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PROVINCIAL ELECTIONS UNDER THE GOVERNMENT OF INDIA ACT 1935

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ABSTRACT

This empirical research based paper attempts to study the initiative taken by the British Indian Government to conduct provincial legislative elections in British India under the Government of India Act of 1935 and response given by the different political parties to this gesture. Popularity of Congress, Muslim League and other regional parties were testified through these elections. Election results vindicated the solid base of Congress among the Indian people. In order to diagnose the theme analytically and comprehensively, private papers of the Viceroy, Government of India's Home Department' Fortnightly Reports, constitutional documents, reminisces, biographies and autobiographies of eminent personalities of the time and standard research works related to the theme have been consulted.

Keywords: Government of India Act 1935, Imperialistic instinct, Provincial autonomy, Election manifesto, Indian National Congress, Muslim League, Congress Parliamentary Board, and Election results etc.

Introduction: Government of India Act of 1935 ushered Provincial autonomy in British Indian provinces under which provincial elections were conducted in India in the early part of 1937. It gave probability to emerge representative government in India. Democratic process was initiated in India for the first time though it was bearing many handicaps. Electorates were largely extended. Election outcome was surprising for the Viceroy and Governors, Congress and Muslim

League. People representatives got a chance to have an intimate knowledge of electoral arena. While attractiveness of Congress with the people was established, Muslim League received a very bad drubbing at the hands of Muslims.

Objective of Study

The main motive of the study is to see that how the colonial government in British India having imperialist gut feeling introduced limited provincial autonomy in British India and how Indian political parties despite having reservation on the manifestation of the 1935 Act, participated in it in order to expose its internal hollowness.

Research Methodology

Contemporary Government of India Home Department's Fortnightly Reports, Private papers of Viceroy, constitutional documents and contemporary periodicals available at National Archives of India, New Delhi, were utilized to prepare this research oriented monograph. Historical research methodology has been practiced in order to give the theme an objective look. Primary and secondary sources have been exhausted to have a fair and comprehensive picture of the subject.

Discussion

Ever since the enactment of the Pitt's India Act in 1784, the British Parliament tried to strengthen their control over India constitutionally, earlier through the Charter Acts at the time of East India Company and after the revolt of 1857 through the Government of India Acts. On 2nd July 1935 the Government of India Act of 1935 received the royal accent but it itself was the reflection of imperialist colonial statesmanship. It was another attempt of the British Government to continue the hold of British rule through constitutional provisions when the urge of the native population of India to shake off colonial slavery had been crystal surfaced. It was shot to quiet down the autonomy demand of the natives. Its (Act's) exterior appearance was democratic but inwardly it was sheer hollow. Through this Act limited provincial autonomy was initiated in British Indian Provinces after abolishing diarchy and was harbinger of provincial legislative elections to be conducted in near future but the final control of India still rested with the Whitehall and imperialistic instinct was perceptible. But it gave a chance to Indian political parties to acquire some acquaintance with the knack of electoral methodology. It is the essential

merit of the Act of 1935 that it documented the failure of the Act of 1919 and presented, so far as Indian social conditions allowed, the prospect in the provinces of true but limited responsible government. It would, of course, be absurd to ignore the difficulties of operating the system under Indian conditions , which necessitated reserving large powers of intervention to the governors , but the task was at least not possible as it was under the Act of 1919. But as a matter of fact the British wanted to keep the control of political and constitutional life of India in their own hands and true sense of representative government was not to be permissible.¹

