untouchability might result in a definition unsuitable in some respects to the special conditions of the Province.

His Majesty's Government do not consider that these special Depressed Classes constituencies will be required for more than limited time. They intend that the Constitution shall provide that they shall come to an end after 20 years if they have not previously been abolished under the general powers of electoral revision referred to in paragraph 6.

VIII

Mr. Gandhi found that his threat had failed to have any effect. He did not care that he was a signatory to the requisition asking the Prime Minister to arbitrate. He forgot that as a signatory he was bound to accept the award. He started to undo what the Prime Minister had done. He first tried to get the terms of the Communal Award revised. Accordingly, he addressed the following letter to the Prime Minister:—

YERAVDA CENTRAL PRISON,
August 18, 1032.

DEAR FRIEND,

"There can be no doubt that Sir Samuel Hoare has showed you and the Cabinet my letter to him of 11th March on the question of the representation of the Depressed Classes. That letter should be treated as part of this letter and be read together with this.

"I have read the British Government's decision on the representation of minorities and have slept over it. In pursuance of my letter to Sir Samuel Hoare and my declaration at the meeting of the Minorities Committee of the Round Table Conference on 13th November, 1931, at St. James' Palace, I have to resist your decision with my life. The only way I can do so is by declaring a perpetual fast unto death from food of any kind save water with or without salt and soda. This fast will cease if during its progress the British Government, of its own motion or under pressure of public opinion, revise their decision and withdraw their scheme of communal electorates for the Depressed Classes, whose representatives should be elected by the general electorate under the common franchise, no matter how wide it is.

"The proposed fast will come into operation in the ordinary course from the noon of 20th September next, unless the said decision is meanwhile revised in the manner suggested above.

"I am asking the authorities here to cable the text of this letter to you so as to give you ample notice. But in any case, I am leaving sufficient time for this letter to reach you in time by the slowest route.

"I also ask that this letter and my letter to Sir Samuel Hoare already referred to be published at the earliest possible moment. On my part, I have scrupulously observed the rule of the jail and have communicated my desire or the contents of the two letters to no one, save my two companions, Sardar Vallabhbhai Patel and Mr. Mahadev Desai. But I want, if you make it possible, public opinion to be affected by my letters. Hence my request for their early publication.

"I regret the decision I have taken. But as a man of religion that I hold myself to be, I have no other course left open to me. As I have said in my letter to Sir Samuel Hoare, even if His Majesty's Government decided to release me in order to save themselves from embarrassment, my fast will have to continue. For, I cannot now hope to resist the decision by any other means ; and I have no desire whatsoever to compass my release by any means other than honourable.

"It may be that my judgment is warped and that I am wholly in error in regarding separate electorates for the Depressed Classes as harmful to them or to Hinduism. If so, I am not likely to be in the right with reference to other parts of my philosophy of life. In that case, my death by fasting will be at once a penance for my error and a lifting of a weight from off these numberless men and women who have childlike faith in my wisdom. Whereas if my judgment is right, as I have little doubt it is, the contemplated step is but due to the fulfilment of the scheme of life which I have tried for more than a quarter of a century, apparently not without considerable success.

I remain,
Your faithful friend,
M. K. GANDHI."

The Prime Minister replied as under :—

"10, DOWNING STREET,
September 8th, 1932.

"DEAR MR. GANDHI,

"I have received your letter with much surprise and, let me add, with very sincere regret. Moreover, I cannot help thinking that you have written it under a misunderstanding as to what the decision of His Majesty's Government as regards the Depressed

Classes really implies. We have always understood you were irrevocably opposed to the permanent segregation of the Depressed Classes from the Hindu community. You made your position very clear on the Minorities Committee of the Round Table Conference and you expressed it again in the letter you wrote to Sir Samuel Hoare on 11th March. We also knew your view was shared by the great body of Hindu opinion, and we, therefore, took it into most careful account when we were considering the question of representation of the Depressed Classes.

"Whilst, in view of the numerous appeals we have received from Depressed Class Organizations and the generally admitted social disabilities under which they labour and which you have often recognized, we felt it our duty to safeguard what we believed to be the right of the Depressed Classes to a fair proportion of representation in the legislatures we were equally careful to do nothing that would split off their community from the Hindu world. You yourself stated in your letter of March 11, that you were not against their representation in the legislatures.

"Under the Government scheme the Depressed Classes will remain part of the Hindu community and will vote with the Hindu electorate on an equal footing but for the first twenty years, while still remaining electorally part of the Hindu community, they will receive through a limited number of special constituencies, means of safeguarding their rights and interests that, we are convinced, is necessary under present conditions.

