

The Muslim Press and the Government of India Act of 1935 in Madras Presidency

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The process of framing the new constitution of India took eight long years. The first step was taken in November 1927 when the statutory commission was appointed and the last when the Royal assent was given on August 4, 1935. Briken head who took the initial steps was sceptical about reform and believed the Act of 1919 had given away too much because of the general malaise which succeeded the war. The process was initiated under the Conservative Government with Baldwin as Prime Minister and Briken head as Secretary of State, it was continued under the Labour Government. Ramsay MacDonald and Wedgwood Benn, then completed under the National government headed by Ramsay MacDonald, supported by Baldwin and Samuel Hoare.¹

The Congress considered the Mont ford reforms of 1919 to be “inadequate, unsatisfactory and disappointing”, but while urging the Government to speedily establish full responsible government based on self-determination, it resolved to work “so far as may be possible, with the aim of bringing about at an early date the desired type of government. The Muslims were full of resentment against the severity of the terms of the Treaty of Sevres imposed on a defeated Turkey. Gandhi espoused this cause and launched a non-violent Non-co-operation Campaign for redress of the Khilafat and to establish Swaraj. The Chauri Chaura tragedy caused Gandhi to call a halt, and the movement came to an end with his arrest in March 1922.

The Simon Commission was appointed in November, 1927, two years before such a commission was due. This all-white Commission, boycotted by India on the ground of lack of any representation on it of Indians, was to inquire, “into the working of the System of government, the growth of education and the development of representative institutions and matters connected therewith”, A general hartal was observed all over the country on the day of the commission’s landing in India. The Central Assembly was invited to form a joint committee to co-operate with the Commission, but it refused to do so. An All Parties Conference, presided over by Dr.M.A.Ansari, was convened at Bombay on May 19, 1928 and appointed a committee under H. Motilal Nehru’s Chairmanship to consider and determine the principles of a constitution for India.

The White Paper (1933) provided for Provincial Autonomy and the constitution of a federation if a specified number of princely states needed. Instead of asking the Parliament to approve the White paper, the Government submitted it to a joint Select Committee of Parliament for consideration in consultation with Indian representatives. In 1934 the report of the joint select committee was published. The congress working committee rejected the report at its meeting on 6 December 1934. The Indian Liberals also rejected it at their session in Poona.

In March 1933, a White paper gave details of the working basis of the new constitution of India. Diarchy at the centre, and Responsible government in the province.

The constitution makers had two alternatives before them, 1) either to choose the course which secured the long-term interests of both India and England regardless of the illegitimate claims of the various parties and interests. 2) to adopt the immediately less troublesome course which satisfied the short-terms needs of the British investors and manufacturers. In drafting the constitution two preliminary problems had to be faced. The first was whether the constitution should consist of two separate acts, Separately passed by Parliament, one containing the immediately enforceable part, namely, that relating to the provinces, and the other to come into operation after certain conditions were fulfilled, that is after the Central Government was established, or to enact a single constitution containing both parts.

The re-entry of Jinnah into Indian politics in 1934, after three years of self-imposed exile in London, had its repercussions throughout the country. Actually it filled the leadership vacuum in the Muslim League. The revived AIMC under Jinnah seems to have been very inclined to avoid a confrontation with the Congress. The Government of India Act of 1935, which envisaged provincial elections and enfranchised 14 per cent of the population of Madras presidency on the basis of income, qualification and property. In fact the Act had also set in motion an internal struggle in every political party where front rank leaders contended for party power. Party power was the key to provincial power and every leader was conscious of it.

So far as the Madras Presidency was concerned diarchy was abolished. There was provincial autonomy in that the provincial government was given exclusive autonomy over provincial subjects and concurrent jurisdiction over certain other subjects.

As the Muslim League had its own suspicion regarding the communal Award and White Paper they wanted the revival of the provincial legislation by fresh elections.

