

The Lucknow Pact of 1916

A Second Look at the Congress-Muslim League Agreement

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The Congress-Muslim League Lucknow Pact of 1916 can easily be considered an important landmark during the nationalist movement in India. The Congress leaders agreed to the pact in the expectation that the executive-legislature relationship in the package of constitutional reforms would essentially be a continuation of the Morley-Minto reforms. But the Montagu-Chelmsford reforms, when announced, revealed that the nature of this relationship would be significantly different, leading the Congress leaders to oppose the pact and to the acceptance of communal electorates for the Muslims that it entailed, before the Southborough Committee. The pact also contained significant omissions and ambiguities which led to divergent interpretations on crucial provisions.

The Indian National Congress-All India Muslim League agreement, popularly known as the Lucknow Pact, can easily be considered one of the most important events in the trajectory of the nationalist movement in India. In the midst of the first world war, in 1916, both organisations presented a joint scheme of constitutional reforms to the colonial rulers with the expectation that this scheme would be implemented once the war ended. This marked the coming together of two major political organisations in the country, which hitherto had displayed a marked hostility to each other.

The significance of the Lucknow Pact lies in the fact that it was the first time that the Congress reached an agreement with an organisation which was explicitly a “communal” one while the League, founded to counter the Congress’ claims to represent the whole of India, reached an agreement with same organisation. The main feature of the pact was the demand for an expansion of the representative assemblies, both at the all-India and provincial levels, and appointment of Indians to the executive councils of the viceroy and the provincial governors. But more importantly, the Congress for the first time openly and explicitly conceded the principle of communal representation by accepting separate electorates for Muslims, something that it had grudgingly accepted as part of the Morley-Minto package of constitutional reforms. Moreover, Muslims were granted a fixed proportion of seats both in the all-India and the provincial legislatures. Since the pact was announced and approved at the annual sessions of the two political organisations held at Lucknow in 1916, it is referred to, in the city’s name.

Most of the same Congress leaders who supported the pact and the principles embodied in it went back on their support and signalled their opposition soon afterwards in the submissions to the Indian Franchise Committee (known as the Southborough Committee after its chairman, Southborough). This committee, along with the Committee on the Division of Functions, was appointed to work out the details of the post-war package of constitutional reforms, known as the Montagu-Chelmsford reforms after its principal architects – the then secretary of state for India, Edwin Montagu and the viceroy, Chelmsford. This crucial piece of evidence – the proceedings of the Southborough Committee – has been completely overlooked in the major literature on the Lucknow Pact and its significance.

A superficial reading of the repudiation of the pact can easily be ascribed to the bad faith displayed by the Congress leaders and/or a latent Hindu communalism among them. But, this

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paper argues that the pact was signed by the Congress leaders in the expectation that the post-war reforms would take a certain shape. However, the reforms as envisaged by the Montagu-Chelmsford scheme were somewhat different. It is this change, rather than bad faith or latent communalism, that led the Congressmen to backpedal on their support to the Lucknow Pact. Furthermore, this paper also argues that the pact was a badly drafted agreement, with ambiguities and omissions in key provisions which ultimately led to contrasting and contradictory interpretations.

In Historiography

The discussion of the pact has overlooked these aspects of the politics surrounding it. In the colonial period, it was seen as an important landmark in the development of Indian nationalism and an instance of political cooperation between the two important religious communities (Coupland 1944: 47; *Report on Indian Constitutional Reforms* 1918: 16; Sitaramayya 1935: 44 and 215). In the post-independence period, this view was accepted, both officially (Chand 2005: 347) and in scholarly writings (Hasan 1979: 77). A second more qualified view accepts the above position but also points that with the pact the Congress “compromised its position as the representative organisation of all Indians” by accepting the representative character of the League (Prasad 2009: 151). B R Ambedkar had earlier opined that despite the concessions on the part of the Hindus, the pact did not produce any rapprochement between the two communities (Ambedkar 1946: 299).