"Where these constituencies are created, members of the Depressed Classes will not be deprived of their votes in the general Hindu constituencies, but will have two votes in order that their membership of the Hindu community should remain unimpaired.

"We have deliberately decided against the creation of what you describe as a communal electorate for the Depressed Classes and included all Depressed Class voters in the general or Hindu constituencies so that the higher caste candidates should have to solicit their votes or Depressed Class candidates should have to solicit the votes of the higher castes at elections. Thus, in every way was the unity of Hindu society preserved.

"We felt, however, that during the early period of responsible Government, when power in the Provinces would pass to whoever possessed a majority in the legislatures, it was essential that the Depressed Classes whom you have yourself described in your letter to Sir Samuel Hoare as having been consigned by

Caste Hindus to calculated degradation for centuries, should return a certain number of members of their own choosing to legislatures of seven of the nine provinces to voice their grievances and their ideals and prevent decisions going against them without the legislature and the Government listening to their case—in a word, to place them in a position to speak for themselves, which every fair-minded person must agree to be necessary. We did not consider the method of electing special representatives by reservation of seats in the existing conditions, under any system of franchise which is practicable, members who could genuinely represent them and be responsible for them, because in practically all cases, such members Would be elected by a majority consisting of higher caste Hindus.

"The special advantage initially given under our scheme to the Depressed Classes by means of a limited number of special constituencies, in addition to their normal electoral rights in the general Hindu constituencies, is wholly different in conception and effect from the method of representation adopted for a minority such as the Moslems by means of separate communal electorates. For example, a Moslem cannot vote or be a candidate in a general constituency, whereas any electorally qualified member of the Depressed Classes can vote in and stand for the general constituency.

"The number of territorial seats allotted to Moslems is naturally conditioned by the fact that it is impossible for them to gain any further territorial seats and in most provinces they enjoy weightage in excess of their population ratio ; the number of special seats to be tilled from special Depressed Classes constituencies will be seen to be small and has been fixed not to provide a quota numerically appropriate for the total representation of the whole of the Depressed Class population, but solely to secure a minimum number of spokesmen for the Depressed Classes in the legislatures who are chosen exclusively by the Depressed Classes. The proportion of their special seats is everywhere much below the population percentage of the Depressed Classes.

"As I understand your attitude, you propose to adopt the extreme course of starving yourself td death not in order to secure that the Depressed Classes should have joint electorate with other Hindus, because that is already provided, nor to maintain the unity of Hindus, which is also provided, but solely to prevent the Depressed Classes, who admittedly suffer from terrible disabilities today, from being able to secure a limited number of representatives of their own choosing to speak on their

behalf in the legislatures which will have a dominating influence over their future.

"In the light of these very fair and cautious proposals, I am quite unable to understand the reason of the decision you have taken and can only think you have made it under a misapprehension of the actual facts.

"In response to a very general request from Indians after they had failed to produce a settlement themselves the Government much against its will, undertook to give a decision on the minorities question. They have now given it, and they cannot be expected to alter it except on the condition they have stated. I am afraid, therefore, that my answer to you must be that the Government's decision stands and that only agreement of the communities themselves can substitute other electoral arrangements for those that Government have devised in a sincere endeavour to weigh the conflicting claims on their just merits.

"You ask that this correspondence, including your letter to Sir Samuel Hoare of March 11th, should be published. As it would seem to me unfair if your present internment were to deprive you of the opportunity of explaining to the public the reason why you intend to fast, I readily accede to the request, if on reconsideration you repeat it. Let me, however, once again urge you to consider the actual details of Government's decision and ask yourself seriously the question whether it really justifies you in taking the action you contemplate.

I am,
Yours very sincerely,
J. RAMSAY MACDONALD."

Finding that the Prime Minister would not yield he sent him the following letter informing him that he was determined to carry out his threat of fast unto death : —

"YERAVDA CENTRAL PRISON,
September 9th, 1932.

DEAR FRIEND,

"I have to thank you for your frank and full letter telegraphed and received this day. I am sorry, however, that you put upon the contemplated step an interpretation that never crossed my mind. I have claimed to speak on behalf of the very class, to sacrifice whose interests you impute to me a desire to fast myself to death. I had hoped that the extreme step itself would effectively prevent any such selfish interpretation. Without

arguing, I affirm that for me this matter is one of pure religion. The mere fact of the Depressed Classes having double votes does not protect them or Hindu society in general from being disrupted. In the establishment of separate electorate at all for the Depressed Classes I sense the injection of poison that is calculated to destroy Hinduism and do no good whatever to the Depressed Classes. You will please permit me to say that no matter how sympathetic you may be, you cannot come to a correct decision on a matter of such vital and religious importance to the parties concerned.

