

"shall proceed to settle the Provincial Constitutions for the Provinces in each section and shall also decide whether any Group Constitution shall be set up for those Provinces." There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced which clearly infringes the basic principle of provincial autonomy. In order to retain the recommendatory character of the Statement, and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that, in the first instance, the respective provinces will make their choice whether or not to belong to the section in which they are placed. Thus the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up a constitution and giving effect to it. . . . The provisions in the Statement in regard to the Indian States are vague. . . . A Provisional National Government . . . must be a precursor of the full independence that will emerge from the Constituent Assembly. It must function in recognition of that fact, though changes in law need not be made at this stage. The Governor-General may continue as the head of that Government during the interim period, but the Government should function as a cabinet responsible to the Central Legislature. The status, powers and composition of the Provisional Government should be fully defined in order to enable the Committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority.

[*India, Statement by the Cabinet Mission*, Cmd. 6835 (1946),
reprinted from C. H. Philips, ed., *The Evolution of India
and Pakistan, 1858 to 1947*, 382–384.]

DR. B. R. AMBEDKAR CONSIDERS PARTITION

As noted in the introduction, Dr. Ambedkar presented forceful arguments against any attempt to make a logical case for Pakistan. He did this, *inter alia*, by comparing India to other nations around the world composed of multiple communities. He maintained that there were many more reasons for sustaining its unity than for dividing the political community. But, he said, emotions, not reason, must be the deciding factor. If the Muslims—meaning Jinnah and the Muslim League and their supporters—passionately wanted Pakistan, then it had to be accepted. He felt that a nation of several communities—for example, a free and united India—had to have citizens and an army completely committed to it. Anything less would mean disaster. If the Muslims could not make this wholehearted commitment, they should be granted Pakistan.

MUST THERE BE A PAKISTAN?

I. With all that has gone before, the sceptic, the nationalist, conservative and the old world Indian will not fail to ask "Must there be Pakistan!?" . . . The

problem of Pakistan is indeed very grave and it must be admitted that the question is not only a relevant and fair one to be put to the Muslims and to their protagonists. . . . Its importance lies in the fact that the limitations on the case for Pakistan are so considerable in their force that they can never be easily brushed aside. . . . That being so, the burden of proof on the Muslims for establishing an imperative need in favour of Pakistan is very heavy. Indeed the issue of Pakistan or to put it plainly of partitioning India, is of such a grave character that the Muslims will not only have to discharge this burden of proof but they will have to adduce evidence of such a character as to satisfy the conscience of an international tribunal before they can win their case. . . .

II. Must there be Pakistan because a good part of the Muslim population of India happens to be concentrated in certain defined areas which can be easily severed from the rest of India? Muslim population is admittedly concentrated in certain well defined areas and it may be that these areas are severable. But what of that? In considering this question one must never lose sight of the fundamental fact that nature has made India one single geographical unit. Indians are of course quarreling and no one can prophesy when they will stop quarreling. . . . What does it establish? Only that Indians are a quarrelsome people. It does not destroy the fact that India is a single geographical unit. Her unity is as ancient as Nature. Within this geographic unit and covering the whole of it there has been a cultural unity from time immemorial. This cultural unity has defied political and racial divisions. And at any rate for the last hundred and fifty years all institutions cultural, political, economic, legal and administrative have been working on a single, uniform spring of action. In any discussion of Pakistan the fact [that] cannot be lost sight of . . . is the fundamental unity of India. For it is necessary to grasp the fact that there are really two cases of partition which must be clearly distinguished. There is a case in which the starting point is a pre-existing state of separation so that partition is only a dissolution of parts which were once separate and which were subsequently joined together. This case is quite different from another in which the starting point . . . is a state of unity. Consequently partition in such a case, is the severance of a territory which has been one single whole into separate parts. Where the starting point is not unity of territory, i.e., where there was disunity before there was unity, partition—which is only a return to the original—may not give a mental shock. But in India the starting point is unity. Why destroy its unity now, simply because some Muslims are dissatisfied? . . .