Provincial autonomy was an imperative ingredient of the Government of India Act 1935 and this part of Act which was to usher provincial legislative elections, was severely criticized for its many reservations and powers given to the Governors and the Viceroy by the nationalists and the other federal part of it was even more resented.² Jawaharlal Nehru nastily termed this Act as a Charter of Slavery on 12th April1936 at Lukhnow in his presidential remarks. Indian National Congress pronounced the proposals contained in the Act of 1935, as even worse than those contained in the White Paper and the Joint Parliamentary report and termed it as designed to facilitate and perpetuate the domination and exploitation of the people of India. The Congress party resolved to fight it both inside and outside with a view to annihilate it. There were two schools of thoughts in the Congress party in regard to the provincial legislative elections to be conducted under the shadow of this Act. One circle was keen to boycott the impending legislative elections; the other was to participate to nullify it from within. Maulana Abul Kalam Azad, the senior leader of Congress opposed to boycott the elections and rather candidly observed "a mistake to boycott the elections." Congress finally decided to contest the elections in order to wreck the Act. ³ It officially pledged itself to "break it from within". Congress realized that it could not possibly accept the Act of 1935 as even temporary solution to the Indian problem. It was pledged to independence and to combat the act yet a majority decided to work the provincial autonomy. It had thus a dual policy: to carry on the struggle for independence and at the same time to carry through the legislatures constructive measures of reform. A new chapter in India's political and constitutional history began in the opening days of 1936. The annual session of Congress at Lukhnow in the middle of April 1936 under the president ship of Jawaharlal Nehru had finally gave up the policy of boycott of Legislatures and decided to fight elections to capture power in the provinces though Nehru was personally opposed to the working provincial autonomy. He expounded: "......When the provincial part of the Act came into

force, the Congress should certainly contest the elections to the legislatures. But they must have no more to do with the Act than that. On no account must Congressmen take office". 5

All India Muslim League was also having reservation regarding the merit of Act but suggested "Provincial Scheme be worked what it was worth." Early in 1936, the Muslim League met in Bombay and decided to form their own Central Election Board, with Mohammad Ali Jinnah as President. In March 1936, Jinnah spoke to some of the members of League, in Delhi: "We must think of the interests of our community. Unless you make the best efforts, you will fail and will command no respect and nobody will bother to consult you. Organize yourself and play your part......" Provincial Muslim Elections Boards were set up to finalize the candidates for contesting the elections. Necessary directions were issued by Muslim League urging the Muslims to organize themselves for elections. ⁶ Jinnah also asked the Muslims "to utilize the Provincial Schemefor what was worth", but to oppose its Federal part, which he told them, would perpetuate Hindu dominance. On the whole he was not happy with the Act and had quoted his friend Winston Churchill who had characterized it "the monstrous monument of sham built by the pigmies". Jinnah staged a session of the League in Bombay in April 1936 in which it opposed the federal part of the Act but favoured contesting the elections to the provincial legislatures.⁷

All India Hindu Mahasabha dubbed the Act "a highly unsatisfactory and retrograde measure "in its 18th sitting at Lahore on 21st to 23rd October 1936 but held the view that in order to protect the interests of Hindu community it must contest the elections.⁸ BR Ambedkar, the leader of the depressed classes, had vigorously criticized the Government of India Act 1935 for several lapses. To him, the Reforms scheme left much to be desired. "The new constitution was full of defects and falls much short of responsible government". Indeed he was in favour of Provincial autonomy that must be qualified one.⁹ A welcome note was introduced into the political scene with the arrival of Lord Linlithgow as new Viceroy and Governor- General of India (1936-1943) in succession to Lord Willingdon (1931-1935). He was enthusiastic about provincial autonomy and said in his interview with Durga Das, one time Editor of the Associated Press of India (the forerunner of the Press Trust of India) at New Delhi and Shimla, that they had a long way to go in getting the federal part in operation. He came to India with a resolve to speed up the implementation of the Act of 1935.¹⁰