"I should not be against even over-representation of the Depressed Classes. What I am against is their statutory separation even in a limited form, from the Hindu fold, so long as they choose to belong to it. Do you realize that if your decision stands and the constitution comes into being, you arrest the marvellous growth of the work of Hindu reformers, who have dedicated themselves to the uplift of their suppressed brethren in every walk of life ?

"I have, therefore, been compelled reluctantly to adhere to the decision conveyed to you.

"As your letter may give rise to a misunderstanding, I wish to state that the fact of my having isolated for special treatment the Depressed Classes question from other parts of your decision does not in any way mean that I approve of or am reconciled to other parts of the decision. In my opinion, many other parts are open to very grave objection. Only, I do not consider them to be any warrant for calling from me such self immolation as my conscience has promoted me to in the matter of the Depressed Classes.

I remain,
Your faithful friend,
M. K. GANDHI."

Accordingly, on the 20th September 1932, Mr. Gandhi commenced his "fast unto death" as a protest against the grant of separate electorates to the Untouchables.

The story of this fact has been told by Mr. Pyarelal in a volume which bears the picturesque and flamboyant title of "The Epic Fast." The curious may refer it. I must, however, warn him that it is written by a Boswell and has all the faults of a Boswelliana. There is another side to it, but there is neither time nor space to present it here. All I can do is to invite attention to the statement[1] I issued to the Press on the

1. Appendix IV.

eve of Mr. Gandhi's fast exposing his tactics. Suffice it is to say that although Mr. Gandhi declared a fast unto death, he did not want to die. He wanted very much to live.

The fast nonetheless created a problem, and that problem was how to save Mr. Gandhi's life. The only way to save his life was to alter the Communal Award which Mr. Gandhi said hurt his conscience so much. The Prime Minister had made it quite clear that the British Cabinet would not withdraw it or alter it of its own, but that they were ready to substitute for it a formula that may be agreed upon by the Caste Hindus and the Untouchables. As I had the privilege of representing the Untouchables at the Round Table Conference, it was assumed that the assent of the Untouchables would not be valid unless I was a party to it. The surprising fact is that my position as the leader of the Untouchables of India was not only not questioned by Congressmen but it was accepted as a fact. All eyes naturally turned to me as the man of the moment or rather as the villain of the piece.

As to myself it is no exaggeration to say that no man was placed in a greater and graver dilemma than I was then. It was a baffling situation. I had to make a choice between two different alternatives. There was before me the duty, which I owed as a part of common humanity, to save Gandhi from sure death. There was before me the problem of saving for the Untouchables the political rights which the Prime Minister had given them. I responded to the call of humanity and saved the life of Mr. Gandhi by agreeing to alter the Communal Award in a manner satisfactory to Mr. Gandhi. This agreement is known as the Poona Pact.

Text of Poona Pact

The following is the text of the agreement:—

(1) There shall be seats reserved for the Depressed Classes out of the general electorate seats in the Provincial Legislatures as follows :

Madras 30 ; Bombay with Sind 15 ; Punjab 8 ; Bihar and Orissa 18; Central Provinces 20; Assam 7 ; Bengal 30; United Provinces 20; Total 148.

These figures are based on the total strength of the Provincial Councils, announced in the Prime Minister's decision.

(2) Election to these seats shall be by joint electorates subject, however, to the following procedure :

All the members of the Depressed Classes, registered in the general electoral roll in a constituency, will form an electoral college, which will elect a panel of four candidates belonging to the Depressed Classes for each of such reserved seats, by the method of the single vote ; the four persons getting the highest number of votes in such primary election, shall be candidates for election by the general electorate.

(3) Representation of the Depressed Classes in the Central Legislature shall likewise be on the principle of joint electorates and reserved seats by the method of primary election in the manner provided for in Clause 2 above, for their representation in the Provincial Legislatures.

(4) In the Central Legislature, eighteen per cent of the seats allotted to the general electorate for British India in the said legislature shall be reserved for the Depressed Classes.

(5) The system of primary election to a panel of candidates for election to the Central and Provincial Legislatures, as hereinbefore mentioned, shall come to an end after the first ten years, unless terminated sooner by mutual agreement under the provision of Clause 6 below.