III. Must there be Pakistan because there is communal antagonism between the Hindus and the Muslims? That communal antagonism exists nobody can deny. The question however is, is the antagonism such that there is no will to live together in one country and under one constitution. Surely that will to live together was not absent till 1937. During the formulation of the provisions of the Government of India Act 1935 both Hindus and Musalmans accepted the view that they must live together under one constitution and in one country and

participated in the discussions that preceded the passing of the Act. And what was the state of communal feeling in India between . . . say 1920 and 1935 . . . ? The history of India from 1920 up to 1935 has been one long tale of communal conflict in which the loss of life and loss of property had reached a most shameful limit. Never was the communal situation so acute as it was between this period of 15 years preceding the passing of the Government of India Act 1935, and yet this long tale of antagonism did not prevent the Hindus and the Musalmans from agreeing to live in a single country and under a single constitution. Why make so much of communal antagonism now? . . .

Obviously India is not the only place where there is communal antagonism. If communal antagonism does not come in the way of the French in Canada living in political unity with the English, if it does not come in the way of the English in South Africa living in political unity with the Dutch, if it does not come in the way of the French and the Italians in Switzerland living in political unity with the Germans why then should it be impossible for the Hindus and the Muslims to agree to live together under one constitution in India?

IV. Must there be Pakistan because the Muslims have lost faith in the Congress majority? As reasons for the loss of faith Muslims cite some instances of tyranny and oppression practised by the Hindus and connived at by the Congress Ministries during the two years and three months the Congress was in office. Unfortunately Mr. Jinnah did not persist in his demand for a Royal Commission to inquire into these grievances. If he had done it we could have known what truth there was in these complaints. A perusal of these instances, as given in the reports of the Muslim League Committees, leaves upon the reader the impression that although there may be some truth in the allegations there is a great deal which is pure exaggeration. The Congress Ministeries concerned have issued statements repudiating the charges. It may be that the Congress during the two years and three months that it was in office did not show statesmanship, did not inspire confidence in the minorities, nay tried to suppress them. But can it be a reason for partitioning India? . . . May it not be that if the Congress returns to office it will profit by the mistakes it has made, revise its mischievous policy and . . . allay the fear created by its . . . conduct?

V. Must there be Pakistan because the Musalmans are a nation?—It is a pity that Mr. Jinnah should have become a votary and a champion of Muslim Nationalism at a time when the whole world is decrying against the evils of nationalism and is seeking refuge in some kind of international organization. Mr. Jinnah is so obsessed with his new-found faith in Muslim Nationalism that he is not prepared to see that there is a distinction between a Society, parts of which are disintegrated, and a Society parts of which have become only loose, [a distinction] which no sane man can ignore. When a society is disintegrating—and the two nation theory is a positive disintegration of society and country—it is evidence of the fact that there do not exist what Carlyle calls “organic filaments”—i.e., the vital forces which work to bind together the parts that are

cut asunder. In such cases disintegration can only be regretted. It cannot be prevented. Where, however, such organic filaments do exist, it is a crime to overlook them and deliberately force the disintegration of society and country as the Muslims seem to be doing. . . . But isn't there enough that is common to both Hindus and Musalmans, which if developed, is capable of moulding them into one people? Nobody can deny that there are many modes, manners, rites and customs which are common to both. Nobody can deny that there are rites, customs and usages based on religion which do divide Hindus and Musalmans. The question is, which of these should be emphasized. If the emphasis is laid on things that are common, there need be no two nations in India. If the emphasis is laid on points of difference, it will no doubt give rise to two nations. The view that seems to guide Mr. Jinnah is that Indians are only a people and that they can never be a Nation. . . . Granted Indians are not a nation, that they are only a people. What of that? History records that before the rise of nations as great corporate personalities, there were only peoples. There is nothing to be ashamed if Indians are no more than a people. Nor is there any cause for despair that the people of India—if they wish—will not become one nation. For, as Disraeli said, a nation is a work of art and a work of time. If the Hindus and Musalmans agree to emphasize the things that bind them and forget those that separate them there is no reason why in course of time they should not grow into a nation. It may be that their nationalism may not be quite so integrated as that of the French or the Germans. But they can . . . produce a common state of mind on common questions which is the sum total which the spirit of nationalism helps to produce and for which it is so much prized. Is it right for the Muslim League to emphasize only differences and ignore altogether the forces that bind? Let it not be forgotten that if two nations come into being it will not be because it is predestined. It will be the result of deliberate design. . . .

