on Mr Jinnah’s terms. They are also reported to be exhorting Muslims in the Congress to join the League.”¹⁷⁷ Yet, the overriding emphasis on ideology in existing explanations has not only obscured their role in this drama, they have been portrayed as tragic victims of Congress myopia in the story leading up to India’s Partition. Thus, while ideology need not be denied as a factor in this breakdown, ideological explanations need to be balanced by an analysis of ideas, actions and interests of Muslim socialists, JUH ulama, and Congress Muslims that this essay has highlighted. One can only wonder what could have happened if the Congress had inducted both Khaliquzzaman and

176 *The Leader*, August 1, 1937.

177 File 3/23/45 Home Pol (I): A Note said to have been prepared by Mohanlal Saxena, MLA and Member of the AICC reviewing the political situation in India from 1942; National Archives of India, New Delhi.

Ismail Khan into the ministry and allowed them the same concession that Rafi Kidwai had promised Congress Nationalists- freedom of conscience when it came to the Communal Award. Given that half a dozen ML MLAs resigned and joined the Congress soon after it formed the ministry in U.P, these two ML veterans would arguably have brought in at least another ten MLAs with them. That would have whittled the ML to a smaller group than the Congress Muslim group in the U.P legislature and reduced it to merely a party of landlords. It is also possible that these landlord MLAs would soon have migrated to Chhatari's NAP, thus ending the ML's very existence in U.P. But Nehru put his foot down. It was perhaps a colossal misjudgment. On the flipside, it could be argued that Nehru made a good decision since a coalition ministry with ML renegades would perhaps have been held hostage on communal issues much more aggressively by a mortally wounded ML. Moreover, it was his strong statement that politics in India could not be held hostage to exclusive religious identities and interests.

In any case, Hafiz Muhammad Ibrahim became the second Muslim minister in the U.P cabinet. Congress Muslims were now expected to take advantage of their stature and prestige and successfully persuade the Muslim masses to join the Congress. But the Congress MMCP failed badly in the face of the ML's own program of mass contacts that brought in much larger number of Muslims into the party dwarfing the Congress' own efforts. The ML's strident propaganda against Congress Hindu Raj and its alleged symbols such as the Wardha system of education, the tricolor, *Bande Mataram*, the alleged destruction of Urdu and imposition of Hindi, gained traction among the U.P Muslims. A rash of communal riots in U.P vitiated the atmosphere further and a steady stream of byelections to Muslim constituencies in which ML trounced the Congress, showed which way the wind was blowing. The predicament of Congress Muslims within a year of the ministry is captured by a statement issued by Sahib Ali, Secretary, Town Congress Committee, Safipur, Unnao district. "Muslim League activists in Safipur armed with *lathis* reciting all kinds of objectionable slogans take out processions in the night. Congress Muslims are called *kafirs*, expelled from offering *namaz* at local mosques, denied burial in graveyards and socially boycotted."¹⁷⁸

We may end this section by noting how a Congress veteran carried regret for this episode well past the Partition. Sampurnanand, Education Minister in the 1937 U.P cabinet, a prominent socialist and the ML's *bete noire* for his alleged attempts to impose 'shuddh' Hindi in school education, reminisced that, "There was an alliance [between the Congress and the ML] certainly. Then the alliance succeeded in the sense that it managed to get a number of members and as a

178 *The Leader*, May 13, 1938.

result of it the Congress did get something like a swelled head and the alliance simply broke off. That is all. The Muslim League could say with some show of reason that they did not receive a very fair deal. They could say that. There is case for that." The surprised interviewer tried to propose the ideological explanation for the fiasco but Sampurnanand stuck to his position. The relevant fragment of the interview is worth quoting.

Haridev Sharma: "The Congress wanted a ministry which was ideologically well knit but if the Ministry had members from the Muslim League believing in the Muslim League program and not a common minimum programme, there could be some difficulty. Was this the main reason for not adding ministers from Muslim League or was it due to the reason you have just mentioned?"

