

NEHRU - LIAQUAT AGREEMENT : 1950-58

(A Study in India-Pakistan Minority Problem)

NEHRU - LIAQUAT AGREEMENT ; 1950-53 :

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BHARAT KUMAR

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PREFACE

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The present study in hand is an endeavour to analyse the working of Nehru-Liaquat Agreement in the background of the various sources of tension between India and Pakistan in the post-independence era. As a legacy of partition, the migration of the minorities from one country to another persisted, so much so that it created an explosive situation, verging on an armed conflict. Nehru-Liaquat Agreement was an attempt to avoid war and to create an atmosphere for amicable solution of the minority problem and other disputes. The agreement was an important landmark in the history of India-Pakistan relations as it affected the lives of millions of people living in these countries.

The present study is divided into five chapters. The first chapter deals with the nature of the minority problem in undivided India and attempts made by leaders of India and Pakistan during the immediate post-independence period to solve the problem. Further, the factors responsible for the exodus of minorities from East Bengal in early 1950 have been traced in this chapter.

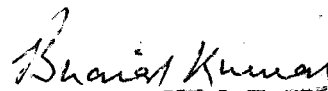
In the second chapter, an attempt has been made to analyse the salient features of the agreement. It also includes a critical appraisal of the agreement.

The third chapter is devoted to examining the response and reaction of the central and State Governments, political parties, press, affected minorities and other interest groups to the Nehru-Liaquat Agreement.

The fourth chapter deals with the working of the agreement upto 1958, the year of emergence of military regime in Pakistan. The impact of the respective constitutional frameworks, ideological commitments and national interests of the two countries on the working of the agreement has been examined. Major causes leading to the failure of the agreement have been brought out.

The last chapter summarises the concluding observations about the India-Pakistan minority problem.

I am indebted to Professor Sisir Gupta, India's Ambassador in Hanoi and former Head of Diplomatic Studies Division, School of International Studies, for his valuable suggestions and encouragement to work on this topic. Dr Satish Kumar, Associate Professor of Diplomacy and Head of Diplomatic Studies Division at the School of International Studies, deserves my special gratitude for supervising and helping me to finalise this work.



BHARAT KUMAR

SCHOOL OF INTERNATIONAL STUDIES,
JAWAHARLAL NEHRU UNIVERSITY.
NEW DELHI.

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CHAPTER I

HISTORICAL BACKGROUND

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HISTORICAL BACKGROUND

Since the middle ages of Indian History, conflict between Hindus and Muslims, the two major communities, was a recurrent feature of the Indian pluratistic society. The separatist tendencies were fostered by the British rule and culminated into the partition of the country in 1947. The Muslim rulers enjoyed political supremacy in India upto the advent of British rule. During the Muslim rule, a large number of Hindus adopted Islam due to the policy of forced conversion followed by the ruling class, economic opportunities and concessions given by the people in power and frustration caused by the rigid social and religious system of Hindu society. The two faiths ran parallel to each other without much integration. Hindu middle class dominated the non-military professions and trade which resulted in the economic disparity between the Hindus and Muslims. Many factors played important part in increasing the differences of the two communities. Hindus responded favourably in adopting western way of life while Muslims tried to keep themselves away from it. The Wahabi movement called upon the Muslims not to adopt western learning. Later on motivated by economic considerations, it encouraged Muslim peasants to revolt against the oppressing landlords. Even though the movement was not directed against the Hindus, it united the

Muslims against the Hindus as the majority of landlords were Hindus. In the early 19th century, Hindus started socio-religious reforms movements which aimed at restoring confidence amongst Hindus. It glorified the past to inculcate the feeling of pride in Hindu community. There was nothing anti-Muslim in the movement but the intense pride it generated in the Hindu community made it appear as an organised effort for the revival of Hinduism.

Rise of Political Parties

The impact of western education made Hindu middle class economically and politically conscious. By 1871, this western educated class started agitating for more concessions from the rulers. It led Britishers to reverse the policy of suppression of the Muslims. They now started encouraging Muslims in order to provide a counterpoise to the rising Hindu middle class agitation. The Indian National Congress Party was formed in 1885 by western educated class to secure political concessions from the British Government. The Congress Party though a non-communal party was predominantly Hindu. Sir Syed Ahmed Khan advised the Muslims to refrain from joining the Congress. Only two Muslims attended its first session in 1885. Their number rose to 33 out of a total of 440 in 1886 while in 1890 it was 156 out of a total of 702.¹

¹ T. Walter Wallbank, India in New Era (New York, 1951), p. 184.

