

## **MUSLIM NATIONALISM IN SOUTH ASIA: EVOLUTION THROUGH CONSTITUTIONAL REFORMS**

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### **Abstract**

In this article an attempt is made to find out that the emergence and growth of Muslim nationalism was intensified due to constitutional reforms which were introduced by the British government from time to time. The article will examine how the partition of India was the culmination of a powerful movement of Muslim nationalism, which began in constitutional shape in the second half of the nineteenth century and symbolized by the foundation of the Sir Syed's MAO College at Aligarh. The article will also observe the role of All India Muslim League in development of political consciousness among the Muslims and how it led Muslim nationalism.

**Key Words:** Nationalism, separation, constitution, conflict, reforms

Muslim nationalism in India took its birth on the occasion when Muhammad bin Qasim, as the conqueror of Sind, hoisted the Muslim flag at Debul. It was the incident which was pointed out in the statement of Jinnah who said that Pakistan Movement started when first non-Muslim in India was converted to Islam.<sup>1</sup> A non-Muslim individual embracing Islam did not matter much as a physical phenomenon. What mattered, in fact, was the advent of new Ideology.<sup>2</sup>

A state, according to some western political theories, gives birth to a nation and a nation is known normally with reference to a state.<sup>3</sup> The formation of a nation, in the views of western scholars is different from the ideas of Islam. The western scholars opine that the nations come into existence on the basis of colour, creed, caste and area. On the contrary in Islam it is religion that is basic foundation of a nation that then consequently creates and builds states. So the Muslims of the subcontinent, according to the Muslims leaders, were a nation separate from Hindus on account of religion; the religious difference which reflected in social, cultural and economic aspects of life.

The political and cultural history of the sub-continent shows that Muslim

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minority often considered some actions of the Hindu leaders hostile to Muslims' interests. Some of the Hindu leaders too exploited the differences between Muslims and Hindus whenever, wherever and in whatever capacity they got a chance to wield authority. This phenomenon increased the differences between the two nations and the concept of Muslim nationalism in South Asia was enforced due to this.

The history of Muslim nationalism in India is largely the history of reaction to the Congress party.<sup>4</sup> In this regard 1885 can be taken more suitable starting point of the nationalist movement in India because in this year the Indian National Congress came into existence. As Congress increasingly grew into a political, nationalist organization, Muslim political nationalism also crystallized.<sup>5</sup>

In 1883, Sir Syed Ahmad Khan opposed the introduction of the western electoral system to the country as detrimental to Muslim interests.<sup>6</sup> In 1892, he submitted an elaborate memorandum to the government to the effect that wherever elections had enabled a few Muslims to get into public bodies, they owed their success to a predominantly non-Muslim electorate and their influence was therefore not felt within their own country. This memorandum provided the base to the Muslim political consciousness and that consciousness asserted a separate Muslim nationality.

The consciousness of Muslim nationalism took practical form in 1906 when a deputation of Indian Muslims – Simla Deputation – held a meeting with the Governor-General Lord Minto in Simla. This incident is a land mark in the history of Modern Muslim India because for the first time the Hindu-Muslim conflict was raised to the constitutional level. The Simla deputation secured the viceroy's consent in respect of separate electorate for Muslims. This happened on the ground not only of Muslims being a distinct community with certain special interests of their own, but also of their historical and military importance and the fact that they had not forgotten that their forefathers had ruled over this land.<sup>7</sup> Hindu leaders, on the other hand, viewed that the demand of separate electorate was basically an idea of saving as many Muslims as possible from being ruled over by a Hindu majority. The Muslims opposed this idea to such an extent that they it became a starter of later demand for partition.<sup>8</sup>

It is obvious that the Simla deputation simply adopted the line propounded by Sir Syed Ahmad Khan in his memorandum.<sup>9</sup> Sir Agha Khan explains in his memoirs that in effect his delegation – Simla Deputation – had asked the British government that the Muslims of India should not be regarded as a mere minority but a nation within a nation whose rights and obligations should be guaranteed by state.<sup>10</sup> He points out that the acceptance of the demands of his delegation was the foundation of all the future constitutional

proposals made for India by successive British government, and its final, inevitable consequence was the partition of India and the emergence of Pakistan.<sup>11</sup>

The apparent success of Simla deputation hastened the process of the emergence of an all India Muslim organization to make the separate representation of Muslims effective. It is needless to add that some of the objects of All India Muslim League, besides the main purpose of its establishment, were to protect and advance the political rights and interests of the Muslims of India and to represent their needs and aspirations to government. An anti-Congress stance was implicit in such objects.