Sampurnanand: I will still say what I have said.

Sharma: That there was a certain amount of arrogance on part of the Congress?

Sampurnanand: It was there. No doubt about it. The Congress leaders did display some arrogance. They were also human.¹⁷⁹

15 Breakdown between the Congress right wing and Jinnah

The breakdown of negotiations between Azad and Khaliquzzaman was paralleled by a collapse of relations between Jinnah and the Congress right wing. It began with Jinnah angrily denying Nehru's charge that he had issued an appeal to the voters in the Bundelkhand in the name of Allah and the Holy Quran. Jinnah also reiterated his statement about holding conferences with Rajendra Prasad to get the Muslim point of view accepted by the Congress if not by the Hindu Mahasabha, but provocatively added that "at times it is very difficult to say who are the Congress leaders and who are the Mahasabha leaders, for the line of demarcation between the two with regard to a large number of them is very thin indeed."¹⁸⁰ He asserted that neither he nor Prasad had any authority to come to a binding agreement and that it needed to be confirmed by their respective parties. He further claimed that their formula was not only rejected

¹⁷⁹ *Oral History Interview with Dr. Sampurnanand*, Varanasi, December 19, 1967, by Haridev Sharma, Nehru Memorial Museum and Library, New Delhi.

¹⁸⁰ *Bombay Chronicle*, July 2, 1937 (Chopra 1986: 711–712).

by the Hindu Mahasabha but that an influential section of the Congress leadership was "deadly opposed" to it, and hence it had to be dropped.

Prasad finally broke his silence and flatly rejected Jinnah's claims. He averred that following their conversations a formula was evolved, which he not only accepted in his personal capacity but offered to get the Congress to ratify it since several CWC members were in Delhi at the time and fully in agreement with him. Moreover, the Hindu Mahasabha leaders from Punjab also endorsed it. But Jinnah insisted that Malviya also agree to it. Jinnah's claim that an influential section of the Congress was opposed to it, Prasad politely noted, was "not correct". He had also "told Jinnah that the Congress and the League should accept the formula and the Congress would fight those Hindus who were opposed to it, as it had fought them during the recent assembly elections quite successfully in most of the provinces. But this was not considered enough by Mr. Jinnah and as it was impossible to fulfill his demand that the Hindu Mahasabha should also join, the matter had to be dropped." Prasad added, "I dare say that Mr. Jinnah will himself recall this conversation if he charges his memory a little. I kept full notes of the conversations from day to day and they are in the Congress office."¹⁸¹ Endorsing Prasad, Nehru needled Jinnah further. "My visit to Bundelkhand has enlightened me greatly as to how communal organizations run elections and the notices and other material we have collected will no doubt be of value to the future historian."¹⁸²

These public exchanges on the formula led to much excitement in Muslim political circles as M. A.H Ispahani immediately wired Jinnah requesting that "Rajendra Prasad's offer of ratification of your formula regarding Hindu-Muslim differences should be given best consideration."¹⁸³ The JUH's Maulana Ahmad Saeed did the same. From UP seven ML leaders including Khaliquzzaman and Shaukat Ali telegraphed Jinnah to accept the formula. As *the Leader* noted,

"The general feeling in the League circles is that Mr. Jinnah will be committing a serious mistake if he refuses to accept the offer of settlement originally agreed to by him and that he would be placing the Muslim community in a false position. They also felt that circumstances which led to the abandonment of negotiations in 1935 do not hold good today. Mr. Jinnah was then rightly apprehensive of Pandit Malviya and the Congress Nationalists but the results of the recent elections shows the hold of the Congress Nationalists and the Hindu Sabhaites on the masses and it is now certain that the Congress was

¹⁸¹ Prasad's rejoinder to Jinnah, July 11, 1937 (Chopra 1986: 726–727).

¹⁸² Nehru's Statement regarding Jinnah-Rajendra Prasad formula, July 20, 1937 (Gopal 1972, Vol. 8: 164–165).