(6) The system of representation of the Depressed Classes by reserved scats in the Provincial and Central Legislatures as provided for in Clauses 1 and 4 shall continue until determined by mutual agreement between the communities concerned in the settlement.

(7) Franchise for the Central and Provincial Legislatures for the Depressed Classes shall be as indicated in the Lothian Committee Report.

(8) There shall be no disabilities attaching to any one on the ground of his being a member of the Depressed Classes in regard to any elections to local bodies or appointment to the Public Services. Every endeavour shall be made to secure fair representation of the Depressed Classes in these respects, subject to such educational qualifications as may be laid down for appointment to the Public Services.

(9) In every province out of the educational grant, an adequate sum shall be earmarked for providing educational facilities to the Members of the Depressed Classes.

The terms of the Pact were accepted by Mr. Gandhi and given effect to by Government by embodying them in the Government of India Act. The Poona Pact had produced

different reactions. The Untouchables were sad. They had every reason to be. There are, however, people who do not accept this. They never fail to point out that the Poona Pact gave the Untouchables larger number of seats than what was given to them by the Prime Minister in his Communal Award. It is true that the Poona Pact gave the Untouchables 148 seats, while the Award had only given them 78. But to conclude from this that the Poona Pact gave them more than what was given by the Award is to ignore what the Award had in fact given to the Untouchables.

The Communal Award gave the Untouchables two benefits:—(*i*) a fixed quota of seats to be elected by separate electorate of Untouchables and to be filled by persons belonging to the Untouchables ; (*ii*) double vote, one to be used through separate electorates and the other to be used in the general electorates.

Now, if the Poona Pact increased the fixed quota of seats it also took away the right to the double vote. This increase in seats can never be deemed to be a compensation for the loss of the double vote. The second vote given by the Communal Award was a priceless privilege. Its value as a political weapon was beyond reckoning. The voting strength of the Untouchables in each constituency is one to ten. With this voting strength free to be used in the election of caste Hindu candidates, the Untouchables would have been in a position to determine, if not to dictate, the issue of the General Election. No caste Hindu candidate could have dared to neglect the Untouchable in his constituency or be hostile to their interest if he was made dependent upon the votes of the Untouchables. Today the Untouchables have a few more seats than were given to them by the Communal Award. But this is all that they have. Every other member is indifferent, if not hostile. If the Communal Award with its system of double voting had remained the Untouchables would have had a few seats less but every other member would have been a member for the Untouchables. The increase in the number of seats for the Untouchables is no increase at all and was no recompense for the loss of separate electorate and the double vote. The Hindus, although they did not celebrate the Poona Pact, did not like it. Throughout their commotion to save Mr. Gandhi's life there was a definite current of conscious feeling that the cost of saving his life may be great. Therefore, when they saw

the terms of the Pact they very definitely disliked it, although they had not the courage to reject it. Disliked by the Hindus and disfavoured by the Untouchables, the Poona Pact was given recognition by both parties and was embodied in the Government of India Act.

IX

The signing of the Poona Pact was followed by the appointment of the Hammond Committee to demarcate constituencies, to fix the number of seats for each constituency and settle the system of voting for the legislatures to be set up under the new constitution.

In carrying out its functions, the Hammond Committee had to take into account the terms of the Poona Pact and the special sort of electoral plan agreed upon to meet the needs of the Untouchables. Unfortunately, the Poona Pact having been concluded in a hurry had left many things undefined. Of the things that were left undefined the most important were two namely : (1) Does the 'panel of four' to be elected at the primary election imply four as a maximum or a minimum ? (2) What was intended to be the method of voting in the final election ? It was contended on behalf of the Hindus that the panel of four was intended to be a minimum. If four candidates are not forthcoming there could be no primary election and therefore there can be no election for the reserved seat, which they said must remain vacant and the Untouchables should go without representation. On behalf of the Untouchables, I was called to state my interpretation of the disputed points. I contended that four in the Poona Pact meant "not more than four." It did not mean "not less than four." On the question of voting the Hindus contended that the compulsory distributive vote was the most appropriate. On behalf of the Untouchables I contended that the cumulative system of voting was the proper system to be introduced. Fortunately for the Untouchables the Hammond Committee accepted the views propounded by me and rejected those of the Hindus. It is interesting to know why the caste Hindus put forth their contentions. One may well stop here for a moment and ask, why did the Hindus raise their particular contentions before the Hammond Committee ? Was there any particular motive behind the stand they took ? So far as I am