A third approach takes a completely negative view of the pact, which is characterised as “a surrender to Muslim communalism and separatism” (Mehrotra 1979: 227). Furthermore, it has also been argued out that since those Muslim League leaders were not representative of the Indian Muslim community, it was merely a “deal” between the Congress and “the ‘UP’ Young Party leaders of the Muslim League” (Robinson 2008: 256). The Lucknow Pact has also been cited to argue that colonial India, at least from 1919 onwards, was a “consociational state” (Wilkinson 2000).

Issues Related to the Pact

The ultimate acceptance of the Lucknow Pact was preceded by long-drawn out negotiations which began in 1915. Till December 1916, the leaders of both the Congress and the Muslim League were engaged in thrashing out the details of the pact and at the same time whittling down opposition from within their respective organisations. All the details of the pact were not settled by the time both the parties met in Lucknow in December 1916 (Owen 1972; Robinson 2008).

Apart from the long-standing nationalist demands like allowing Indians to enter the armed services at the higher levels and the separation of the judicial and executive functions, the pact essentially dealt with the all-India and provincial-level legislative assemblies and the nature of the relations between the executive and the legislature, at these two levels. First and foremost, it asked for a substantial expansion of the imperial legislative council and the provincial legislative councils which

were to have a majority of elected members. It was agreed that in each of these councils the Muslims would be granted a fixed proportion of elective seats, ranging from 15% in the legislative councils of both Madras and the Central Provinces to half in the Punjab. In the imperial legislative council, the Muslims were to have one-third of the total elective seats. Muslims were to elect their representatives through separate electorates and thus did not have the right to vote in the non-Muslim constituencies. An exception was made in the case of the special interests’ constituencies where Muslims could vote. All this was done to guarantee that Muslims would receive a fixed quantum of representation in any future scheme of constitutional reforms thus helping to overcome their objections to any such scheme. The bulk of scholarly attention has been focused on the lengthy negotiations which led to the fixing of the actual proportions of Muslim representation in the councils and the politics surrounding them (Owen 1972; Robinson 2008).

The lesser known aspect of the pact has been the nature of relations between the executive and the legislature envisaged by it. The Morley-Minto reforms of 1908 had led to elected majorities in some of the provincial councils. At the all-India level, the executive was the viceroy’s executive council while its provincial counterpart was the governor’s executive council which existed in only the three presidencies, Bombay, Bengal and Madras. These executive councils were in no significant measure responsible to their respective legislatures. The pact demanded that all provinces were to have executive councils and that at least half the members of these councils would be Indians, who in turn would be elected by the elected members of the legislative councils. A similar demand was made for the viceroy’s executive council. But though half the executive was elected by the legislature, the executive as a whole was not to be responsible to the legislature. The elected half of the executive was irremovable by the legislature. But since crucial matters like the budget were to depend upon the approval of the legislature, this arrangement guaranteed a constitutional deadlock. This was in sum the basic nature of executive-legislature relations that the Congress expected from and asked for in any scheme of post-war constitutional reforms. Thus what the Lucknow Pact asked for was a significantly expanded version of the Morley-Minto reforms package.

The adherents of the pact tried to explain away this inherent disconnect between the executive and the legislature at the annual Congress session at Calcutta in 1917. Veteran Congressmen Surendranath Banerjea and B G Tilak pointed out that though the legislature could not dismiss the executive, such an arrangement would practically mean that the former controlled the latter. Only Bipin Chandra Pal was honest enough to say that this arrangement would lead to constant deadlock, which was what he wanted in any case (*Report of the XXXII Session of The Indian National Congress* 1918: 94-101). An earlier pamphlet, written by V S Srinivasa Sastri, tried to square this circle by pointing out that the executive could easily control the legislature through patronage and that an irremovable executive was necessary given Indian conditions (Sastri 1917: 31 and 38). This understanding of the executive-legislature

relations on part of the Congress leaders was not new. Gopal Krishna Gokhale's earlier draft scheme of post-war constitutional reforms as well as the famous "memorandum of the nineteen", an outline of future reforms submitted by the majority of the non-official members of the imperial legislative council in 1915, envisaged a similar pattern of executive-legislature relations (Karve and Ambekar 1966: 315; Sitaramayya 1935: i-vi).