India was looking at political change in 1935, with Gandhi out, Jinnah back and a reformed political system. The 1935 Government of India Act split India from Burma, leaving British India with 11 'Governors' 'Provinces', now including Sind, NWFP and Orissa. The system of diarchy was ended and responsible government with extensive autonomy was granted to the Provinces. There were bi-cameral legislatures in the six provinces, and unicameral ones in the five smaller. The federal Assembly was to have 250 members from British India, with 82 reserved for Muslims and not more than 125 from the Princely states. The upper house or Council of State, had 156 members from British India, including reserved seats for Muslims, Scheduled castes, Sikhs and Women and 104 members nominated by the princes. There was no grant of Dominion status, nor any commitment to it, and there was no form of responsible government at the centre. The Provisions of the Act required at least half of the native states to come into a federal India in order to activate the new Central Assembly. Much of the detail of the 1935 Act had been discussed during RTC and it seemed a liberal measure to many on the British side. Jinnah denounced it as 'humiliating'. Nehru called it, "a charter of slavery".

Referring to Jinnah's statement after his return to India the **Azad Hind** wrote that the delay in the introduction of new reforms and the grant of extension to the existing legislatures have made suspicious of the good intension of the British authorities.

The Conservative Party's success in rallying the British public opinion against the white paper was mainly due to the British governments delay in giving effect to the white paper scheme. The only way of maintaining friendly relations between England and India is to concede to Indians the same privileges within their country as those enjoyed by the people of other self governing countries under the British Sovereignty.

Azad Hind wrote that, "we think that further delay in the introduction of the reforms will create among Indians a feeling of no-confidence in the British government".

Rahbari-Deccan observed that the salvation of India lies not in opposing the white paper scheme in councils, but in preparing a constitution acceptable to all communities.

The **Azad Hind** while referring to the resolution of the Home Department of the government of India, regarding representation of Minorities in the public services, it wrote that the government have not shown any fresh or extraordinary concession to Muslims by reserving 25 per cent vacancies on the public services for them.

When the Muslims have been persistently demanding representation to the extent of $33\frac{1}{3}$ percent both in the

central legislatures and in the public services and the British Govt. also decided to reserve $33\frac{1}{3}$ percent of the

total number of seats for them in the Central Legislatures in the new constitution. It explained that, "We do not understand why they should have been deprived of that percentage in the public services. It is necessary that the Government should consider the Muslim grievances and do justice to Muslims in the matter of their representation in the public services and promotions".

Rahbari-Deccan wrote about the understanding between Government and the press. Although the government have constituted right laws against the press in India. Yet their officials didn't retreat their just opinion regarding any journal. While it was incumbent of the press to maintain good character and popularity it was equally essential for the high officials to tolerate any honest and constructive criticism made by the press.

It had been a convention ever since the introduction of the new reforms in India to allot at least one seat to Muslims in the Madras Cabinet. In having appointed a man Muslim to the office, the government have violated the old convention and done gross injustice to Muslims, The paper suggest to Muslims to make a strong constitutional agitation against the action of the government and compel them to make an ends for the injustice done to the Muslim Community.

Azad Hind remarked that His Excellency the Viceroy's address to the legislative assembly has failed to remove the feelings of dissatisfaction from Indians. It wrote that, "even the viceroy was not untouched by the disappointing effect of the proposed reforms produced on the minds of Indians. His Excellency realizes that the constitution based on the recommendations of the joint parliamentary committee required many amendments and he accordingly advised Indians to pray for modifications. But we can hardly expect that their voice will be heard by the parliament when the British government themselves have turned a deaf ear to His Excellency suggestion regarding the method of indirect election.

While referring to the tendency said to be prevalent among the representatives of the various British dominions to the Empire Parliamentary Conference to regard their Dominions as willing, allies of the British Empire. The **Rahbari-Deccan** deplores that when other Dominions have secured their position after the promulgation of the statue of West minister India can neither claim such a position nor can She expect that her constitutional development will lead her to that goal, but welcomes the news that the representatives have promised to persuade the parliaments of their respective Dominions to allow Indians to settle therein.

The broadcast speeches of Sir Samuel Hoare and Major Attlee on the reforms had a very poor reception from the press. The proceedings in the Assembly and the local legislative council were the main topics of discussion in the press. The discussion in the legislative assembly continued to be watched with interest. The passing of Jinnah's amendment to the motion regarding the joint parliamentary committee report was welcomed by the nationalist press.

The nationalist press on the whole endorsed the decision but most of the papers take the line that if Congress does ultimately decide to take office it must be with the sole intention of making the constitution. Muslim papers view with alarm the prospect of Congress coming into power. The passing of the Government of India Act has led most papers to reiterate the criticism already repeatedly made.

