

CHAPTER III

ESCAPE FROM DEGRADATION

“What justification have the Musalmans of India for demanding the partition of India and the establishment of separate Muslim States? Why this insurrection? What grievances have they?”—ask the Hindus in a spirit of righteous indignation.

Anyone, who knows history, will not fail to realize that it has now been a well established principle that nationalism is a sufficient justification for the creation of a national state. As the great historian Lord Acton points out:—

“In the old European system, the rights of nationalities were neither recognised by Governments nor asserted by the people. The interest of the reigning families, not those of the nations, regulated the frontiers, and the administration was conducted generally without any reference to popular desires. Where all liberties were suppressed, the claims of national independence were necessarily ignored, and a princess, in the words of Fenelon, carried a monarchy in her wedding portion.”

Nationalities were at first listless. When they became conscious—

“They first rose against their conquerors in defence of their legitimate rulers. They refused to be governed by usurpers. Next came a time when they revolted because of the wrongs inflicted upon them by their rulers. The insurrections were provoked by particular grievances justified by definite complaints. Then came the French Revolution which effected a complete change. It taught the people to regard their wishes and wants as the supreme criterion of their right to do what they liked to do with themselves. It proclaimed the idea of the sovereignty of the people uncontrolled by the past and uncontrolled by the existing state. This text taught by the French Revolution became an accepted dogma of all liberal thinkers. Mill gave it his support. ‘One hardly knows,’ says Mill, ‘what any division of the human race should be free to do, if not to determine with which of the various collective bodies of human beings they choose to associate themselves.’ ”

He even went so far as to hold that—

“It is in general a necessary condition of free institutions that the boundaries of governments should coincide in the main with those of nationalities.”

Thus history shows that the theory of nationality is imbedded in the democratic theory of the sovereignty of the will of a people. This means that the demand by a nationality for a national state does not require to be supported by any list of grievances. The will of the people is enough to justify it.

But, if grievances must be cited in support of their claim, the Muslims say that they have them in plenty. They may be summed up in one sentence, that constitutional safeguards have failed to save them from the tyranny of the Hindu majority.

At the Round Table Conference, the Muslims presented their list of safeguards, which were formulated in the well-known fourteen points. The Hindu representatives at the Round Table Conference would not consent to them. There was an impasse. The British Government intervened and gave what is known as "the Communal decision". By that decision, the Muslims got all their fourteen points. There was much bitterness amongst the Hindus against the Communal Award. But, the Congress did not take part in the hostility that was displayed by the Hindus generally to wards it, although it did retain the right to describe it as anti-national and to get it changed with the consent of the Muslims. So careful was the Congress not to wound the feelings of the Muslims that when the Resolution was moved in the Central Assembly condemning the Communal Award, the Congress, though it did not bless it, remained neutral, neither opposing nor supporting it. The Mahomedans were well justified in looking upon this Congress attitude as a friendly gesture.

The victory of the Congress at the polls in the provinces, where the Hindus are in a majority, did not disturb the tranquillity of the Musalmans. They felt they had nothing to fear from the Congress and the prospects were that the Congress and the Muslim League would work the constitution in partnership. But, two years and three months of the Congress Government in the Hindu Provinces have completely disillusioned them and have made them the bitterest enemies of the Congress. The Deliverance Day celebration held on the 22nd December 1939 shows the depth of their resentment. What is worse, their bitterness is not confined to the Congress. The Musalmans, who at the Round Table Conference

joined in the demand for Swaraj, are today the most ruthless opponents of Swaraj.

What has the Congress done to annoy the Muslims so much? The Muslim League has asserted that under the Congress regime the Muslims were actually tyrannized and oppressed. Two committees appointed by the League are said to have investigated and reported on the matter. But apart from these matters which require to be examined by an impartial tribunal, there are undoubtedly two things which have produced the clash: (1) the refusal by the Congress to recognize the Muslim League as the only representative body of the Muslims, (2) the refusal by the Congress to form Coalition Ministries in the Congress Provinces.