Liberals were replaced by extremists led by Tilak in the Congress. Due to the ascendancy of Hindu orthodoxy in the Congress and the British policy of 'divide and rule', the Muslim membership of the Congress started decreasing. In 1905 only 17 Muslim delegates attended the session of the Congress party out of a total of 776 Congress delegates.² The Bengal partition of 1905 was followed by an agitation for its reunification and in 1911 the British Government agreed to reunite Bengal. This movement got full support from Hindus while Muslims who benefited by the partition opposed it. It led to the widening of the gulf between the two communities. This tendency to drift apart found fulfilment in the creation of a separate political party of Muslims, named Muslim League in 1906. On 1 October 1906, a Muslim deputation headed by His Highness the Aga Khan waited on the Governor General and demanded the introduction of separate electorates in the forthcoming reforms. It was engineered by high British officials and civilians³ and it was aimed at containing the forces of nationalism by playing one against

2 J.B. Dasgupta, Indo-Pakistan Relations (1947-55), (Amsterdam, 1958), p. 15.

3 Rajendra Prasad, India Divided, (Bombay, 1947), (3rd ed.), pp. 112-13.

the other. The Act of 1909 conceded the demand for separate electorate for the Muslims with a view to divide the two major communities into two different political factions and to forestall the concerted action by both against the alien rule. Britishers justified the introduction of separate electorate by saying that the Muslims feared that they would not be able to secure representation because of their numerical strength as a community in territorial constituencies.

Posture of Unity

With the emergence of Mahatma Gandhi on the Indian political scene, the attempts for Hindu-Muslim unity were made. Mohammad Ali Jinnah wanted to make Muslim League popular in Muslim community and posed as the champion of Muslim cause. The efforts of the leaders led to the signing of the Lucknow Pact by the Congress and the League in 1916. Jinnah now got recognition as the unrivalled leader of the Muslims and was hailed by Congress leaders as the 'ambassador of Hindu-Muslim unity'. This pact conceded separate electorates and the principle of representational weightage for the Muslims in the councils. While the two parties by signing the pact gave the impression of unity, important leaders like Lala Lajpat Rai and Savarkar frequently referred to the irreconcilability

of the two communities. The atmosphere of amity generated by the pact, however did not last long. Communal riots were frequent even after the signing of the pact and people got incited at insignificant instances like playing of music in front of a mosque, coinciding of Muharam and Holi, killing of cow etc. The Khilafat Movement in the 'twenties' saw the temporary unity of the Indian nationalist forces. The Congress and the League agreed to launch the Khilafat Movement against the British rule. The Muslim League wanted the cooperation of the Congress for the success of the movement while the Congress party wanted to pose as a national party fighting for Indian causes irrespective of the religion involved. The Lucknow Pact and the Khilafat movement were a proof that nationalism was working under the 'shadow of communalism' and for achieving the short term ends the leadership of both the parties agreed to cooperate.⁴

Divergent Paths followed

The Nehru Committee which was appointed by the Congress party to report on the principles of a Constitution for India, released its report in December 1928. The Muslim League was not satisfied with the concessions given

4 Bakar Ali Mirza, Hindu Muslim Problem, (Bombay, 1941), p. 35.

to Muslims. The Muslim League demanded five more concessions for Muslims and this demand was turned down by the Congress. Jinnah described the report as 'neither helpful nor fruitful in any way' and warned that the sense of insecurity amongst the minorities would lead to 'revolution and civil war'. In March 1929, Jinnah demanded fourteen concessions for the Muslim community from the Congress for the settlement of the Hindu-Muslim problem.⁵ The differences between the Congress and the Muslim League increased to such an extent that in March 1936, Jinnah suggested of organising the Hindu and the Muslim communities separately so that both could 'understand each other better'. In the 1937 provincial elections the Congress emerged as the victorious party in most of the States while the Muslim League failed to gain majority in any State. Both the parties had contested the elections in U.P. with the mutual understanding to form the Government jointly. As the Congress party got clear majority in U.P., it refused to share power with League. Muslims became apprehensive that majority rule would undermine their

5 "Mr. Jinnah's Fourteen Points" The Indian Annual Register, (Calcutta, 1929), March 1929, vol. I, pp. 364-65.

political future.⁶ In 1939, Jinnah observed that democracy in India would mean 'Hindu Raj' - a position to which Muslims would never submit.⁷ When the Congress resigned from office in October 1939 over the war issue, the Muslim League observed December 22, 1939 as the 'Deliverance Day' from the "tyranny, oppression and injustice of the Congress rule in the provinces".⁸ The two and a half years of Congress rule in provinces convinced the League that it would not be possible for them to live under Congress rule. They feared that Congress would form the Government in independent India because of the majority.