¹⁸³ Tirmizi 1998: 216.

now in a position to implement the agreement. From the strength of opinion it is apparent that startling developments may be expected within the next few days whatever Mr. Jinnah's decision.”¹⁸⁴

Four MLAs now resigned from the ML and joined the Congress. They included Suleyman Ansari (Gorakhpur) Abdul Hakim (Basti), Saiduddin (Partabgarh) and Iqbal Suhel (Azamgarh).¹⁸⁵ On the defensive, Jinnah again denied, rather disingenuously, that he came to any agreement with Prasad. He decried Prasad's “sporting offer” to get the formula accepted by the Congress if he himself got the signatures of Muslim leaders barring one or two of them. Forgetting that he himself had giving the matter a public airing, he expressed astonishment that Prasad “should have adopted the method, the manner, and channel of approach, through which he flung this ‘sporting offer’, with regard to an issue which involves the fate and future of eighty millions of Mussalmans. In all seriousness, I appeal to him, does he think that this is the right way to open negotiations, through the channel of the press for the settlement of this vital and far reaching question?”¹⁸⁶

Jinnah explained that when he met Prasad in 1935, he had demanded that the Congress accept the Communal Award until a substitute was agreed upon by Hindus and Muslims, but his proposal was rejected. This was again quite contrary to what Prasad had written in his notes at the time- that Jinnah explicitly stated that the acceptance of the Award by the Congress was not a pre-condition for their talks. In any case, Jinnah claimed that he had expressed his willingness to consider any proposal that the Congress came up with if it had the “universal support of the Hindus and the Sikhs and was a better offer than what the Communal Award gave to the Muslims.” He reiterated that he “had no authority from the League to come to any agreement and my position today is exactly the same as before.” He then made a dramatic counteroffer. “If Babu Rajendra Prasad is so sure of getting the Congress to adopt his formula as a substitute for the Communal Award and informs me to that effect with the authority and sanction of the Congress, I will place it before the all India Muslim League without delay.”¹⁸⁷ However, the manner in which the Congress offer had been made in the press alongside news reports of a few Muslims in U.P threatening to quit the ML if Jinnah did not carry out what Prasad enjoined, led him to suspect that it was “not a genuine desire for a honorable settlement” but an attempt to divide the Muslims and split the ML.¹⁸⁸ Prasad's offer also needed

¹⁸⁴ *The Leader*, July 23, 1937.

¹⁸⁵ *The Leader*, July 25, 1937.

¹⁸⁶ *The Leader*, July 29, 1937.

¹⁸⁷ *The Leader*, July 29, 1937.

¹⁸⁸ *The Leader*, July 29, 1937.

to be seen alongside Nehru's dismissal of minority rights as utter nonsense, his comment that the Congress wanted to destroy the Communal Award, that if the Muslims wanted a settlement they must apply to the Hindu Mahasabha, and in the meantime join the Congress unconditionally and sign its pledge.

The Congress, Jinnah bitterly continued, flushed with its majorities in six provinces had decided to non-cooperate with the ML parties in provincial legislatures. In forming their own ministries, "they had vindicated the justice and fair treatment to minorities urged and promised by Mahatma Gandhi." The Congress "had made a good feast of all the loaves and fishes of office" and "getting the stray Musalman to exchange a pledge overnight to accept a ministry the next morning." He next trained his guns on Nehru "that busybody President". "What does he know of what took place between me and Babu Rajendra Prasad? He seems to carry the responsibility of the whole world on his shoulders and must poke his nose into everything except his own business." Jinnah then declared that he was "not in the slightest degree affected by anything that has happened in the past" and that "nobody will welcome an honourable settlement between the Hindus and the Muslims than I, and nobody will be more ready to help it." He underlined his earnestness by stating that he had written a letter to Gandhi to take up the issue of Hindu-Muslim settlement and use his great influence to resolve it. He reproduced Gandhi's letter that he received in turn on May 22, 1937 in which the Mahatma confessed, "I wish I could do something but I am utterly helpless. My faith in unity is bright as ever, only I see no daylight out of the impenetrable darkness and in such distress cry out to God for Light." Jinnah ended his message on a rousing note.