On the first question, both the Congress and the League are adamant. The Congress is prepared to accept the Muslim League as one of the many Muslim political organizations, such as the Ahrars, the National Muslims and the Jamiat-ul-Ulema. But it will not accept the Muslim League as the only representative body of the Muslims. The Muslim League, on the other hand, is not prepared to enter into any talk unless the Congress accepts it as the only representative body of the Musalmans of India. The Hindus stigmatize the claim of the League as an extravagant one and try to ridicule it. The Muslims may say that if the Hindus would only stop to inquire how treaties between nations are made, they would realize the stupidity of their view. It may be argued that when a nation proceeds to make a treaty with another nation, it recognizes the Government of the latter as fully representing it. In no country does the Government of the day represent the whole body of people. Everywhere it represents only a majority. But nations do not refuse to settle their disputes because the Governments, which represent them, do not represent the whole people. It is enough if each Government represents a majority of its citizens. This analogy, the Muslims may contend, must apply to the Congress-League quarrel on this issue. The League may not represent the whole body of the Muslims but if it represents a majority of them, the Congress should have no compunction to deal with it for the purpose of effecting a settlement of the Hindu-Muslim question. Of course, it is open to the Government

of a country not to recognize the Government of another country where there is more than one body claiming to be the Government. Similarly, the Congress may not recognize the League. It must, however, recognize either the National Muslims or the Ahrars or the Jamiat-ul-Ulema and fix the terms of settlement between the two communities. Of course, it must act with the full knowledge as to which is more likely to be repudiated by the Muslims—an agreement with the League or an agreement with the other Muslim parties. The Congress must deal with one or the other. To deal with neither is not only stupid but mischievous. This attitude of the Congress only serves to annoy the Muslims and to exasperate them. The Muslims rightly interpret this attitude of the Congress as an attempt to create divisions among them with a view to cause confusion in their ranks and weaken their front.

On the second issue, the Muslim demand has been that in the cabinets there shall be included Muslim Ministers who have the confidence of the Muslim members in the Legislature. They expected that this demand of theirs would be met by the Congress if it came in power. But, they were sorely disappointed. With regard to this demand, the Congress took a legalistic attitude. The Congress agreed to include Muslims in their cabinets, provided they resigned from their parties, joined the Congress and signed the Congress pledge. This was resented by the Muslims on three grounds.

In the first place, they regarded it as a breach of faith. The Muslims say that this demand of theirs is in accordance with the spirit of the Constitution. At the Round Table Conference, it was agreed that the cabinets shall include representatives of the minority communities. The minorities insisted that a provision to that effect should be made a part of the statute. The Hindus, on the other hand, desired that the matter should be left to be regulated by convention. A *via media* was found. It was agreed that the provision should find a place in the Instrument of Instructions to the Governors of the provinces and an obligation should be imposed upon them to see that effect was given to the convention in the formation of the cabinets. The Musalmans did not insist upon

making this provision a part of the statute because they depended upon the good faith of the Hindus. This agreement was broken by a party which had given the Muslims to understand that towards them its attitude would be not only correct but considerate.

In the second place, the Muslims felt that the Congress view was a perversion of the real scope of the convention. They rely upon the text of the clause* in the Instrument of Instructions and argue that the words "member of a minority community" in it can have only one meaning, namely, a person having the confidence of the community. The position taken by the Congress is in direct contradiction with the meaning of this clause and is indeed a covert attempt to break all other parties in the country and to make the Congress the only political party in the country. The demand for signing the Congress pledge can have no other intention. This attempt to establish a totalitarian state may be welcome to the Hindus, but it meant the political death of the Muslims as a free people.