Till the passing of the Act of 1935, the Congress under the advice of Gandhi, had refrained from intervening in the internal affairs of the states and left the question of constitutional change to the state people to solve.

In 1935, the Government of India Act, produced after the discussions at the Round Table Conferences, was passed by the British parliament despite opposition by diehard conservatives in Britain, who said it went too far, and by the Indian Nationalists, who said it did not go far enough. The Act conferred on the provinces autonomy through Ministries fully responsible to elected legislatures. At the centre it vested control in the Governor-General in Council, responsible to the British Parliament, although large powers were given to the legislature, composed mostly of elected members. The constitution also provided for a federation of representatives of the provinces and Indian states.

In 1936 the Congress party in the presidency was busy preparing for the elections to be held in 1937 under the new Act of 1935. Throughout October and November 1936, the Congress leaders toured every part of the presidency for electioneering. Veteran leaders like T. Prakasam and B. Sambadurti toured all the districts of the Andhra while the Tamil Nadu area was covered by Satyamurti, C. N. Muthurangamudaliar, P. S. Kumaraswamy Raja, T. S. Avinashilingam Chetty and O. P. Ramaswamy Reddy, Jawaharlal Nehru's tour of the Presidency in October 1936 also strengthened not a little the electioneering campaign of the party.

Prof. Coupland justified the Act 1935 as not only confirming and carrying forward the policy of 1917. Bhulabhai Desai the leader of the opposition, Jinnah the leader of the Independents, Aney the leader of the Nationalist party, and others made scathing criticism of the recommendations. The All India Muslim League met at Bombay under Seiyid Wazir Hasan's Chairmanship on April 11 and 12, 1936. The League adopted a resolution of strong protest against the enforcement of the Act of 1935.

The Congress stand was uncompromisingly and unmistakably opposed to the provisions of the Act of 1935. Its demand for complete independence had been formulated in December 1929, and repeated again and again. The Muslim League agreed with the Indian National Congress in rejecting the Act of 1935, especially the part concerning the central government, but its reasons for doing so were entirely different from those of the Congress. What the Muslim League wanted was an autonomous Muslim state or states along the North-western and eastern borders of India. As the Act of 1935 did not fulfill their aim they declared it totally unacceptable. The Act of 1935 was a monument of British folly and misdirected energy.

The first part of the new scheme was put into operation in 1937. The federation part was suspended and not taken up again. The Congress protested that the scheme offered the princely states undue representation while the princes, though they had agreed to it in principle, feared that it might undermine their authority.

Under the new constitution seats were reserved in the Legislative Assemblies and councils for Muslims, Indian Christians, Anglo-Indians and Europeans, side by side with special reservation for women, backward classes, commerce, landholders, universities and Labour.

On the eve of the elections, the presidency witnessed the birth of two new parties – the People's party and the Madras Provincial Scheduled Castes party as well as the revival of the Madras Provincial Scheduled Castes party as well as the revival of Madras Provincial branch of the Muslim League.

The Congress party having triumphed in the general election in 1937, its versatile and powerful leader, C. Rajagopalachari constituted the Ministry, choosing Prakasam as Minister of revenue. The election results were as follows.

Legislative Council

Congress	- 26
Independents	- 11
Justice	- 5
Muslim League	- 3
European	- 1
Total	- 46

Legislative Assembly

Congress	-	159
Justice	-	21
Independents	-	15
Muslim League	-	9
Europeans and Anglo Indians	-	9
Muslim Progressives	-	1
People's Party	-	1
Total	-	215

Press naturally concentrated on the elections. The congress press was Jubilant and practically unanimous in urging the acceptance of office.

The Urdu press was mainly concerned with the Luck now Session of All India Muslim League and gave secret approval to the proceedings of the conference. It also continued to make adverse comments on British policy in Palestine.

The working of new reforms was interrupted by the outbreak of the Second World War on September 1, 1939. The Congress was willing to support the war only if India was granted self-government or at least promised it at the end of the war. But the British Government, taking the academic stand that Dominion hood was the goal of the constitution already in force, rejected the congress demand. In the seven provinces where Congress had control the Ministries resigned and the governors assumed rule assisted by Councils of Advisers.

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