"I want to say a word to the Musalmans. Those few waverers who are ready or about to betray us for jobs need not seek excuses or loopholes to justify their threatened secession from the All India Muslim League. They may go but those members of the Muslim League if they have a shred of conscience left must tender their resignations and contest the seats again on a Congress ticket. I am sure the all India Muslim League will be all the better without such men. To those who easily get the cold feet and suffer from defeatist mentality, I say have courage and faith. *Delhi dur Ast.*"¹⁸⁹

Prasad responded that he would get the 1935 formula accepted by the Congress right away if Jinnah stuck to the bargain. Expressing mild annoyance, he wrote: "But his inability to carry the Musalmans with him is no reason for charging me with bad faith." He suggested that Jinnah's irritation with recent incidents made him accuse the Congress of not accepting the formula instead of placing the blame on Malviya and some Hindus and Sikhs.¹⁹⁰ Jinnah shot back

¹⁸⁹ *The Leader*, July 29, 1937.

¹⁹⁰ *The Leader* July 31, 1937.

that while he himself never agreed to the formula he was willing to place it before the Council of the AIML.¹⁹¹ Prasad patiently repeated that Jinnah had agreed to the formula in 1935. Otherwise he would not have been running around meeting Malviya, the Sikhs and the Hindu Mahasabha. He concluded the exchange saying that “Mr. Jinnah now says that he never accepted the formula even in his personal capacity and is not prepared to do so even today. If I get the formula accepted by the Congress then he will place it before the ML without a commitment even on his own part personally to support it. I leave it to the public to judge between us both on the question of fact and on our respective attitudes. The channel between the Congress right wing and Jinnah thus ended.”¹⁹²

16 The Bijnor By-election and Heightening Tensions

As Qazi Abdul Wali the League's MLA from Dehradun along with Mahmud Husain Khan an Independent MLA from Fatehpur-Banda joined the Congress,¹⁹³ the UP ML after discussing the Prasad-Jinnah talks, requested the Council of the AIML to come to an honorable settlement on the issue.¹⁹⁴ There was growing uneasiness as Jinnah maintained silence on the dates of the forthcoming AIML session scheduled to be held in Lucknow. The local reception committee had suggested 28 August but were waiting to hear him. They hoped that Jinnah would not change the venue from Lucknow as he had done in 1931. *The Leader* reported that an influential section of the ML wanted to press Jinnah at Lucknow to enter into negotiations with the Congress on the Rajendra Prasad-Jinnah formula, failing which they would secede from the League.¹⁹⁵ *The Guardian* of London wrote that there were only two options left to the Indian Muslims- to join the Congress and make it amenable to their influence or form a separate organization to rival the Congress. It noted that the ML had “adopted the latter course and instead of gaining the much more that it hoped for, is in danger of losing what was sufficient and assured by the former method.”¹⁹⁶

¹⁹¹ *The Leader*, August 5, 1937.

¹⁹² *The Leader*, August 8, 1937.

¹⁹³ *The Leader*, August 3, 1937.

¹⁹⁴ *The Leader*, August 13, 1937.

¹⁹⁵ *The Leader*, August 25, 1937.

¹⁹⁶ *The Leader*, September 9, 1937.