This came out clearly in Salimullah's explanation about All India Muslim political organization:-

"(a) To controvert the growing influence of the so called India National Congress, which has a tendency to misinterpret and subvert the British rule in India, or which may lead to that deplorable situation, and (b) to enable our young men of education, who, for want of such an association, have joined the Congress camp, to find scope to exercise their fitness and ability for public life."<sup>12</sup>

Securing Muslim representation in the legislative councils, and the acceptance of both separate electorates and weightage for Muslims in the legislative councils under the Government of Act 1909 was considered as the greatest achievement of the Muslim League in its early years. It was deemed as a great victory for early Muslim nationalism in India and Muslims were thought to become a nation within a nation.<sup>13</sup>

The achievement of this demand strengthened the ideological foundations of Muslim nationalism. The separate electorate turned out to be a source of support to Muslim Nationalism and played a crucial role in shaping its evolution in the coming years. It was regarded that the constitutional recognition of the Muslim position under the act of 1909 solidified it and made it difficult for the Muslims to be absorbed by the growing current of Indian Nationalism.<sup>14</sup>

The main concessions, which the Simla deputation had demanded, were accepted by the British government under the Indian councils Act of 1909 – Minto-Morley reforms. It was on the recommendation of the government of India that separate electorates were granted. In a dispatch to the secretary of state for India in October 1908, British government in India had argued that the Indian Muslims were much more than a religious body. They formed in fact an absolutely separate community, distinct by marriage, food and custom and claiming in many cases to belong to a different race from the

Hindus.<sup>15</sup>

The Congress and the Muslim League, in spite of their different stances on the issue of separate electorates and weightage, were able to move towards reconciliation and accommodation. It has been generally assumed that this process began with the annulment of the partition of Bengal in December 1911. In coming years beside other important changes in Indian politics Jinnah joined the All India Muslim League. He was anxious to build bridges with the moderate leadership of the Congress.

This policy of Jinnah was marked as a dual trend. It was viewed by some Indian writers that on the one hand, it demanded safeguards for what it considered special Muslim interests. On the other hand, it also emphasized the need for reconciliation and accommodation with Hindus.

Next important mile stone in Indian political history is Lucknow pact. Needless to mention its significance that the Congress recognized the Muslim League as the representative organization of the Indian Muslims it also weakened the Congress' claim that it was the sole spokesman of the whole of India. It showed that the Indian Muslims had separate identity. It was the first and the last agreement between the Hindus and the Muslims.

Ch. Khaliq-uz-Zaman remarked, "the seeds of partition of India were duly laid there in Lucknow when due to their inexperience, the Muslims agreed to have equality in the Punjab and a minority in Bengal and other provinces. If a straight forward course had been adopted and representation of Muslims would have started with a majority in the Governments of the Punjab and Bengal, all the questions which poisoned the relationships between the communities in the years following 1924 would not have arisen. Whether the Hindus agreed to this self-denying ordinance of Muslims from a baser motive or from a real desire on their part, to settle the differences that existed between the two communities, can only be guessed. However, this led ultimately to Pakistan's losing large portions of Bengal and the Punjab at Partition."<sup>16</sup>

Was it only the Lucknow accord that sowed the seeds of discord between the Hindu and Muslim communities? Was it only the lopsided arrangement regarding Muslim representation in the Punjab and the Bengal which led to the Partition? It was not the Lucknow Pact. It was, on the other hand, a fact that in India there lived two nations who were evidential to each other in almost all facets of life. That was the basic cause of Partition. Moreover the curtailment of Muslim seats on account of the Lucknow Pact also sowed the seeds of discord.<sup>17</sup>

The Lucknow Pact was a step forward on the path of constitutional

development in India. It had its significant impact on the Reforms of 1919. All three Round Table Communal Awards were also prepared in the light of this Pact. In minority provinces Muslims got seats which were more than the proportion of their percentage in population. At the Centre they got thirty three percent seats instead of twenty-five percent which were demanded and had thus become a force to reckon with. The other two political forces, the Congress and the British government, looked to them for help. Sometimes it was the Government which was defeated by the Congress with the help of Muslims and sometimes the Congress could lower the Government with the aid of Muslims.