This resentment of the Muslims was considerably aggravated when they found the Governors, on whom the obligation was imposed to see that effect was given to the convention, declining to act. Some Governors declined, because they were helpless by reason of the fact that the Congress was the only majority party which could produce a stable government, that a Congress Government was the only government possible and that there was no alternative to it except suspending the constitution. Other Governors declined, because they became active supporters of the Congress Government and showed their partisanship by praising the Congress or by wearing Khadi which is the official party dress of the Congress. Whatever be the reasons, the Muslims discovered that an important safeguard had failed to save them.

The Congress reply to these accusations by the Muslims is twofold. In the first place, they say that coalition cabinets are

*"In making appointments to his Council of Ministers, our Governor shall use his best endeavours to select his Ministers in the following manner, that is to say, to appoint in consultation with the person who in his judgment is most likely to command a stable majority in the Legislature, those persons (including so far as practicable, members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among his Ministers."

inconsistent with collective responsibility of the cabinets. This, the Musalmans refuse to accept as an honest plea. The English people were the first and the only people, who made it a principle of their system of government. But even there it has been abandoned since. The English Parliament debated* the issue and came to the conclusion that it was not so sacrosanct as it was once held and that a departure from it need not necessarily affect the efficiency or smooth working of the governmental machine. Secondly, as a matter of fact, there was no collective responsibility in the Congress Government. It was a government by departments. Each Minister was independent of the other and the Prime Minister was just a Minister. For the Congress to talk about collective responsibility was really impertinent. The plea was even dishonest, because it is a fact that in the provinces where the Congress was in a minority, they did form Coalition Ministries without asking the Ministers from other parties to sign the Congress pledge. The Muslims are entitled to ask 'if coalition is bad, how can it be good in one place and bad in another?'

The second reply of the Congress is that even if they take Muslim Ministers in their cabinet who have not the confidence of the majority of the Muslims, they have not failed to protect their interests. Indeed they have done every thing to advance the interests of the Muslims. This no doubt rests on the view Pope held of government when he said:

"For forms of government let fools contest;

What is best administered is best."

In making this reply, the Congress High Command seems to have misunderstood what the main contention of the Muslims and the minorities has been. Their quarrel is not on the issue whether the Congress has or has not done any good to the Muslims and the minorities. Their quarrel is on an issue which is totally different. Are the Hindus to be a ruling race and the Muslims and other minorities to be subject races under Swaraj? That is the issue involved in the demand for coalition ministries. On that, the Muslims and other minorities have taken a definite stand. They are not prepared to accept the position of subject races.

* See the announcement on 22nd January 1932 by the British Prime Minister on the decision of the cabinet to agree to differ on the Tariff Question and the debate on it in Parliament.

That the ruling community has done good to the ruled is quite beside the point and is no answer to the contention of the minority communities that they refuse to be treated as a subject people. The British have done many good things in India for the Indians. They have improved their roads, constructed canals on more scientific principles, effected their transport by rail, carried their letters by penny post, flashed their messages by lightning, improved their currency, regulated their weights and measures, corrected their notions of geography, astronomy and medicine, and stopped their internal quarrels and effected some advancement in their material conditions. Because of these acts of good government, did anybody ask the Indian people to remain grateful to the British and give up their agitation for self-government? Or because of these acts of social uplift, did the Indians give up their protest against being treated as a subject race by the British? The Indians did nothing of the kind. They refused to be satisfied with these good deeds and continued to agitate for their right to rule themselves. This is as it should be. For, as was said by Curran, the Irish patriot, no man can be grateful at the cost of his self-respect, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its honour. To do otherwise is to show that one's philosophy of life is just what Carlyle called 'pig philosophy'. The Congress High Command does not seem to realize that the Muslims and other minorities care more for the recognition of their self-respect at the hand of the Congress than for mere good deeds on the part of the Congress. Men, who are conscious of their being, are not pigs who care only for fattening food. They have their pride which they will not yield even for gold. In short "life is more than the meat".