Jinnah's vulnerability and weakness at this point was succinctly captured by the Viceroy writing to the Secretary of State Lord Zetland. "I do not quite frankly feel any deep confidence in him and suspect he is one of those political leaders who can play a personal hand but no other and whose permanent control on the allegiance of their followers is frequently open to question."¹⁹⁷ But Jinnah did not have to wait long to find support. The appointment of Hafiz Mohammad Ibrahim as the second Muslim minister alongside Rafi Ahmad Kidwai irked the UP ML no end. Its MLAs began to walk out of the legislature whenever this 'renegade' got up to speak while its rank and file organized black flag demonstrations and protests whenever he participated in public functions. In response, Ibrahim resigned from the assembly and stood in the Bijnor & Garhwal Muslim seat as a Congress candidate in an election that was scheduled for late October. This time the Congress unleashed its entire arsenal and all those absent from Jhansi showed up to campaign for Ibrahim in Bijnor. It included Ataullah Shah Bukhari, Maulana Husain Ahmad Madani, Syed Mahmud, Asaf Ali, and Khan Abdul Ghaffar Khan from NWFP. There was 80% polling in this by-election with 50% of women voters also casting their vote. Both parties acknowledged that there had never been such heavy polling in a Muslim rural constituency nor had there ever been such heavy propaganda as villages were littered with handbills. As the *Leader* noted, even from isolated and distant villages poured in voters on foot, on horseback, *rath*, *ekka*, or lorry. This they presumably did as a token of appreciation or as a return call for repeated visits by Congress Red Shirt, Blue Shirt, and Green Shirt volunteers. The newspaper also provided a local vignette from this by-election.

"An interesting account has been received from Jhaloo where a domestic quarrel arose at a polling booth between a couple with the husband, a staunch Leaguer, advising his wife to vote for the League candidate, whereas the latter an equally staunch supporter of the Congress would not listen to his advice. The quarrel it is stated took a serious turn when as a final argument the wife said that she would rather accept a divorce than vote against her convictions. Better sense however prevailed and both voted according to the dictates of their conscience and left the booth a happy couple."¹⁹⁸

Nehru announced the election result to the delegates at the October 1937 AICC session in Calcutta with fanfare. "Our mass contact move has succeeded beyond the most optimistic calculations, so much so that today the Congress claims a far larger number of Muslims than the ML can do ... A few days ago, at Bijnor, there

¹⁹⁷ Linlithgow to Zetland, September 9, 1937 (Chopra 1986: 944).

¹⁹⁸ *The Leader*, October 29, 1937.

had been a straight contest between the Congress and the League and you will hear shortly that the Congress nominee has succeeded with a thumping majority.”¹⁹⁹

The historic 1937 AIML session was held in Lucknow while the Bijnor election campaign was in full swing. Jinnah gave a fighting speech castigating the Congress leadership for alienating Indian Muslims by pursuing a policy which was exclusively Hindu. He excoriated the Congress high command for speaking in different voices. It either denied the existence of a minority question in the country, threw a few crumbs at the Muslims in order to manage them, or lamented that “there is no light to be seen in impenetrable darkness”. This last part of course was an acerbic reference to Gandhi’s letter. Jinnah therefore asked the Muslims to be strong and united. “Do not be disturbed by slogans and taunts such as are used against the Musalmans- communalists, toadies, reactionaries. The worst toady on earth, the most wicked communalist today amongst the Muslims when he surrenders unconditionally to the Congress and abuses his own community becomes the nationalist of nationalists tomorrow.”²⁰⁰ Jinnah concluded by dismissing the Congress demand for a Constituent Assembly on the basis of universal adult franchise. As he noted, “to ask a Foreign government who is the ruling and sovereign authority in this country to convene such a body before even the communal problem has been solved is like putting the horse before the cart.”²⁰¹

The Punjab Premier Sir Sikandar Hayat Khan noted that Muslim resentment at the Lucknow session “was stronger than Jinnah represented it to be.” There was anger against Congress induction of non-representative Muslims into the provincial cabinets, the flaunting of the Congress flag, the singing of *Bande Mataram*, and the perceived imposition of Hindi. These were seen as signs of the Congress inaugurating Hindu Raj. He acknowledged that the “complaints were probably very exaggerated but at the moment, the Muslims everywhere except NWFP were on the lookout for grievances against the Congress.” Such was the animosity that if any Congress leader had appeared at the conference he would have been lynched.²⁰²

17 The end of the road

The Congress leadership alarmed by the spike in communal tensions following the rupture with the ML tried to heal the breach soon after the Bijnor election. Nehru

¹⁹⁹ *Amrita Bazaar Patrika*, October 30, 1937 (Chopra 1986: 1093).