VI. Must there be Pakistan because otherwise Swaraj will be a Hindu Raj? . . . It is a very strange sort of conscience. There are really millions of Musalmans in India who are living under unbridled and uncontrolled Hindu Raj of Hindu Princes and no objection to it has been raised by the Muslims or the Muslim League. . . .

The political objections to Hindu Raj rest on various grounds. The first ground is that Hindu society is not a democratic society. True, it is not. It may not be right to ask whether the Muslims have taken any part in the various movements for reforming Hindu society as distinguished from proselytising. But it is right to ask if the Musalmans are the only sufferers from the evils that admittedly result from the undemocratic character of Hindu society. Are not the millions of Shudras and non-Brahmins or millions of the Untouchables, suffering the worst consequences of the undemocratic character of Hindu society? Who benefits from education, from public service and from political reforms except the Hindu governing class—composed of the higher castes of the Hindus—which form not even 10 per cent of the total Hindu population? Has not the

governing class of the Hindus . . . shown more regard for safeguarding the rights and interests of the Musalmans than they have for safeguarding the rights and interests of the Shudras and the Untouchables? Is not Mr. Gandhi, who is determined to oppose any political concession to the Untouchables, ready to sign a blank cheque in favour of the Muslims? . . .

Is it proposed that the Hindu Raj should be the rule of a naked Communal majority? Are not the Musalmans granted safeguards against the possible tyranny of the Hindu majority? Are not the safeguards given to the Musalmans of India wider and better than the safeguards which have been given to the French in Canada, to the English in South Africa and to the French and the Italians in Switzerland? To take only one item from the list of safeguards. Haven't the Musalmans got an enormous degree of weightage in representation in the Legislature? . . .

If Hindu Raj does become a fact, it will, no doubt, be the greatest calamity for this country. No matter what the Hindus say, Hinduism is a menace to liberty, equality and fraternity. On that account it is incompatible with democracy. Hindu Raj must be prevented at any cost. But is Pakistan the true remedy against it? What makes communal Raj possible is a marked disproportion in the relative strength of the various communities living in a country. As pointed out above, this disproportion is not more marked in India than it is in Canada, South Africa and Switzerland. Nonetheless there is no British Raj in Canada, no Dutch Raj in South Africa, and no German Raj in Switzerland. How have the French, the English and the Italians succeeded in preventing the Raj of the majority community being established in their country? . . . What is their method? Their method is to put a ban on communal parties in politics. No Community in Canada, South Africa or Switzerland ever thinks of starting a separate communal party. What is important to note is that it is the minority nations which have taken the lead in opposing the formation of a communal party. For they know that if they form a communal political party the major community will also form a Communal party and the majority community will thereby find it easy to establish its Communal Raj. It is a vicious method of self-protection. . . .

Have the Muslims thought of this method of avoiding Hindu Raj? Have they considered how easy it is to avoid it? Have they considered how futile and harmful the present policy of the League is? The Muslims are howling against the Hindu Mahasabha and its slogan of Hindudom and Hindu Raj. But who is responsible for this? Hindu Mahasabha and Hindu Raj are [the] inescapable nemesis which the Musalmans have brought upon themselves by having a Muslim League. It is action and counteraction. One gives rise to the other. Not partition, but the abolition of the Muslim League and the formation of a mixed party of Hindus and Muslims is the only effective way of burying the ghost of Hindu Raj. It is, of course, not possible for Muslims and other Minority Parties to join the Congress or the Hindu Mahasabha so long as the disagreement on