The Colonial Calculus

What the colonial rulers were planning to deliver was something different. On 20 August 1917, Edwin Montagu announced in the House of Commons that the policy of the government towards India in the future would be in the direction of "gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India" (*Report on Indian Constitutional Reforms* 1918: 1). The phrase "responsible government" obviously did not, and no longer could mean, that the Government of India would continue to be responsible only to the imperial government in London, or that the provincial governments would be responsible only to the Government of India. It naturally implied that the government would be responsible, in what measure it was not defined, to the people through their elected representatives in the legislative assemblies. One study of the process of reforms has interpreted this phrase even more expansively to mean "government by ministers who commanded a majority in the legislature" (Robb 1986: 77). Whatever might be the interpretation of this key phrase, one aspect was clear. The pattern of relations between the executive and the legislature was about to change, albeit only in the provinces and not at the all-India level.

However, it was equally obvious that the British were not going to hand over power to predominantly elected legislatures with an Indian majority. Yet the executive had to be made responsible in some measure to the elected assemblies, whose size and the proportion of elected members in which was going to be increased in any case. The solution that emerged was "dyarchy", which had been discussed in detail in the Montagu-Chelmsford Report (*Report on Indian Constitutional Reforms* 1918: 140). This meant that the powers allotted to the provinces would be divided into two parts – known as "transferred subjects" and "reserved subjects". The former would be handed over to ministers appointed from amongst the elected members of the legislatures. The latter would continue to be handled by members of the governor's executive councils who would continue to be appointed by the governor and the legislature was to have no part in their appointment. Though the Montagu-Chelmsford Report claimed that the ministers would be responsible to their constituents and not to the legislature (ibid: 142), this was clearly an illogical and illusory position, contrary to all practice of parliamentary government. It was clear that the ministers, if they were to continue in office, must enjoy the confidence of the assembly. The Joint Parliamentary Committee of the Government of India Bill, 1919, conceded this and agreed that the ministers should enjoy the confidence of the house (Curtis 1920: 550). This idea of

dyarchy came from a realisation that mere expansion of the legislative councils, as had happened in the Morley-Minto reforms was not adequate. Some element of responsibility of the executive towards the legislature had to be incorporated to make the constitutional reforms a practical proposition (Robb 1986: 54-85). In fact the Montagu-Chelmsford Report had criticised the Lucknow Pact for not making any provision for connecting the two branches of government (*Report on Indian Constitutional Reforms*, 1918: 107-09 and 112).

What was the exact significance of these measures for the nationalist movement in India? For the first time, a significant chunk of power was now available to Indians. They could now aspire to become ministers who would probably control significant "nation-building" departments like education, agriculture, etc. They could be legislators who could actively influence decision-making by making and unmaking ministers. This was certainly different from the earlier versions of councils where for a long time all that elected Indian members could do was to make well-reasoned and long speeches which could be easily disregarded by their colonial masters. Power was now within the reach of nationalist politicians who could build coalitions to command majorities in the provincial councils. The crux of the reforms was now the changed nature of the executive-legislature relations and not the earlier issues of communal electorates and their extent. The realisation that, not just the situation but the very structure of politics, had changed, made many of the Congress leaders – all of the Hindus in particular – to change their positions regarding the Lucknow Pact, about which most of them had earlier displayed conspicuous enthusiasm.

Changed Opinions about the Pact

The seven member Southborough Committee had three Indian members, Surendranath Banerjea, V S Srinivasa Sastri and Sahibzada Aftab Ahmad Khan. The first two had been present at the Lucknow session of the Congress and Banerjea had spoken on the resolution regarding the pact. The committee toured India from November 1918 till February 1919 and met provincial governors and their executive councillors, and received written submissions and examined official and non-official witnesses. The change in the position on part of the Congress leaders regarding the Lucknow Pact and the communal electorates it entailed came to the fore in the proceedings of the committee. While accepting the pact, most Congress leaders either objected to the principle of communal electorates or the quantum of political representation granted to the Muslims.