able to see the object which the Hindus had in demanding four candidates as the minimum for a valid primary election was to place the Hindus in a position to capture the seat for an election of such a representative of the Untouchable candidate, who would be their nominee and who would be most willing to be the tool of the Hindus. To get such an Untouchable elected in the final election he must first come in the panel, and he can come in the Panel only if the panel is a large panel. As the election to the panel is by separate electorates consisting exclusively of Untouchable voters it is obvious that if there is only one candidate in the Panel then he would be the staunchest representative of the Untouchable and worst from the standpoint of the Hindus. If there are two, the second will be less staunch than the first and therefore good from the standpoint of the Hindus. If there are three, the third will be less staunch than the second and therefore better from the standpoint of the Hindus. If there be four the fourth will be less staunch than the third and therefore best from the point of view of the Hindus. The Panel of four could therefore give to the Hindus the best chance of getting into the Panel such representatives of the Untouchables as is most suitable to the Hindus. That Is why they insisted before the Hammond Committee that for a valid panel the minimum number must be four.

The object of insisting upon the system of compulsory distributive vote was the same namely to enable the Hindus to capture the seats reserved for the Untouchables. Under the cumulative vote the elector has as many votes as there are seats. He may give them all to one candidate or he may distribute them over two or more candidates as he may desire. Under the distributive system of voting the elector has also as many votes as there are seats, but he can give only one vote to any one candidate. Although the two look different yet in effect there may be no difference, because even under the cumulative vote a voter is not prevented from distributing his votes. He is free to give one vote to one candidate. But the Hindus did not want to take any chance. Their main object was to flood the election to the seat reserved for the Untouchables in the joint electorate by using the surplus votes of the Hindus in favour of the Untouchable candidate, who happens to be their nominee. The object was to outnumber the Untouchable voters and prevent them from electing their

own nominee. This cannot be done unless the surplus votes of the Hindu voters were diverted from the Hindu candidate towards the Untouchable candidates. There is a greater chance of the diversion of these surplus votes under the distributive system than there is under the cumulative system. Under the former the Hindu voter can give only one vote to the Hindu candidate. The other vote not being of use to the Hindu candidate is usable only for an Untouchable candidate. The distributive system thus had the possibility of flooding the election to the seat reserved for the Untouchables and this is why the Hindus preferred it to the system of cumulative voting. But they did not want to leave it to chance. For, even the distributive system from their point of view was not fool-proof. Under the distributive system there was no compulsion upon the voter to use all his votes. He may use one vote for the caste Hindu candidate and may not at all use the balance of his votes. If this happened the purpose of getting in their untouchable nominee would be defeated. Not to leave things to chance, the Hindus wanted that the distributive system of voting should be made compulsory so that a caste Hindu voter whether he wants it or not can have no option but to vote for the Untouchable candidate who may be the nominee of the Hindus, and thus make his election sure and certain.

In the light of these considerations, it cannot but appear that the Poona Pact was only the first blow inflicted upon the Untouchables and that the Hindus who disliked it were bent on inflicting on it other blows as and when circumstances gave them an occasion to do so. The two contentions, which the Hindus raised before the Hammond Committee, furnish the best evidence of the existence of a conspiracy by the Hindus the object of which was to make the Poona Pact, as it could not be repudiated, of no benefit to the Untouchables. The story of how the Congress dealt with the political demands of the Untouchables cannot be left here for the simple reason that it does not end here. The subsequent parts of it are more instructive than those that have gone before.

X

Continuing the story, the next part of it relates to the election that took place in February 1937 to the Provincial Legislatures, as reconstituted under the Government of India Act, 1935.

This was the first occasion in its life-time that the Congress came down to fight an election. It was also the first time that the Untouchables got the privilege to elect their own representatives. Some leaders of the Untouchables, who were siding with the Congress when the Poona Pact was being forged—such as the late Dewan Bahadur M. C. Raja—cherished the fond hope that the Congress will not inter-meddle in the elections of the Untouchables to the seats reserved for them. But this hope was dashed to pieces. The Congress had a double purpose to play its part in the election to the reserved seats of the Untouchables. In the first place, it was out to capture in order to build up its majority which was essential for enabling it to form a Government. In the second place, it had to prove the statement of Mr. Gandhi that the Congress represented the Untouchables and that the Untouchables believed in the Congress. The Congress, therefore, did not hesitate to play a full, mighty and, I may say so, a malevolent part in the election of the Untouchables by putting up Untouchable candidates on Congress ticket pledged to Congress programme for seats reserved for the Untouchables. With the financial resources of the Congress it made a distinct gain.