²⁰⁰ *Star of India* October 16/17, 1937, quoted in Tirmizi 1998: 25–56.

²⁰¹ *Star of India* October 16/17, 1937, quoted in Tirmizi 1998: 25–56.

²⁰² Emerson to Linlithgow, October 21, 1937 (Chopra 1986: 1056–1059).

wrote letters to Nawab Ismail Khan to understand the nature of the differences between the Congress and the ML but their exchanges went nowhere. He next wrote a series of earnest letters to Jinnah for the same reason but was rudely and repeatedly rebuffed. He also reached out to Shaukat Ali as did K.M Ashraf but their discussions similarly brought no resolution. The negotiations between Jinnah and Subhas Bose did not get off ground as Jinnah now wanted the Congress to recognize the Muslim League as the "sole authoritative and representative organization of the Indian Muslims." Jinnah explained that this position was accepted when the 1916 Lucknow Pact was signed between the Congress and the ML and that even during his conversations with Rajendra Prasad in 1935 it was not questioned. The ML, he noted, did not really need any recognition from the Congress. "But in view of the fact that the position- in fact the very existence- of the League had been questioned by Pandit Jawaharlal Nehru, the then President of the Congress, in one of his statements wherein he asserted that there were only two parties in the country, viz, the British government and the Congress, it was considered necessary by the Executive Council [of the ML] to inform the Congress of the basis on which the negotiations between the two organizations could proceed."²⁰³ The Congress however could not accept this demand since it had hundreds of thousands of Muslim members, a government in the NWFP, not to mention the fact that there were other powerful Muslim organizations in India. As Patel later put it, to accept the position proposed by the ML "would be tantamount to the Congress committing suicide to be reborn as a Hindu organization."²⁰⁴ After Bijnor, the cycle of bitterly fought by-elections, continued into 1938 sharpening the Congress-ML divide. The ML vanquished the Congress in all these contests with valuable support from a section of the Deobandi ulama represented by the legendary Maulana Ashraf Ali Thanawi. The ML was also able to ride out an embarrassing Shia-Sunni schism in U.P over the *Madaha-i Sahaba* dispute that led to riots between the two sects in U.P, and especially in the provincial capital Lucknow.²⁰⁵ When the Congress ministries finally resigned in 1939 to protest against the British government forcing India into World War II without the assent of its representatives, Jinnah announced the celebration of a 'Day of Deliverance'. The Lahore Resolution followed soon after.

²⁰³ See the Subhas Bose-Jinnah correspondence in Netaji Research Bureau (comp.) (1960: 37–47).

²⁰⁴ *The Leader*, December 29, 1939.

²⁰⁵ See Venkat Dhulipala, "Rallying the Qaum: The Muslim League in the United Provinces 1937–1939", *Modern Asian Studies*, 44, 3 (2010), 603–640.

18 Conclusion

This essay sought to open alternative ways of looking at Indian politics as they developed in the shadow of the 1935 GOI Act. It explained how and why political alignments evolved within and between the Congress and various other political groups in its aftermath. In this regard, it showed how fractures within the Congress and the Muslim League largely drove political processes before these parties became more solidified and stable entities. This culminated in the formation of provincial ministries, competitive programs of Muslim mass contacts outside the legislatures, and contests during by-elections that accentuated their divisions. Contrary to pre-fabricated ideological narratives of the behavior of the Congress right and left wings, or the defensive apologetics on behalf of the Congress or the Muslim League leaders that make for brittle narratives, this essay demonstrated how evolving values, motivations, judgments, accidents, and errors by individuals and groups drove the political process. While politics in U.P during this period played a critical role in the creation of Pakistan in 1947, actors in the 1930s were certainly not aware of the terminus of history.

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