It is no use saying that the Congress is not a Hindu body. A body which is Hindu in its composition is bound to reflect the Hindu mind and support Hindu aspirations. The only difference between the Congress and the Hindu Maha Sabha is that the latter is crude in its utterances and brutal in its actions while the Congress is politic and polite. Apart from this difference of fact, there is no other difference between the Congress and the Hindu Maha Sabha.

Similarly, it is no use saying that the Congress does not recognize the distinction between the ruler and the ruled. If this is so, the Congress must prove its *bona fides* by showing its readiness to recognize the other communities as free and equal partners. What is the test of such recognition ? It seems to me that there can be only one—namely, agreeing to share power with *the effective* representatives of the minority communities. Is the Congress prepared for it ? Everyone knows the answer. The Congress is not prepared to share power with a member of a community who does not owe allegiance to the Congress. Allegiance to the Congress is a condition precedent to sharing power. It seems to be a rule with the Congress that if allegiance to the Congress is not forthcoming from a community, that community must be excluded from political power.

Exclusion from political power is the essence of the distinction between a ruling race and a subject race; and inasmuch as the Congress maintained this principle, it must be said that this distinction was enforced by the Congress while it was in the saddle. The Musalmans may well complain that they have already suffered enough and that this reduction to the position of a subject race is like the proverbial last straw. Their decline and fall in India began ever since the British occupation of the country. Every change, executive, administrative, or legal, introduced by the British, has inflicted a series of blows upon the Muslim Community. The Muslim rulers of India had allowed the Hindus to retain their law in civil matters. But, they abrogated the Hindu Criminal Law and made the Muslim Criminal Law the law of the State, applicable to all Hindus as well as Muslims. The first thing the British did was to displace gradually the Muslim Criminal Law by another of their making, until the process was finally completed by the enactment of Macaulay's Penal Code. This was the first blow to the prestige and position of the Muslim community in India. This was followed by the abridgment of the field of application of the Shariat or the Muslim Civil Law. Its application was restricted to matters concerning personal relations, such as marriage and inheritance, and then only to the extent permitted by the British. Side by side came the abolition, in 1837, of Persian as the official language of the Court and of general administration and the substitution of

English and the vernaculars in place of Persian. Then came the abolition of the Qazis, who, during the Muslim rule, administered the Shariat. In their places, were appointed law officers and judges, who might be of any religion but who got the right of interpreting Muslim Law and whose decisions became binding on Muslims. These were severe blows to the Muslims. As a result, the Muslims found their prestige gone their laws replaced, their language shelved and their education shorn of its monetary value. Along with these came more palpable blows in the shape of annexation of Sind and Oudh and the Mutiny. The last, particularly, affected the higher classes of Muslims, who suffered enormously by the extensive confiscation of property inflicted upon them by the British, as a punishment for their suspected complicity in the Mutiny. By the end of the Mutiny, the Musalmans, high and low, were brought down by these series of events to the lowest depths of broken pride, black despair and general penury. Without prestige, without education and without resources, the Muslims were left to face the Hindus. The British, pledged the neutrality, were indifferent to the result of the struggle between the two communities. The result was that the Musalmans were completely worsened in the struggle. The British conquest of India brought about a complete political revolution in the relative position of the two communities. For six hundred years, the Musalmans had been the masters of the Hindus. The British occupation brought them down to the level of the Hindus. From masters to fellow subjects was degradation enough, but a change from the status of fellow subjects to that of subjects of the Hindus is really humiliation. Is it unnatural, ask the Muslims, if they seek an escape from so intolerable a position by the creation of separate national States, in which the Muslims can find a peaceful home and in which the conflicts between a ruling race and a subject race can find no place to plague their lives ?

PART II

HINDU CASE AGAINST PAKISTAN

There seem to be three reasons present to the mind of the Hindus who are opposing this scheme of Pakistan. They object to the scheme :—

- 1. Because it involves the breaking-up of the unity of India.*
- 2. Because it weakens the defence of India.*
- 3. Because it fails to solve the communal problem.*

Is there any substance in these objections? This part is concerned with an examination of the validity of these objections.