The total number of seats allotted to the Untouchables under the Government of India Act, 1935 are 151[1]. The following table shows how many were captured by Untouchable candidates who stood on the Congress Ticket.

Table 5

Province	*Total Seats Reserved for the Untouchables*	*Total Seats Captured by the Congress*
United Provinces	20	16
Madras	30	26
Bengal	30	6
Central Provinces	20	7
Bombay	15	4
Bihar	15	11
Punjab	8	*Nil*
Assam	7	4
Orissa	6	4
Total	151	78

1. This number of 148 seats was raised to 151 in making adjustments of seats for Bihar and Orissa.

This shows that the Congress got just about fifty-one per cent of the seats reserved for the Untouchables.

The Congress in capturing 78 seats left only 73 seats to be filled by true and independent representatives of the Untouchables. The Untouchables were worse off under the Poona Pact than they would have been under the Prime Minister's Award. In point of effective representation, the Untouchables got less than what the Prime Minister had given them. The Congress on the other hand gained by the Poona Pact. Although under the Poona Pact it gave 151 to the Untouchables it took back 78 and thereby made a handsome profit on its political transaction.

This is by no means the sum total of the losses which the Congress inflicted on the Untouchables in the elections of 1937. There was another and a greater blow which the Congress inflicted on the Untouchables. It deprived them of any share in the Executive.

From the very beginning, I had been pressing in the discussions in the Round Table Conference that the Untouchables must not only have the right to be represented in the legislature, they must also have the right to be represented in the Cabinet. The woes of the Untouchables are not due so much to bad laws as to the hostility of the administration, which is controlled by the Hindus who import into administration their age-old prejudices against the Untouchables. The Untouchables can never hope to get protection from the police, justice from the judiciary or the benefit of a statutory law from the administration, so long as the Public Services continued to be manned by the Hindus. The only hope of making the Public Services less malevolent and more responsible to the needs of the Untouchables is to have members of the Untouchables in the higher Executive. For these reasons, I had at the Round Table Conference pressed the claim of the Untouchables for the recognition of their right to representation in the Cabinet with the same emphasis as I had done for the recognition of their right to representation in the Legislature. The Round Table Conference accepted the validity of the claim and considered ways and means of giving effect to it. There were two ways of giving effect to this proposal. One was to have a statutory provision in the Government of India Act so as to make it a binding obligation which it would be impossible

to evade or to escape ; the other way was not to have a statutory provision but to leave it to a gentleman's agreement—to a convention—as is the case in the English Constitution. I and the representatives of the other minorities although we did not insist upon the first in deference to the wishes of some leading Indians not to show such distrust in our own countrymen were not prepared to accept the second alternative as there was no enforceable sanction behind it. A *via media* was agreed upon. It was to introduce a clause in the Instrument of Instructions to the Governors imposing an obligation upon them to see that in the formation of the Cabinet representatives of the Minorities were included. The clause ran as follows :—

> "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."

What happened to this provision is an interesting story. The Congress declared that they were not prepared to accept the Government of India Act 1985 for various reasons which it is not necessary to reproduce. It was obvious to all and even to many Congressmen that there was no sincerity behind this declaration. It had no other motive but to enhance the prestige of the Congress in the eyes of the public by making it appear that the Congress was a radical and revolutionary body which was out to destroy and bury British Imperialism which is a legend, the Congress has all along tried to create. It was a mere matter of tactics. The Congress wanted to take the powers which the Governors had been given under the Constitution to intervene whenever matters which were his special responsibilities were involved. The Congress did not mind, making the declaration rejecting the Constitution because it thought that as it was the only body which could run the new Parliamentary system the British Government would be obliged to come to terms with it. The British Government threatened to bypass the Congress. It not only appointed 1st April 1987 as the date of the inauguration of the Provincial

part of the Constitution but actually went to the length of appointing an interim Ministry of non-Congressmen. Congressmen, who were hungering for power and who constitute a most jealous crowd of politicians, were shaken and felt that they were going to be deprived of the fruits of their labours. Negotiations were started between His Majesty's Government and the Congress High Command. The Congress High Command demanded that if an undertaking was given by His Majesty's Government that the Governors will not use their powers given to them under the Special Responsibility Clauses in the Constitution by interfering in the day to day administration of the Provinces, the Congress, which was most anxious that the new Constitution should begin to operate with the goodwill of the majority, agreed to give the undertaking demanded. The surprising part of it is that the Congress High Command enlarged the scope of this undertaking so as to include in the undertaking the non-exercise by the Governors of the Provinces of the powers given to them under the Instruments of Instructions to see that the representatives of the minorities were included in the Provincial Ministries. The Governors who gave full accommodation to the Congress surrendered their authority and allowed the Congress to ride rough shod through a very important part of the Constitution with the result that the Untouchables and the other minorities were deprived of their right to representation in the Cabinet by the Congress with impunity and with alacrity.