Meanwhile the country was getting ready for electoral battle, having digested the significance of the reforms. Congress Parliamentary Board consisting of the seven persons with the presidents of all Provincial Committees along with Dr Khan Sahib (Abdul Jabbar Khan, widely known as Dr Khan Sahib, was the elder brother of Khan Abdul Ghaffar Khan). Members were namely Rajendra Prasad, Bhulabhai Desai , Abul Kalam Azad, C Raja Gopalchari Vallabhbhai Patel Acharya Narendra Dev and GB Pant as it convenor was set up in 1936. Hector Bolitho wrote that Congress Parliamentary Board was comparable Labour's Transport House, or the Conservative Central Office in England. 11 Vallabhbhai Patel and Rajendra Parasad were selected as the Chairman and Secretary of the Congress Parliamentary Board. They delineated and explained at numerous assemblies Congress strategy of Council entry and had also issued an appeal asking for public support to the Congress in the elections. ¹² Patel and Prasad inaugurated the election campaign in Bombay on 7th July, 1936 and AIIC met on 22nd August to adopt its election manifesto. Significantly, the Congress gave up its neutral stand to the Communal Award with an eye to neutralizing the Hindu Mahasabha's appeal to the Hindu electorate. The Congress election manifesto stated that the party would seek to wreck the Reforms Act, while the Muslim League promised to work provincial autonomy for all it was worth and, to all appearance the social policy it advocated was much the same as the Congress policy. Although favoring a new social edifice, Muslim League opposed any movement that aims at expropriation of private property- a plain reference to the socialist ideas of Pandit Jawaharlal Nehru and his disciples. The Election manifesto of the Congress embodied demands for civil liberties and equal rights of citizens and exempting uneconomic holdings from payment of rent and revenue. For the industrial workers the manifesto announced a programme of a proper standard of living, hours and conditions of work and social legislation. It also stood for the abolition of sex inequalities in social, economic and all other spheres. It stood for the abolition of untouchability and the uplift of backward classes. Congress manifesto had a great appeal. 13 Congress again its annual session in December 1936 passed the resolution and reiterated its earlier stand with these words, "its entire rejection of the Government of India Act of 1935 and the constitution that has been imposed on India against the declared will of the people'......To this end the Congress works in the country and organizes the masses and this object must ever be kept in view by the representatives of the Congress in the legislatures...." ¹⁴ Congress attitude might be also gauged from the statement Jawaharlal Nehru gave in December 1936; "We go to the Legislatures not to

cooperate with the apparatus of British imperialism.....we are not going to the Legislatures to pursue the path of constitutionalism or barren reformism." ¹⁵

Congress session of Faizpur in the middle of January 1937 reaffirmed the decision to fight the elections, but called for a *hartal* on 1st April "to mark the country's protest against the imposition of the new constitution" on that day (the day on which the provincial autonomy was to be inaugurated with the installation of Ministries in the British Indian provinces). Actually that was the first shot in the Congress election campaign. Jinnah too was in a belligerent having anti British and anti Congress mood .He, however, told Durga Das (journalist) outwardly that he was looking forward to cooperation with the Congress in fighting the elections under the Reforms Act. With the death of Fazl-i-Husain, the field was clear, he said, for imparting new life to the Muslim League. He undertook an extensive tour of the provincial capitals - a novel experience for an arm-chair politician. ¹⁶ Jinnah was different from inside in regard to his attitude towards Hindu dominated Congress and he did his best to play. Backed by the mullahs who went to canvass from door to door, he made Hindu tyranny the hub of his campaign. The 230 million Hindus were going to wipe out the 70 million Muslims, he said and the Congress was the cunning instrument of annihilation that the Hindus had found. In his presidential address of 1937 to the Muslim League he told the Muslims that there were forces that would 'bully you, tyrannize over you and intimidate you.' The Congress election campaign received massive response and once again aroused the political consciousness and energy of the people. Pandit Jawaharlal Nehru's country wide election tour was to acquire legendary proportions. He travelled nearly 80,000 kilometers in less than five months and addressed more than ten million people, familiarizing them with the basic political issues of the time. Gandhi did not address a single election meeting though he was very much present in the minds of the voters. ¹⁷ Nehru's election campaign can only be described as a fury of activity. Like an arrow he shot through the country, carrying the Congress message to remote hamlets in the hills and on the plains. He covered some 50000 miles in less than five months, using every conceivable means of transport. Most of the time he travelled by car, train or aeroplane, occasionally by horse, camel, streamer, bicycle or canoe, and wherever necessary, on foot through the trackless dusty plains. Even the elephant was harnessed into service. About 10,000,000 persons attended his meetings., and millions more lined the route to catch a glimpse of the Congress's crown prince. Many of the gatherings exceeded 20,000, some attracted 100,000, mostly peasant men and women who