the question of constitutional safeguards continues. But this question will be settled, is bound to be settled and there is every hope that the settlement will result in securing to the Muslims and other Minorities the safeguards they need. Once this consummation, which we so devoutly wish, takes place nothing can stand in the way of a party re-alignment, of the Congress and the Mahasabha breaking up and of Hindus and Musalmans forming mixed political parties based on an agreed programme of social and economic regeneration and, thereby avoid the danger of both Hindu Raj or Muslim Raj becoming a fact. Nor should the formation of a mixed party of Hindus and Muslims be difficult in India. There are many lower orders in the Hindu society whose economic, political and social needs are the same as those of the majority of the Muslims and they would be far more ready to make a common cause with the Muslims for achieving common ends than they would with the high caste of Hindus who have denied and deprived them of ordinary human rights for centuries. To pursue such a course cannot be called an adventure. The path along that line is a well trodden path. Is it not a fact that under the Montagu-Chelmsford Reforms in most Provinces, if not in all, the Muslims, the Non-Brahmins and the Depressed Classes united together and worked the reforms as members of one team from 1920 to 1937? Herein lay the most fruitful method of achieving communal harmony among Hindus and Muslims and of destroying the danger of a Hindu Raj. Mr. Jinnah could have easily pursued this line. . . . He has the ability to organize. He had the reputation of a nationalist. Even many Hindus who were opposed to the Congress would have flocked to him if he had only sent out a call for a united party of like-minded Hindus and Muslims. What did Mr. Jinnah do? In 1937 Mr. Jinnah made his entry into Muslim politics and strangely enough he regenerated the Muslim League. . . . Everybody felt that with the leadership of Mr. Jinnah the League could never become a merely communal party. The Resolutions passed by the League during the first two years of its new career indicated that it would develop into a mixed political party of Hindus and Muslims. . . .

Mr. Jinnah showed that he was for common front between the Muslims and other Non-Muslim minorities. Unfortunately the catholicity and statesmanship that underlies these resolutions did not last long. In 1939 Mr. Jinnah took a somersault and outlined the dangerous and disastrous policy of isolation of the Musalmans by passing that notorious resolution in favour of Pakistan. What is the reason for this isolation? Nothing but the change of view that the Musalmans were a nation and not a community!! One need not quarrel over the question whether the Muslims are a nation or a community. But one finds it extremely difficult to understand how the mere fact that the Muslims are a nation makes political isolation a safe and sound policy. . . . But let Muslims consider what Mr. Jinnah has achieved by making the Muslim League, the only organization for the Musalmans. It may be that it has helped him to avoid the possibility of having to play the second fiddle. For inside the Muslim camp he can always be

sure of the first place for himself. But how does the League hope to save by this plan of isolation the Muslims from Hindu Raj? Will Pakistan obviate the establishment of Hindu Raj in Provinces in which the Musalmans are in a minority? Obviously it cannot. This is what would happen in the Muslim-minority Provinces if Pakistan came. Take an All-India view. Can Pakistan prevent the establishment of Hindu Raj at the centre over Muslim minorities that will remain in Hindustan? It is plain that it cannot. What good is Pakistan then? Only to prevent Hindu Raj in Provinces in which the Muslims are in a majority and in which there could never be Hindu Raj!! To put it differently Pakistan is unnecessary to Muslims where they are in a majority because there, there is no fear of Hindu Raj. It is worse than useless to Muslims where they are in a minority, because Pakistan or no Pakistan they will have to face a Hindu Raj. The Muslim League started to help minority Muslims and has ended by espousing the cause of majority Muslims. What a perversion in the original aim of the Muslim League! . . .