Demand for Pakistan

In March 1940, the League passed the famous Lahore Resolution which demanded separation of the Muslim majority areas from India for constituting 'Independent States'.⁹ This demand was based upon Jinnah's two-nation theory which was based on the hypothesis that the Hindus and Muslims were two different nations. The idea of a separate Muslim State was not new as Iqbal, the famous

6 Wayne A. Wilcox, India and Pakistan, (New York, 1967), p. 5.

7 Jamil-ud-Din Ahmad (ed.), Some Recent Speeches and Writings of Mr. Jinnah, (Karachi, 1952), 5th Ed., vol. I, p. 99.

8 Ibid, p. 41.

9 For the text of the Resolution, see V.P. Menon, The Transfer of Power in India, (Calcutta, 1957), p.83.

Urdu poet, had placed this idea before the League in 1930. It could not find favour with the League as the memory of Congress-League cooperation in Khilafat Movement was fresh. But after the bitter experience of the League with the Congress Ministries, it got full support of the League and the Muslim masses. On the other hand the representatives of various Muslim Nationalist groups like Ahrars, Jamiat-ul-Ulema and Shia Political Conference met in Delhi in April and condemned the League's demand for partition.¹⁰ Besides the Congress leaders were talking in the language of Gladstone and Woodrow Wilson in their claim to nationhood and self rule as to them religion could never be the basis of nationhood.¹¹ Congress party blamed British policy of 'divide and rule' for the Hindu-Muslim differences. They were sure that once the Britishers left there would be no communal problem. The Congress President Maulana Azad felt that the acceptance of partition would create a permanent problem for India and the communal problem would become a permanent feature of the country.¹² While commenting on the Lahore Resolution of 1940, Punjab Premier Sir Sikander Hayat Khan, a League Member, said that he would have nothing to do with the resolution if

10 Menon, n. 9, p. 83.

11 Keith Callard, Pakistan: A Political Study, (London, 1957), p. 11.

12 Maulana Azad, India Wins Freedom, (New York, 1960), p. 92.

it meant 'Muslim Raj here and Hindu Raj elsewhere'.¹³ The British Cabinet Mission also observed that a separate sovereign state of Pakistan on the lines claimed by the League would not solve the 'communal minority problem'. The idea of Pakistan - the gifted land-caught the imagination of the Muslim masses and in 1945 elections the League won all the elective Muslim seats in the Central Legislature. In the Provincial Legislatures, it won 428 seats out of a total of 492 Muslim seats. The majority of Indian Muslims opted for a separate State and rejected the economic and geographical unity of the land.¹⁴

The Congress wanted to include its Muslim members in the formation of Ministry at the Centre while Muslim League claimed its sole right to appoint Muslim Ministers. The Congress was invited to form the Ministry which the League refused to join. As a protest against the formation of the Ministry by Congress, the League gave a call to its followers to observe August 16, 1946, as the 'Direct Action Day'.¹⁵ The observance of the 'Direct Action Day'

13 Cited in Menon, n. 9, p. 105.

14 Callard, n. 11, p. 195.

15 There is no official record of the killed or injured in the Calcutta killing. Statesman, (Calcutta), gave the number of killed as around 7,000; H.V. Hodson gives the number of killed and seriously injured as 20,000; L. Mosley estimated it to be around 6000; Sir Stafford Cripps gave the number of killed as 4,000 and of those rendered homeless as 50,000.

led to large scale killing in Calcutta and the riots later on spread to other places like Naokhali, Tipperah of Bengal and the provinces of Bihar, U.P. and Punjab. The Great Calcutta killing 'murdered the hopes' of United India.¹⁶ Maulana Azad referred this day as the 'Black Day' in the History of India.¹⁷ After this large scale rioting and killing, the League joined the Congress Ministry at Centre to disrupt the Governmental machinery from within.