Yet the most important gain for the Muslim League from Lucknow Pact was the fact that the Congress had officially recognized the right of separate electorate for the Muslims. Thus the Congress had tacitly recognized the Muslim League as the representative political party of the Muslims of India. This clearly meant that the Congress had accepted "Two Nations Theory" in 1916 and had stepped down from the "National" pedestal. Henceforth the Congress had to be treated, implicitly as a body representing the Hindus only and not the Muslims.

The Pact did not find favour with Mr. Gandhi but as he, at that time, had no important position in the Congress organization he could not stop the procedure leading towards the Pact. On the Indian political scene he was a new face. After living for many years in Africa he had come back to India only in January 1915. His participation in the Lucknow Session of the Congress in December 1916 was minimal. Yet in the words of Mr. Yajnik: "It was rumored that he, Mr. Gandhi, informally advised some of the zealous Hindu leaders to a little more in settling the communal problem."<sup>18</sup>

According to Sir Coupland, "the Pact was surrender to the Muslims. The Hindus at last conceded separate Muslim electorates."<sup>19</sup> It was also a unique victory of Jinnah who, as was his wont, never gave away anything won in the field of politics. Gandhi, during the hectic days of Khilafat Movement, succeeded to a great extent in pushing the Lucknow Pact to the background. But soon afterwards the Muslims fought their own political battles as a nation separate from Hindus.

Beside the Congress there was another stake holder, the Hindu Mahasabha, a powerful organization of extreme Hindus which raised storm of disdain against the Lucknow Pact. This party even spoiled the soft and nationalist image of Congress. Leaders of the Mahasabha who forcefully denounced the Lucknow pact were Lala Lajpat Rai and Pundit Madan Mohan Malvia.<sup>20</sup> The reaction of the Mahasabha showed the views of the extreme Hindu point of view which marred even the soft image of the Congress.

It was the time when in Punjab, Mian Sir Fazl-i-Hussain had begun to give to the Muslims chances of service in all provincial departments according to the percentage agreed upon in the light of the Lucknow Pact. Muslims derived from the statements of some of Hindu leaders that they disliked these actions of Sir Fazl-i-Hussain and the Muslims regarded their dislike as the intolerance of Hindus from the progress of Muslims.<sup>21</sup>

Sadhu Swarup Singh, writing about the Congress, states:

Congress could not be a national party because there were so many nations in the country and Congress too professed its Hindu policy. In point of fact, it is a coterie of high caste Hindus. Its Hindu policy had finally been ratified by the Hindu Mahasabha by the virtual and voluntary liquidation of the latter. The Lucknow Pact of 1916 is a proof. There can be no occasion for pacts between the people of the same camp. Pacts denote parties, are a testimony to differences. You patch up and compose or compromise for division not unity.<sup>22</sup>

Similarly Prof. Balraj Madhok who, after partition, remained President of the Rashtriya Swayamsevak Sangh (RSS) for so many years wrote in 1946:

The Lucknow pact did create a momentary patched-up unity which continued for a few years of the Khilafat Movement but ultimately it did great harm, to the country's cause. The Congress, by making this Pact, recognized that the Muslims as a community were different from the rest of Indians and thus by implication prepared the ground for the two-nation theory. Further, by accepting the principle of the communal electorates, it gave a tacit approval to an anti-national policy and thus began to descend from the high pedestal of unalloyed nationalism.<sup>23</sup>

Lucknow Pact was the only accord which ever took place between the leaders of the Congress and the Muslim League. But resentment against this spirit of compromise shown by the Hindu leaders gave the impression to the Muslims that Hindu leaders did not like the pact because through this pact separate entity of the Muslims had been recognized and thus implicitly the principle of tow-nation theory had been accepted.