The United Provinces Congress Committee, whose representatives Pandit Madan Mohan Malaviya and Pandit Motilal Nehru, appeared before the committee, did support the pact, but also fact proposed a scheme of proportional representation as an alternative to communal electorates. Malaviya also proposed a scheme by which constituencies with a predominant Muslim electorate would be earmarked for Muslims, a scheme of joint electorates with reservations (*The Reforms Committee (Franchise), Evidence Taken before the Reforms Committee (Franchise)*, Vol I, 1919: 111). The Bengal Congress Committee's

representative, B K Lahiri, stated that while the committee accepted the pact, it preferred reserved seats in joint electorates (ibid, Vol II, 1918: 411-13).

R N Mudholkar and Ambica Charan Mazumdar, two former Congress presidents, declared their opposition to communal electorates and thus to the Lucknow Pact. The latter had in fact presided over the Congress session at Lucknow where the pact had been approved. Mudholkar declared that he was personally opposed to communal electorates but had accepted it to secure the cooperation of all communities (ibid, Vol I: 283). Mazumdar declared that he personally preferred reserved seats in joint electorates but supported the Lucknow Pact since he had been a party to it (ibid, Vol II: 434). Disguised opposition came from the Congress leaders of the Bombay Presidency. The Bombay National Union supported the pact but its representative, D D Sathaye, a close associate of Tilak, claimed that he was personally opposed to communal electorates and that he was supporting the pact only because this compromise had been arrived at by Tilak. Vitthalbhai Patel regarded the quantum of representation given to Muslims in the Bombay Presidency “inequitable” but added that unless both parties agreed to reconsider the issue, this was to stand. N C Kelkar, one of Tilak’s closest associates, declared that he had supported the pact in “a spirit of resignation” and that he regarded the proportion of representation given to Muslims in the Bombay Presidency as excessive. Moderate leaders like R P Paranjpye and N M Joshi also thought the quantum of Muslim representation in Bombay as excessive (ibid, Vol II: 719-20, 740, 764-68, 761 and 774).

Interestingly, opposition to the principle of communal representation came from a Congress Muslim leader from Bihar, Mazharul Haque. He vehemently repudiated communal electorates and added that he had accepted the pact only because he had been forced to do so (*The Reforms Committee (Franchise), Evidence Taken before the Reforms Committee (Franchise)*, Vol I, 1919: 172). Some other Muslim witnesses also opposed or expressed serious reservations about communal electorates and thus to the Lucknow Pact. Yet despite all this, the Congress session held in 1918 at Delhi reiterated its resolutions passed at the Bombay special session held in mid-1918, one which categorically stated that the quantum of representation for Muslims in the Lucknow Pact be adhered to (*Report of the Thirty-third Session of the Indian National Congress 1919*).

The fact that the pact was a badly drafted agreement also came to the fore during the proceedings of the committee. The pact had listed the proportion of seats out of the total Indian elected members that were to be assigned to the Muslims in the Imperial and in each of the provincial councils. The Montagu-Chelmsford reforms, like the earlier Morley-Minto reforms, also envisaged elective representation for important interests like the landlords, the Indian commercial community and universities in the enlarged councils. It was clear that Indians would be elected from these “special constituencies”. But the Lucknow Pact did not make it explicit whether these constituencies were to be excluded or included in the total number of elective seats in calculating the actual number of seats for the Muslims. The Congress leaders like A Rangaswamy

Iyengar of Madras and H N Apte, the well-known Marathi novelist from Pune, both of them who had been present at Lucknow, when quizzed on this point claimed that they did not know how the Lucknow Pact had planned to deal with this (ibid, Vol II: 614 and 763). As a consequence the detailed schemes presented by Congress leaders for their own provinces went in all sorts of directions. Some like the Bihar Provincial Association even included seats which would have been won by Europeans, while others like Kelkar excluded the “special constituencies”.