On February 20, 1947, British Prime Minister, Attlee, announced in the House of Commons, the decision of his Government to transfer the power into the hands of one or more Indian Governments by June 1948. Fixation of the date for the transfer of power was criticised by the leading members of the British Parliament. John Anderson called it 'a gamble and unjustified gamble'; Viscount Templewood forecasted 'rioting and bloodshed' while Lord Simon said that the step would 'degrade the British name'.¹⁸ Lord Wavell felt that transfer of political power before solving the communal question would lead to 'widespread riots and disturbances'.¹⁹ Lord Mountbatten who succeeded Lord Wavell

16 Leonard Mosley, Last Days of the British Raj, (London, 1961), p. 11.

17 Azad, n. 12, p. 186.

18 The Annual Register (London, 1947), pp. 29-30.

19 Azad, n. 12, p. 207.

as the new Viceroy convinced the Congress leaders that possibility of independence for a united India was remote. Their short experience with League in the Central Ministry had convinced them that unity of India was not possible and they agreed to the partition of India. On June 3, 1947 the British Government announced the final scheme for the partition of India into two States. Cripps proposals and Wavell plan were the attempts to avoid partition as it was considered to be dangerous and misguided. They had insisted that the Hindu Muslim problem must be solved before the transfer of power to Indians.

Implications of Transfer of Population

As early as 1939, Dr. Syed Abdul Latif put forward the theme of exchange of population and constitution of Hindu and Muslim majority zones in the Indian sub-continent.²⁰ Realising the urgency of this problem Jinnah tried to find out some solution and in April 1947 suggested the Constituent Assembly of Pakistan and India to take up the matter. He wanted it to lay down the broad principles regarding the exchange of population which would be enforced by the two States wherever necessary and feasible.²¹ He

20 Dr. Syed Abdul Latif, The Muslim Problem of India, (Bombay, 1939), pp. 30-50.

21 India Annual Register, 1947, vol. I, p. 112.

again said "if the ultimate solution of the minority problem is to be mass exchange of population, let it be taken up at the governmental plane, it should not be left to be sorted out by blood thirsty elements".²² Sikh Leader Giani Kartar Singh feared an 'exchange of population at a large scale'.²³ Though the Congress never accepted Jinnah's two nations theory, it accepted the partition because it was considered 'unavoidable and the only alternative to prolonged civil war and fearful destruction of human life'.²⁴ Gandhiji and Congress leaders appealed to the Hindu and Sikh minorities in Pakistan areas to stay in their homes and to face the situation bravely. Mahatma Gandhi had overruled the suggestion of exchange of population as 'unthinkable and impracticable'.²⁵ Governor of Punjab, Sir Evan Jenkins told Lord Mountbatten that he feared civil war in Punjab in case of the imposition of the partition. Lord Mountbatten was sure that with the army at his command, he would be able to maintain law and order in the country. British opinion in general was that a large

22 Quaid-e-Azam speaks (June '47 to August '47), (Karachi, n.d.), p. 20.

23 Cited in Mosley, n. 16, p. 205.

24 P.E. Roberts, History of British India (3rd Ed.), (London, 1967), p. 647.

25 M.K. Gandhi, To the Protagonists of Pakistan, (Allahabad, 1947), p. 214.

scale exchange of population would be impossible.²⁶

Riots broke out in the Punjab immediately after the resignation of Unionist Ministry headed by Khizr Hayat Khan. Governor's rule was imposed in the Punjab. Soon after the announcement of the Radcliffe Award on August 17, 1947, communal murders on a scale 'unprecedented' in the modern history of India began.²⁷ It took lakhs of lives in the Punjab. The greatest movement of population on both sides of the borders took place and nearly sixteen million people crossed the border and took refuge in either of the dominions. In a joint statement, Gandhi and Jinnah condemned the lawlessness and violence. They urged upon people to denounce the use of force for achieving political ends and to avoid, both in speech and writing, any incitement to such acts. Jinnah denounced the large scale killing in the strongest words and urged the Muslims to secure the 'protection of the minorities as a sacred undertaking in accordance with the teachings of Islam.'²⁸ On June 23, 1947, Jinnah had begged the Viceroy to be