After Lucknow pact the accelerated pace of political developments in India forced the government to view the Indian problem from a new angle. The movement for self-government gathered momentum in India in the wake of the First World War. The Home Rule League became quite popular with the people. The self-government in India was being demanded more vigorously. In these circumstances, the Montague Chelmsford reforms were introduced. The most important feature of the reforms was the introduction of diarchy system. The primary objective of these reforms was to train the

Indians for running their self-government. Separate electorates for the Muslims were retained and the number of seats was allotted according to the Lucknow pact. The clause of separate electorates was indicating the acknowledgement of Muslim nationalism.<sup>24</sup>

The Montagu-Chelmsford Report met with a mixed response. Extremists denounced it as entirely unacceptable, while the moderates, whose policy was to secure self government for India within the empire by constitutional agitation, welcomed it and decided to co-operate with the government. The Muslims were disappointed. They believed that they had done better in Congress-League Scheme known as the Lucknow Pact than what was being offered in Montford Report.<sup>25</sup>

Nehru Report, published in August 1928 appeared to the Muslims as an effort on the part of the Congress to kill the spirit of Hindu-Muslim unity arranged in Lucknow Pact. In the Quaid-i-Azam's opinion Jawahar Lai Nehru was mainly responsible for it.<sup>26</sup> The Muslims of India reacted sharply to the recommendations of the Nehru Report. They were enraged because they considered the Report inimical to their interests. Jinnah commented on the Report, "I am against this Report. I consider it prejudicial to the interests of the Muslims".<sup>27</sup> The Aga Khan also rejected the Report saying, "No serious-minded person can even imagine the Muslims accepting such degrading proposals".<sup>28</sup> Similarly Moulana Shaukat Ali commented, "As a young man I had been a keen owner of greyhounds, but I had never seen greyhounds deal with a hare as the Hindus proposed to deal with the Muslims".<sup>29</sup>

When on March 12, 1929, the Nehru Report came for debate in the Central Legislative Assembly, the Quaid-i-Azam along with all the other Muslim members, opposed it. *The Times* correspondent reported, "The solidarity of Muslim feeling in the Assembly was not unexpected but certainly disturbing to those trying to represent the Nehru Report as a demand of a united India. Henceforth such a claim must be manifestly absurd".<sup>30</sup> The Hindu leaders, however, regarded the Report the ultimate solution of all the problems.

The Nehru Report, therefore, was responded as well as rejected in the Fourteen Points of Jinnah. In March 1929, the Muslim League held its meeting in Delhi. It was at this forum that Jinnah presented his Fourteen Points as the minimum Muslim demand for any political settlement. The Muslim League, rejecting the Nehru Report, passed a resolution adopting Fourteen Points. They reflected the demands, sentiments and aspirations of the Muslims.

But as in the past, the Congress did not give the demand of Jinnah any importance and instead, determined to oppose them. The Hindu press strongly criticized them. In a letter to M. K. Pandit Jawaharlal Nehru wrote about the Fourteen Points in this way. "If I had to listen to my dear friend M.

A. Jinnah talking the most unmitigated nonsense about his Fourteen Points for any length of time, I would have to consider the desirability of resorting to the South Sea Islands, where there would be some hope of meeting with some people who were intelligent or ignorant enough not to talk of the Fourteen Points. I marvel at your patience."<sup>31</sup>

The Nehru's letter revealed to the Muslims that the Hindu leaders had adopted an irresponsible attitude towards their desires and demands. The attitude of Hindu leaders towards separate electorate, Delhi Muslim Proposals, Nehru Report and Fourteen Points showed them that in every case, the Hindu leaders wanted to enforce their will upon the Muslims. Secondly, it taught to those who still argued that a compromise with the Hindus was possible that Hindu leaders did not want a compromise at any ground despite the co-operation of the Muslims.<sup>32</sup>

On the next time after the Nehru Report, the point of view of Congress appeared when the party declared its alternative to the constitutional proposals and Communal Award contained in the White Paper issued after the Round Table Conferences from 1930-32. A Working Committee resolution, passed in June 1934 and confirmed at the full session in October 1934, read:

The White Paper in no way expresses the will of the people of India, has been more or less condemned by almost all the Indian political parties and falls short of the Congress goal if it does not retard the progress towards it. The only satisfactory alternative to the White Paper is a Constitution drawn up by a Constituent Assembly elected on the basis of adult suffrage or as near it was possible, with the power, if necessary, to the important minorities to have their representatives elected exclusively by the electors belonging to such minorities.