The deprivation of the Untouchables by the Congress of their right to representation in the Cabinet has the appearance of malice aforethought. One of the grounds, urged by the Congress for the non-inclusion of representatives of the minorities in their Cabinets, was that a cabinet must be a party Cabinet if it is to take collective responsibility and that the Congress was quite ready to include members of the Minority communities in its Cabinet provided they were prepared to join the Congress and sign the Congress pledge. Whatever may be the value of such argument against other minorities, it had absolutely no value against the Untouchables. The Congress could not use it to defend its conduct in excluding the Untouchables from the Cabinet for two reasons. In the first place, the Congress was bound by the terms of the Poona Pact to give representation to the Untouchables in the Cabinet. In the second place, the Congress could not say that there were no Untouchables in the

Legislatures who were not members of the Congress Party. On the contrary, there were as many as 78 Untouchables returned on the Congress ticket and pledged to the Congress policy. Why then did the Congress not include them in the Cabinet ? The only answer is that it was a part of the Congress policy not to admit the right of the Untouchables to be represented in the Cabinet and that this policy had the support of Mr. Gandhi. Those who may have any doubt as to the correctness of this statement may well consider the evidence set out below.

The first piece of evidence lies imbedded in the story of the expulsion of the Hon'ble Dr. Khare from the Congress. As is well-known, Dr. Khare was the Prime Minister in the Congress Ministry in the Central Provinces. Owing to internal quarrels among the members of his Cabinet, Dr. Khare to get rid of those that were inconvenient adopted the perfectly normal course of tendering his own resignation and that of the other ministers to the Governor with a view to form a new Cabinet. Thereafter, the Governor in full conformity with constitutional practice recalled Dr. Khare and asked him to form another Cabinet with himself as the Premier. Dr. Khare accepted the invitation and formed a new Cabinet dropping old and inconvenient hands and taking in some new ones. Dr. Khare's new Cabinet was different from the old in one important respect namely, that it included Mr. Agnibhoj, an Untouchable, who was a member of the Central Provinces, who belonged to the Congress Party and who by his education well qualified to be a minister. On the 26th July 1938, the Congress Working Committee met in Wardha and passed a resolution condemning Dr. Khare on the ground that in tendering the resignation of his colleagues in the old ministry he was guilty of a grave error of judgment and that in forming a new ministry he was guilty of indiscipline. In explaining what was behind this charge of indiscipline in forming a new ministry, Dr. Khare openly said that according to Mr. Gandhi the act of indiscipline consisted in the inclusion of an Untouchable in the Ministry. Dr. Khare also said that Mr. Gandhi told him that it was wrong on his part to have, raised such aspirations and ambitions in the Untouchables and it was such an act of bad judgment that he would never forgive him. This statement was repeatedly made by Dr. Khare from platforms. Mr. Gandhi has never contradicted it.

There is, however, more direct evidence on this point. In 1942 there was held All-India Conference of the Untouchables. In that Conference resolutions setting out the political demands of the Untouchables were passed. An Untouchable of the Congress Party who attended the Conference went to Mr. Gandhi to ascertain what Mr. Gandhi had to say about these demands and put him the following five questions :—

"1. What will be the position of the Harijans in the future constitution to be framed ?

"2. Will you advise the Government and the Congress to agree to fix the five seats from a Panchayat Board upwards to the State Council on population basis ?

"3. Will you advise the Congress and the leaders of the various majority parties in the legislatures in the provinces to nominate the Cabinet members from among the Scheduled Caste legislators who enjoy the confidence of the majority of Scheduled Caste members ?

"4. In view of the backwardness of the Harijans, will you advise the Government to make a provision in the Act that *Executive posts* in the Local Boards and Municipal Councils be held on communal rotation, so as to enable the Harijans to become Presidents and Chairmen ?

"5. Why do you not fix some percentage of seats for Harijans from District Congress Committee upwards to the Working Committee of the Congress ?

Mr. Gandhi gave his answers in the issue of the *Harijan* dated 2nd August 1942. This is what Mr. Gandhi said :—

"1. The constitution, which I could influence, would contain a provision making the observance of untouchability in any shape or form an offence. The so-called 'untouchables' would have seats reserved for them in all elected bodies according to their population within the elected area concerned.