walked from distant villages to see and to hear their much loved 'Panditji'. His average working day ranged from twelve to eighteen hours. It was a prodigious feat. 18 Nehru's approach to the electors was ideological in the main, with very few references to individual candidates. The Congress election manifesto was explained in simple, straight forward terms, and a few core themes were stated as advertised: "fight for Indian freedom: build the Congress into a mighty army of the Indian people: organize to remove poverty and unemployment". The technique of hammering on a few key objects is one which Nehru used in order to rouse his people from lethargy. This approach made a vital contribution to the party's victory at the polls. ¹⁹Nehru was less challenging during the campaign for the 1937 elections. He did not talk of violence, but of the value of constitutional opposition, from within the Congress. Jinnah was to say of him, 'He is a Peter Pan; he will never learn anything, or unlearn anything'. Nevertheless, Nehru led the army of Congress workers to victory at the polls. Out of 295 millions in British India, 30 millions held the vote: of these, 30 percent were Muslims. 20 Gandhi kept totally aloof from the Congress election campaign, whereas Jawaharlal Nehru threw himself heart and soul into it. It was in this campaign he arrived politically. He drew crowds everywhere and became the idol of the masses, not in the sense Gandhi was but as his glamorous and noble disciple. When Durga Das congratulated Nehru on his triumphant tour, he said: "Make no mistake . I was greeted everywhere with 'Mahatma Gandhi ki jai'. It is Bapu's spell that gave us vote." ²¹ The electorate was greatly enlarged and was four to five times as large as the previous electorate. The opportunity for mass contact which the expansion of men and women electorate (more than four times to its former size, or about the 11per cent of the total population of India opened out was the main factor in favour of the decisions of the Congress. Naturally an all out effort was made to capture the maximum number of seats. In this endeavour the work of Gandhi ji in establishing the Khadi centres under the All India Spinners Association, was of great help. ²²

In Punjab the Unionist Party intended to use the Act to extend their influence in Punjab. Mohammad Shafi, Punjab leader of All India Muslim League, had died in 1932; Jinnah sought an alliance in Punjab with Fazl-i-Husain and the Unionists. In Punjab, leaders like Sir Fazl-i-Husain and Captain Sir Sikandar Hayat Khan (knighted in 1933) created the Unionist Party in partnership with the peasant leader Sir Chotu Ram. This was the only important non communal party in the country; it represented the rural as opposed to the urban interest, and while dominantly Muslim in composition, included an important section of Hindu Jats under the

to Fazl, '*No one can give a better lead to the Mussalmans of India than yourself.*' Fazl–i-Husain, declined in April 1936, an invitation from Jinnah to preside at the League's 1936 session in Bombay as it was a belated gesture and Punjab leader was not about to bite upon such uninviting bait. Fazl-i-Husain and Sikandar Hayat Khan warned Jinnah "to keep his finger out of the Punjab pie". A rebuffed Jinnah went to Punjab to generate independent support there for the Muslim League but failed and subsequently terming Punjab 'a hopeless place'. Fazl, the grand old man of Unionist Party, died in later 1936 and the command of the Unionist party went in the hands of Sir Sikander Hayat Khan under whose stewardship provincial elections were conducted. A Khattar Jat from Wah, Sikander was a son of the Muhammad Hayat who had served as Nicholson's aid in 1857 before rising in the ranks of Punjab's rural gentry.²³ The Akalis in Punjab did not want any alliance with the Unionists Party, which always played to the tune of British rulers. They decided to go alone and laid emphasis on the issue of complete independence, opposition to the communal award and the abrogation of the act of 1935 and this party released its manifesto on 20th June 1936.²⁴

The first step in the working of the constitutional scheme of the Act of 1935 was taken in February 1937, when the elections to the Provincial Legislative Assemblies were held in British India. The Congress, pursuant to its policy of Council Entry, contested the elections. Spade work had been done and the stage was set for the 1937 elections, through which power would for the first time be transferred in the provinces to Indian Parties. This was the opportunity for both the Congress and the Muslim League and other parties to display how much support they had from the masses they claimed to represent. ²⁵ The number of polling booths was nearly doubled. ²⁶ Over 54% went to the poll and in certain rural constituencies of Orissa up to 75percent of the electorate polled.²⁷ The elections to the Provincial Legislatures to elect its Provincial Governments were conducted throughout India in the month of January and February 1937 with remarkable success, a testimony of self reliant on the part of political leaders.²⁸ The official version was different. Government view was that credit was to the Government officers and the precautionary measures they have taken that the elections passed off without any breach of peace.²⁹ Lord Linlithgow in his communiqué to Lord Zetland on 4th February 1937, termed the precautionary measures "very satisfactory". The Viceroy showed his impartiality in the course of elections 30