The report of the Joint Select Committee was published in November 1934. It was debated in the Assembly in the first week of February 1935. During the debate Jinnah said, 'Speaking for myself, personally, I am not satisfied with the Communal Award, and, again, speaking as an individual, my self-respect will never be satisfied until we produce our own scheme'. With regard to the Constitution that was being hammered out in London he said, 'It is bad as far as provinces go: and the Central Scheme is totally bad'. His alternative was 'Modify the Provincial Scheme, drop the Central Scheme and review the whole situation in consultation with Indian opinion with a view to establishing complete responsible government in British India'.

Speaking at a Delhi college on 18 February 1935 he reiterated that if he could achieve communal unity 'half the battle of the country's freedom is won...So long as Hindus and Muslims are not united, let me tell you, there is no hope for India and we shall both remain slaves of foreign domination.'



To bring about communal harmony, Jinnah entered into negotiations with Rajendra Prasad, the then president of the Congress. So keen was he for success of these talks that he 'absented himself from the debates of the Assembly so as to be free to take part in these conversations'. But the effort failed to bring about the desired result.

The final and the last constitutional reforms were introduced by the British government in 1935; these proposals arising from the deliberations of the three sessions of the London Round Table Conference were published as a White Paper in March 1933. After Parliament had approved the White Paper, it set up a Joint Select Committee for making the recommendations on which a bill could be drafted. The Committee came into existence on 11 April 1933 and after 159 sittings produced its report on 22 November 1934. On 19 December a bill was introduced on the basis of that report and eventually received The Royal Assent on 4 August 1935, under the title of the Government of India Act 1935. The Act came into force on 1 April 1937.<sup>33</sup>

Constitutionally, only members of Parliament could be members of the Joint Select Committee and sixteen from each House were chosen to serve on it. They were assisted by twenty representatives from British India and seven from Princely India. Their status was that of assessors but they were allowed to take

part in general discussions and examine witnesses. The Committee was chaired by Lord Linlithgow, who had previously presided over the Royal Commission on Indian Agriculture and was appointed Viceroy of India in April 1936.

The Act separated Burma from India and created two new provinces: Sind by separation from Bombay, and Orissa by separation from Bihar. Both the new provinces were given the status of Governors Provinces. This was the same status which Bombay and Bihar enjoyed before.

Diarchy was abolished in the provinces but it was introduced at the Centre. In the provinces the ministers responsible to the legislature were to have control over all provincial subjects except that the governor was to act 'in his discretion' in certain matters and 'exercise his individual judgment' mainly in the discharge of his special responsibilities, the more important of which were the prevention of any grave menace to the peace and tranquility of the province; safeguarding the legitimate interests of the minorities; the protection of the rights of civil servants and those of the States and their rulers; and the prevention of discrimination against British commercial interests. The governor was also authorized (under Section 93) to assume all powers of government in the event of a breakdown of the constitutional machinery. While discharging his 'discretionary' functions

and 'special responsibilities', he could refuse assent to a bill, promulgate an ordinance which would be valid for six months or enact a Governor's Act which would have the same validity as an Act of the legislature.

The property qualification for the voters to elect members of the provincial legislatures was lowered, giving the right to vote to thirty-five million persons. This was five times the number previously entitled to vote. The communal distribution of seats followed the 'Communal Award'. The systems of separate electorates and weight age were retained.

Part II of the Act, providing for the establishment of a federal government at the centre was to come into force only after Princely States whose population would aggregate half the total population of all the States had acceded to the federation. A State was deemed to have acceded to the federation after its ruler had executed an Instrument of Accession. Even then a single State did not accede to the federation.

The Constitution under the Act of 1935 was a far cry from the promised goal of Dominion States; the key portfolios of External Affairs and Defense remained under central control and the governor-general. The governors, in whose appointments and removals the legislatures had no hand and who were not responsible to the legislatures, could veto laws passed by the legislatures and, under certain circumstances, could themselves promulgate Ordinances or enact Acts.