26 R. Coupland, India, A Restatement, (Oxford, 1945), p. 26.

27 G.W. Choudhury, Pakistan's Relations with India, 1947-66, (London, 1968), p. 41.

28 Mohammed Ali Jinnah, Speeches as Governor General, 1947-48, (Karachi, n.d.), p. 31.

absolutely ruthless in suppressing disorder in Amritsar and Lahore. On June 24, 1947, Nehru had suggested the declaration of Martial Law in the riots affected cities.²⁹ On August 16, the Prime Ministers of India and Pakistan undertook 'joint tours' of the riot affected areas and appealed for the restoration of peace. Both the Governments issued a joint statement on September 8 which reiterated that drastic action would be taken against the violators of peace. A conference of the two Prime Ministers and high officials of Central and Provincial Governments was held at Lahore in which it was decided to take strong measures in order to quell the disturbances. Gandhi successfully undertook fast which brought peace in Calcutta in early September. Again he undertook fast in Delhi against the killing of Muslims. Lord Mountbatten paid tributes to Gandhi for his efforts in restoring communal peace and referred to him as 'One Man Boundary Force'.³⁰ The Movement of population on the Bengal border was negligible in the initial stages, but the exodus of Hindus from East Bengal began soon after the West Pakistan officials got themselves established there.³¹

29 H.V. Hodson, The Great Divide Britain, India and Pakistan, (London, 1969), p. 337.

30 Cited in Mesley, n. 16, p. 225.

31 Menon, n. 9, p. 435.

Pakistan saw the impracticability of transferring forty five million Muslims of 'partitioned India' to a 'truncated and moth-eaten' Pakistan, that emerged out of the 3rd June plan of the British Government. Jinnah was quite certain that the establishment of communal harmony and mutual trust amongst the people was the most important task before him. Before leaving for Karachi, he advised his followers to remain loyal citizens of India. Now that Jinnah had achieved his objective of Pakistan, he tried to solve the problem by adopting the secular formula which the Congress was following.³² While addressing the Constituent Assembly of Pakistan as its first President, he said, "In the course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims..., in the political sense as citizens of the state" and further added that "irrespective of religion or caste or creed, all will be equal citizens of Pakistan."³³ This new approach cut at the very roots of the two nation theory. This failed to convince people who were nurtured in the theory of irreconcilability of the two faiths that all citizens

32 Arif Hussain, Pakistan: Its Ideology and Foreign Policy, (London, 1966), p. 61.

33 Constituent Assembly of Pakistan, Debates, Karachi, vol. I, August 11, 1947, p. 20.

could ever be equal.³⁴ In spite of the assurances of the leaders, the riots and mass migration continued. This mass migration forced the Prime Ministers of India and Pakistan to issue a declaratory statement on March 24, 1948, which advised the minorities to remain in their homes.

Inter-Dominion Agreement of December 1948

Inter-Dominion Agreement of December 1948 was signed which stated that responsibility for the protection of the minorities rested on the Government of the Dominion in which the minorities resided.³⁵ It assured that every citizen would have equal rights, opportunities, privileges and obligations towards the state. Both the Governments agreed to discourage press, radio and film propaganda detrimental to minorities interests. But the agreement failed to instil confidence in the minorities in both the countries. Both the countries started accusing each other of dereliction of duty, of deliberately fomenting communal disorder and of instigating, at the governmental level, the killing of the minority community.

34 Dasgupta, n. 2, p. 218.

35 For details of the Agreement, see 'Selected Indo-Pakistan Agreements', Ministry of External Affairs, Government of India, New Delhi, 1970, pp. 1-7.

Exodus in Bengal

In November 1949, mass movement started on both the sides of the borders of Bengal. Stories of the confiscation of Hindu property and the tales of gruesome molestation and harassment of the Hindus in East Bengal were predominantly featured in the Indian Press. West Bengal Government's protest to the East Bengal Government went unheeded and it was released to the Press on November 25. The Indian Government also protested to the Pakistan Government on December 14. Population and economic plight forced considerable number of Muslims of East Bengal into Assam. Some Indian M.Ps. described the influx as deep-seated conspiracy to convert Assam into a Muslim majority area. On January 7, 1950, the Governor General of India promulgated an Ordinance to expel those immigrants from Assam whose presence was deemed 'detrimental to the interests of India'. On January 20, the Calcutta press published accounts of police atrocities on the Hindu population of Khulna in East Bengal. Riots started in Dacca, Feni, Barisal which later on spread to the towns of Narayanganj, Chittagong, Rajshahi and Mymensingh. Reports of the ill treatment of Hindus in East Bengal provoked riots in Calcutta and West Bengal and there was a continuous exodus of Hindus from East Bengal and Muslims from West Bengal.³⁶ On February 17,

³⁶ The Annual Register, 1950, p. 119.