Indian National Congress and its allies performed strongly all across India, including in the North West Frontier Province. The Congress scored a big victory in the elections and secured decisive victories. The success of the Congress in the elections was overwhelming in most of the provinces. 31 The election results took even Congressmen by surprise, for, despite the franchise limited to a bare twenty seven per cent of the adult population, they won clear majorities in six of the eleven British Indian provinces, namely Bombay, Bihar, Central Provinces, Madras, Orissa, and the United Provinces, and emerged as the single largest party in Assam. Their most outstanding success was in Madras, where the non- Brahman Party, had ruled uninterruptedly since 1921, was routed, securing only twenty-one seats in the Lower House of the provincial legislature against 159 for the Congress. In Bombay they could form a government with the help of fellow travelers, while in the North West frontier Province their Red Shirt Pathan allies under the 'frontier Gandhi' Abdul Ghaffar Kahn ,secured a majority. Only in the Sind and the Punjab Assemblies, it constituted a comparatively small minority. . In Punjab the Congress could only win twenty eight seats. In United Provinces out of 228 Congress won 133, in Bihar out of 152 got 92, in Madras out of 215 got 159, in Bombay out of 175 got 80 and in North West Frontier Province out of 50 got 19.³²In Punjab Unionist Party and in Bengal Krishak Paraja party, both regional parties, made the sway. A good number of independents came out victorious and helped in making and unmaking the governments. ³³

The striking results in favour of Congress shocked the Government of India. The extent of Congress victories, however, surprised the Viceroy less than some of the Provincial Governors. It was definitely a "much greater measure of success than the anticipation of Lord Linlithgow and Lord Zetland, the Secretary of State for India (1935-1940). In Central Provinces, the Governor expected Congress to win only 35 seats out of 112 seats, Congress won 70. ³⁴ In most constituencies it was the party rather than the candidates for whom the votes were cast – a tendency that was accentuated when coloured boxes were used for voting owing to the number of illiterate voters who could not read ballot papers. ³⁵

The Muslim League was decisively rejected in the 1937 elections. Some of groups of the Muslims were ardent supporters of Congress: the North West Frontier Province, where the Muslims were 90 percent of the population, was a Congress stronghold. In this part of the country – the home of the stalwart *Pathanlanders*- not a single Muslim League candidate had been returned to the Legislative Assembly. The Muslims in the province of Sind had openly