After the Act had been passed, Congress totally rejected it in the following terms:

Whereas the Government of India Act, 1935, which is based on the White Paper and Joint Parliamentary Report and which is in many respects even worse than the proposals contained in them, in no way represents the will of the nation, is designed to facilitate and perpetuate the domination and exploitation of the people of India and is imposed on the country to the accompaniment of widespread repression and the suppression of civil liberties, the Congress reiterates its rejection of the new Constitution in its entirety.

After the passage of the Act 1935 the Jinnah managed to organize Indian Muslims under the banner of Muslim League in opposition to Congress. Despite the efforts of the Congress leaders to pose Congress as a "Nationalist" party which represented Hindus as well as Muslims they could not win the support of Muslims and in the elections held in 1937, the Congress could hardly get three percent of Muslim votes.

Anyway the Congress after winning the election 1937 in the Hindu majority provinces was able to form Ministries in six provinces. Only the seventh province N.W.F.P. could not be a Congress province. For the Muslims of N. W. F. P. their Ministry; was not the Congress Ministry, it was rather a Khudai Khidmatgar Coalition Ministry. In spite of it the Congress's provincial head lost the election. The Muslim League leaders felt humiliated and aloof due to the defeat in the elections by the hands of Congress.

Not only the results but the conditions created after the results of elections also disappointed the Muslim League leaders. The Congress Ministries discouraged them. They felt that with the overwhelming victory in the elections Congress' leaders looked as drunk with power. The statements of Congress leaders too supported their view points. For example when Pandit Jawahar Lal Nehru declared that in India there existed only two parties, one the British Government and the other the Congress, Jinnah retorted sharply and without delay and reminded the Congress that there existed a third party as well and it was the Muslim nation comprising one hundred million individuals. He stressed the same point writing to the Congress President Mr. Subhash Chandra Bose in 1938.

The Muslim League and Muslim leaders regarded the actions of the Congress Ministries as atrocities. The extent to which the Muslims felt they were suffering atrocities at the hands of the Hindu during these two years can be gauged from the statement that Jinnah gave at the end of the Congress ministries when on October 22, 1939, they resigned. On this occasion, Jinnah expressed his heartfelt satisfaction in a statement in which he appealed to the Muslims to celebrate the end of Congress ministries as a Day of Deliverance. His appeal to the Muslims infuriated the Congress leaders.

The Congress leaders criticized the announcement of Day of Deliverance as untimely, provocative and anti-national. The Day of Deliverance was celebrated through the length and breadth of India. In the light of the support the Muslims of India gave to the Day of Deliverance the Muslim League leaders projected that the Day of Deliverance belied the Congress claim that it was the sole representative of India.<sup>34</sup> The celebrations of the day widened the gulf between the two parties to a position where there remained no chances for them to come close to each other.

After the experience of Congress rule (1937-1939) and also the feeling the support of Muslims behind them appeared on the Day of Deliverance the Muslim League leaders reached a conclusion that an independent Muslim homeland was the only way in which they could escape the suppression of Hindu majority led by extreme Hindu leaders. For the Muslims, the humiliating experience of Hindu rule finally caused even Jinnah to be

disappointed of the Hindu-Muslim unity. Hitherto, he devoted all his energy toward the achievement of Pakistan.

The Muslim League, therefore, after the passage of Lahore Resolution, in its historic session of 1940 in Lahore, carved out a goal for the future of the Muslims of sub-continent. The party demanded a separate homeland for the Muslims where their rights might be preserved in the face of perpetual interference of Hindu majority.

In the light of above discussion it can easily be concluded that the behavior of some Hindu leaders and the policies of the Congress helped out to widen the gulf between Hindus and the Muslims. The British Government wanted and tried to fill this gulf with the help of constitutional compromise. The British considered that the proper constitutional arrangement settled between the Muslims and the Hindus when they would act as the arbitrators could prolong their peaceful reign in the country. Muslim leadership also, in the start, desired to sail smoothly with the Hindus considering both nations in the same boat. The desire of the British and the Muslims could not bear fruit and Muslim nationalism which already had strong ideological background flourished and nourished because of Hindu mentality reflected through the Congress activities.

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