The Lucknow Pact also had nothing to say about Assam, a point stressed much later by Ambedkar (Ambedkar 1946: 244). This meant that the proportion of representation for Muslims in Assam had to be worked out separately. Another problematic instance was that of Sind, a Muslim majority area of the Bombay Presidency, about which the pact had nothing to say. The Muslims were a minority in the Bombay Presidency as a whole. Since it had granted separate electorates to Muslims even in provinces like Punjab and Bengal where they were in a majority, it might have been assumed that the same was applicable to Sind as well. But a scheme of political representation for the Bombay provincial council submitted to Montagu and Chelmsford during their tour of India by leading nationalists of the Presidency provided, among other measures, for communal electorates for Hindus in Sind.¹ The Bombay government’s proposals to the Franchise Committee also envisaged communal electorates for Hindus in Sind (*Report of the Franchise Committee, 1918-19, 1919: 137-39*).

These suggestions were strongly opposed by M A Jinnah who originally hailed from Karachi, and Ghulam Hussain Hidayatullah from Sind while appearing separately before the committee. Jinnah was vehement in his opposition to separate electorates for the Hindus of Sind and argued that the Bombay government’s proposals in this regard were in fact contrary to the Lucknow Pact. While Hidayatullah supported separate electorates for Hindus on grounds of fairness, he was opposed to denying separate electorates to Muslims of Sind on grounds that they were in a majority. He claimed this was an “illusionary majority” since the Muslims were illiterate and backward as also influenced by the Hindus (*The Reforms Committee (Franchise), Evidence Taken before the Reforms Committee (Franchise)*, Vol II, 1919: 721 and 792). Clearly, the omission of Sind was a major lacuna.

Volte-Face Explained

This unexpected and startling volte-face of many of the Congress leaders over the Lucknow Pact requires an explanation. Prima facie, one could accuse them of having agreed to the pact in bad faith, an accusation made by the South Indian Liberal Federation, the political vehicle of the Madras non-brahmins which claimed that the pact was “a compromise based on tactical considerations and on the theory of ‘united front’ and that individual Congressmen were keen to get rid of the communal electorates” (ibid, Vol II, 675-76). But if the Congress leaders signed the pact with the League with the intention of repudiating it later, this would have required a conspiracy on a large

scale and such intentions could hardly have been kept a secret. While it is true that many Congressmen were opposed to communal electorates as such, the very fact that they accepted the pact shows that they had accepted them, albeit grudgingly. Prior to the Montagu-Chelmsford Report, there is no evidence to suggest that the Congress leaders planned to repudiate the pact.

A latent Hindu communalism can be a competing explanation. It is true that there were many Congressmen who could be legitimately described as Hindu communalist or had sympathies in that direction and that many Hindu Congress leaders had to be coaxed of the need to approve of the pact (Owen 1972; Robinson 2008). Equally true is that fact that there was a considerable overlap between the leaders of the Congress and the newly emergent Hindu Mahasabha (Gordon 1975: 145-203). But these leaders could have easily maintained their opposition to the pact instead of declaring it before the Southborough Committee. Indeed these leaders did not signal their opposition prior to the Montagu-Chelmsford Report. The old dividing line between extremists and moderates also cannot explain the opposition.

If these two possible explanations are not persuasive, then the only other plausible explanation is structural. The Congress

had agreed to the pact in the expectation that the long-awaited post-war constitutional reforms would be an extension of the Morley-Minto reforms. This meant that there was no real chance of gaining power. Thus with no substantial power to be shared, it was easy for the Congress leaders to make concessions by accepting the demand for communal electorates and guaranteed representation for the Muslims. The Muslims were merely required to present a united front. Instead, the Montagu-Chelmsford Report came up with a completely different reforms package. Some power was now within the grasp of those who could command majorities in the new provincial legislatures. In the Hindu majority provinces, the Hindu Congressmen could easily hope to secure a majority without the Muslims and thus there was no longer any incentive to secure their cooperation. It is this realisation that power could be had without the Muslims that made them oppose the Lucknow Pact and the communal electorates for the Muslims that it entailed. The Nehru Report of the 1920s is regarded as the turning point when the Congress finally turned away from communal electorates. But the groundwork for this turning had already been laid in the proceedings of the Southborough Committee.

NOTE

- 1 Note justifying and supplementing the Congress-League Scheme of Reform with An Introductory Representation To His Excellency, the Right Honourable Baron Chelmsford, The Viceroy and Governor General of India and The Right Honourable Edwin Samuel Montagu, The Secretary of State for India 1917: 47-49.

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