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'disowned the League' and they allied themselves with Congress. Of the 1585 seats the Congress won 711. It had contested only 1161 seats. The Congress sweep is all the more impressive when it is born in mind that of the 1585 seats less than half were "General" or open, i.e., not allotted to a separate closed electoral group. The balance was fragmented among Muslims, Sikhs, Christians, European, Landholders and others. By contrast, the Muslim League which was to win Pakistan only ten years later, secured only 4.8 per cent of the total Muslim votes.³⁶ Choudhry Khaliquzzaman, the leader of the League in its stronghold, United Provinces admitted that it was a Muslim party without a Muslim. But Jinnah and the Muslim League discovered that the Muslim masses did not share this view at all. The meeting held in Ganga Parshad Memorial Hall, was a very poor show which spoke of the interest of the Muslims at that time. By the conditions of the Communal Award 1932, the Muslims had been given 485 seats in the provinces. The party which was going to save the Muslims from annihilation won only 108 of those seats. This was the party which the British kept calling 'the voice of the Muslims'. ³⁷ The League had demonstrated very precarious performance in these elections. The League did well only in the UP and Bombay and made little impact on the Muslim majority provinces. Fazli's plan had succeeded even though he was no more, for the League's candidates did poll very lower per cent of the total Muslim votes. Congress had triumphed in most of the Provinces; the acceptance of office, thereafter, became a live issue. ³⁸ Most of the important Muslim leaders refused to respond to the communal view espoused by Jinnah. They fought the 1937 elections very successfully on the basis of political rather than communal manifesto. In Punjab, the Unionist Party swept the polls. Despite the efforts of Sir Mohammad Iqbal, who campaigned hard for the League, it could win only 2 out of the 86 Muslim seats in Punjab (and one of these victors, Raja Ghaznfar Ali Khan, went over to the Unionists after the elections). In Punjab the 1937 elections were a resounding victory for Punjab's rural elite. ³⁹ In Bengal, Fazl-ul-Haq's Krishak Praja Samiti, or Peasants and Tenants Party, championing the cause of the poor peasant and demanding agrarian reform, emerged the victor, winning sixty six out of the seventy five it contested: in fact, Fazl-ul-Haq showed where the Muslim vote stood by defeating the Muslim League leader Khawaja Nazimudin in the latter's home constituency. In Sind, there were 35 Muslim seats out of a total of 60: the League got very bad drubbing and secured nothing. In North West Frontier Province, as already stated the results were equally embarrassing for the Muslim League. Pro Congress Khuda Khidmatgars(literally the servants of God) were bound to win and came out victorious. So this was the extent of the mass support for the Muslim League (very thin) in those areas which were to become the land of Pakistan. In the 1937 elections, the League had fared better in Hindu majority provinces than in Punjab, Bengal, the NWFP and Sind.⁴⁰

Hindu communal party, Hindu Mahasabha, created as a reaction to the Muslim League was also thoroughly demolished in this elections. The Liberals were everywhere eclipsed. The Natioalist Agricuturist Party fared even worse in the United Provinces. 41

Congress won a massive mandate at the polls despite the narrow franchise. Due to election results, the prestige of the Congress as the alternative to the colonial state rose even higher. The election tour and election results heartened Nehru, lifted him from the slough of despondency. There were two fundamental reasons for the Congress victory: a broadly based organizational network throughout the victory and the mass appeal of its election manifesto, especially its pledge of agrarian reform. The slogan "Vote for Gandhi and the Yellow box" also carried all before it. To Nehru goes most of the credit for the Congress stress on land reform and it was he who carried the message so effectively to the countryside. The total number of Muslim seats in the Legislative assemblies of eleven provinces was 482. The Congress contested only 58 and won 26, that is also 45 per cent of the seats. The results in Punjab and Sind alone were enough to show that the Congress also could not truly claim to be the only valid champion of Indian political aspirations. This repudiated Congress' claim to speak for the whole of Muslim India.

Pandit Jawaharlal Nehru concluded that they (Congress) failed because they had long neglected working among the Muslims. ⁴⁹

Conclusion: It can be surmised that provincial elections in British India conducted in January and February 1937 under the Government India Act of 1935 laid the foundation of representative democratic government in India. Indian political parties got a chance to test their popularity with the electorates and to learn the intricacies of electoral process. Congress and its allies proved their mettle in the elections by staking majorities in the large number of provinces. It also testified the popularity of the Congress, Gandhi and Jawaharlal Nehru. Congress manifesto having multifarious reflections succeeded in attracting the rural and urban electorates significantly. Muslim League failed to win majority even in any Muslim dominated province. Muslim electorates refused to toe the communal line as outlined by Jinnah in his election crusade. Rather Muslim electorates gave a very bad drubbing to the Muslim League. Elections results proved that Hindu electorates were with the Congress and Muslim electorates with the regional political parties in Punjab, Bengal and North West Frontier Province. False claim of Muslim League to represent Muslim India became crestfallen. The Government argument to throttle constitutional progress of India by justifying the wrong claim of Muslim league to represent Muslim India also became falsified. Congress also failed to make its mark with Muslim electorates; therefore Congress claim to speak for the whole of India was also repudiated in these elections. But provincial legislative elections under the shadow of 1935 Act were a great pillar stone in the constitutional and political progress of India.

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