VII . . . What I feel like asking the critics is . . . Do they expect the Musalmans to give up Pakistan if they are defeated in a controversy over the virtues of Pakistan? . . . It may be that the Musalmans will agree, as most rational people do, to have their case for Pakistan decided by the tests of reason and argument. But I should not be surprised if the Muslims decided to adopt the method of Dr. Johnson and say "Damn your arguments! We want Pakistan." In that event the critic must realize that any reliance placed upon the limitations for destroying the case for Pakistan will be of no avail. . . .

Let me now turn to the other question which I said the critic is entitled to put to me. What is my position regarding the issue of Pakistan in the light of the objections, which I have set out? . . . If the Musalmans are bent on having Pakistan then it must be conceded to them. I know my critics will at once accuse me of inconsistency and will demand reasons for so extraordinary a conclusion—extraordinary because of the view expressed by me in the earlier part of this chapter that the Muslim case for Pakistan has nothing in it which can be said to carry the compelling force which the decree of an inexorable fate may be said to have. I withdraw nothing from what I have said. . . . Yet I hold that if the Muslims must have Pakistan there is no escape from conceding it to them. . . . In my judgment there are two governing factors which must determine the issue. . . . One cannot ignore that what is important is not the winning of independence but the having of the sure means of maintaining it. The ultimate guarantee of the independence of a country is a safe army—an army on which you can rely to fight for the country at all times and in any eventuality. The army in India must necessarily be a mixed army composed of Hindus and Musalmans. If India is invaded by a foreign power, can the Muslims in the Army be trusted to defend India? Suppose the invaders are their co-religionists. Will the Muslims side with the invaders or will they stand against them and save India?

This is a very crucial question. Obviously, the answer to this question must depend upon to what extent the Muslims in the Army have caught the infection of the two-nation theory, which is the foundation of Pakistan. If they are infected, then the Army in India cannot be safe. . . . Indians will be able to defend a free India on one and one condition alone—namely if the Army in India remains non-political, unaffected by the poison of Pakistan. I want to warn Indians against the most stupid habit that has grown up in this country of discussing the question of Swaraj without reference to the question of the Army. Nothing can be more fatal than the failure to realize that a political Army is the greatest danger to the liberty of India. . . .

Equally important is the fact that the Army is the ultimate sanction which sustains Government in the exercise of its authority inside the country, when it is challenged by a rebellious or recalcitrant element. Suppose the Government of the day enunciates a policy which is vehemently opposed by a section of the Muslims. Suppose the Government of the day is required to use its Army to enforce its policy. Can the Government of the day depend upon the Muslims in the Army to obey its orders and shoot down the Muslim rebels? . . .

Turning to the second governing factor[,] the Hindus do not seem to attach any value to sentiment as a force in politics. The Hindus seem to rely upon two grounds to win against the Muslims. The first is that even if the Hindus and the Muslims are two nations, they can live under one state. The other is that the Muslim case for Pakistan is founded on strong sentiment rather than upon clear argument. . . . That the Muslim case for Pakistan is founded on sentiment is far from being a matter of weakness; it is really its strong point. It does not need deep understanding of politics to know that the workability of a constitution is not a matter of theory. It is a matter of sentiment. . . . If a constitution does not please, then however perfect it may be, it will not work. To have a constitution which runs counter to the strong sentiments of a determined section is to court disaster if not to invite rebellion. . . .

The Non-Muslims do not seem to be aware that they are presented with a situation in which they are forced to choose between various alternatives. . . . In the first place they have to choose between Freedom of India and the Unity of India. If the Non-Muslims will insist on the Unity of India they put the quick realization of India's freedom into jeopardy. The second choice relates to the surest method of defending India, whether they can depend upon Muslims in a free and united India to develop and sustain along with the Non-Muslims the necessary will to defend the common liberties of both; or whether it is better to partition India and thereby ensure the safety of Muslim India by leaving its defence to the Muslims and of Non-Muslim India by leaving its defence to Non-Muslims. As to the first, I prefer Freedom of India to the Unity of India. . . .

On the second issue I prefer the partitioning of India into Muslim India and Non-Muslim India as the surest and safest method of providing for the defence