"2. You will see that the answer is covered by the foregoing.

"3. I cannot. The principle is dangerous. Protection of its neglected classes should not be carried to an extent which will harm them and harm the country. A cabinet minister should be a topmost man commanding universal confidence. A person after he has secured a seat in an elected body should depend upon his intrinsic merit and popularity to secure coveted positions.

"4. In the first place, I am not interested in the present Act which is as good as dead. But I am opposed to your proposal on the ground already mentioned.

"5. I am opposed for the reasons mentioned. But I should like to compel large elective Congress organizations to ensure the election of Harijan members in proportion to their numbers on the Congress register. If Harijans are not interested enough in the Congress to become 4 anna members; they may not expect to find their names in elective bodies. But I would strongly advise Congress workers to see that they approach Harijans and induce them to become members of the Congress."

Is there any doubt that Mr. Gandhi and the Congress were determined on principle not to recognize the right of the Untouchables to be represented in the Cabinet ? As to the question of qualifications, there would have been some sense if Mr. Gandhi had that limiting condition applicable to all minorities. Dare Mr. Gandhi say that about the Muslim demand ? What is the use in shutting it out in the case of the Untouchables only ? Nobody has claimed that an unqualified Untouchable should be made a Minister. It only confirms the inner feeling of opposition that lies locked in the heart of Mr. Gandhi.

In the series of acts which the Congress perpetrated in order to nullify the Poona Pact there remain two more to mention. First relates to the policy adopted by the Congress Parliamentary Board in selecting candidates for election. Unfortunately, this question has not been studied as deeply as its importance demands. I have examined this question and I hope to publish the results along with the evidence in a separate treatise. Here, all I can do is to set out the general principles which seem to have been adopted by these Boards in selecting candidates for election. Communal principle played a very great part in it. In a constituency where there were two candidates to choose from, the Congress did not feel it necessary to choose the one more worthy. It chose the one who belonged to a caste which was more numerous. Considerations of wealth also played their part. A wealthier candidate was often preferred to a poor and a better qualified candidate. These considerations were unjustifiable. But they could be understood as the object was to adopt a safe candidate who will pull through- But there were other principles followed which reveal a deep-seated plot. Different classes of qualifications were set down for different

classes of candidates. From candidates who came from high caste Hindus as Brahmins and the allied communities those with the highest qualifications were selected. In the case of the Non-Brahmins those with low qualifications were preferred to those with higher qualifications. And in the case of the Untouchables those with little or no qualifications were selected in preference to those who had. I don't say that is true in every case. But the general result was that of the candidates selected by the Congress, the candidates from the Brahmin and allied communities were the most highly educated, candidates from the non-Brahmins were moderately educated and those from the Untouchables just about literates. This system of selection is very intriguing. There seems to be a deep laid game behind it. Any one who studies it carefully will find that it is designed to allow none but the Brahmins and the allied castes to form the main part of the ministry and to secure for them the support of a docile unintelligent crowd of non-Brahmins and Untouchables who by their intellectual attainments could never dream of becoming rivals of the minister-folk but would be content to follow the lead for no other consideration except that of having been raised to the status of members of the Legislatures. Mr. Gandhi did not see this aspect of the case when he said that to be a minister the Untouchable aspiring for it must be a qualified person. Otherwise, he would have seen that if there were no qualified persons among the Untouchable Congressmen, it was because the Congress Parliamentary Board did not choose well-qualified candidates from the Untouchables.

If the present system of election continues the Congress can always prevent educated Indians from becoming members of the Legislature which is the stepping-stone for becoming a member of the Cabinet. It is a very grave prospect and some steps will have to be taken to retrieve the position. In the meantime, it is enough to say that the scheme of selecting candidates adopted by the Congress dealt the Untouchables a severe blow by depriving them of Executive power under the cover of there being no qualified men to hold it which it created for itself by such clandestine and subterranean means.

The second misdeed of the Congress was to subject the Untouchable Congressmen to the rigours of party discipline. They were completely under the control of the Congress Party

Executive. They could not ask a question which it did not like. They could not move a resolution which it did not permit. They could not bring in legislation to which it objected. They could not vote as they chose and could not speak what they felt. They were there as dumb driven cattle. One of the objects of obtaining representation in the Legislature for the Untouchables is to enable them to ventilate their grievances and to obtain redress for their wrongs. The Congress successfully and effectively prevented this from happening.

To end this long and sad story, the Congress sucked the juice out of the Poona Pact and threw the rind in the face of the Untouchables.

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