Nehru suggested to constitute two fact finding commissions to survey the situation in both the Bengals. He repeated this suggestion on February 20 and proposed a joint tour of Bengal by the two Prime Ministers. Pakistan Premier asked for greater facilities to the two Deputy High Commissioners of India and Pakistan to undertake the proposed survey.³⁷ In a radio broadcast on March 3, Nehru accused 'religious and communal' policy of Pakistan Government for producing 'the sense of lack of full citizenship and continuous insecurity amongst minority community'. The Pakistan Premier regarded the exodus from East to West Bengal as the outcome of the continuance of communal violence in India and a consistent propaganda to invade Pakistan by Indian press and leaders.³⁸ Indians regarded the East Bengal riots as 'carefully planned and engineered' to get rid of Hindu minority and wanted the Government to take a 'firm attitude',³⁹ and march her troops into Pakistan to restore 'law and order' to protect Hindu minority.⁴⁰ Even the Indian Prime Minister suggested taking

37 India News (London), March 4, 1950.

38 Dawn (Karachi), March 1, 1950.

39 J.B. Kriplani, "Writing on the Wall", Vigil, (New Delhi) March 18, 1950.

40 J.P. Narayan, Free Press Journal, (Calcutta), March 8, 1950.

resort to 'other methods' if Pakistan would not agree to solve the problem peacefully.⁴¹ The Pakistani Premier answered 'if India wants war, she will find us fully prepared'.⁴² Thus by the first week of March, the two countries were within a 'hair breath of war'.⁴³

Reasons for the Exodus of Minorities

After partition some twelve and a half million Hindus remained in Pakistan while about forty five million Muslims remained in India. Tensions between the two countries made the position of the minorities difficult and precarious. The hopes of prosperity and the progress of Hindu as well as Muslim community largely depended upon the close and friendly relations between the two countries. Completely unrelated issues were instrumental in the eventual aggravation of the plight of the minorities. These events forced the minorities to flee their motherland and created a war psychosis full of explosive possibilities.

The basis of partition was enmity between the Hindus and Muslims and the creation of Pakistan gave it a

41 India News, March 4, 1950.

42 Pakistan News (London), March 11, 1950.

43 Ian Stephens, Horned Moon (London, 1953), p. 33.

permanent constitutional form and made it more difficult of solution. The socio-psychological problem which emerged from the implications of the partition was concerned with the position of non-Muslims who remained in East Pakistan. For a Pakistani, it was difficult to believe that these non-Muslims could ever become full citizens of Pakistan, while an erstwhile Muslim champion for the cause of Pakistan who remained in India was a foreigner.⁴⁴ The Hindus who remained in Pakistan felt that their position was that of a second class citizen. They found it hard to have the same emotional view of Pakistan as that taken by the Muslims.⁴⁵ There was a tendency on their part to seek guidance from Indian leaders as they had fought for undivided India. Their loyalty was often suspected and they were regarded as fifth columnists and enemies of Pakistan.⁴⁶ At times they were asked to denounce India and Indian policies as a proof of their loyalty to Pakistan. Even in India it was openly said in certain circles that the Hindus in Pakistan

44 Dasgupta, n. 2, p. 218.

45 Keith Callard, Political Forces in Pakistan, 1947-59, (New York, 1959), p. 13.

46 Ian Stephens, Pakistan, (London, 1967), p. 55.



should have no fear as in case of any oppression of Hindus in Pakistan, the Muslims in India would have to bear the consequences.⁴⁷ This theory of hostages was dangerous and caused insecurity amongst the Muslim minority in India.

India adopted the pattern of democratic and secular state, where the principle of equality was the cardinal feature of the political system. Nehru in a radio broadcast from New Delhi on August 19, 1947, said, "Our State is not a communal State, but a democratic one in which every citizen has equal rights".⁴⁸ Gandhiji said on July 15, 1947 that "all were Indians, wherever they lived and to whatever creed or class or province they belonged".⁴⁹ The Government of India felt concerned about the Hindu minority of Pakistan and was genuinely anxious for the fate of Muslim minority in India. The Constitution of the Indian Republic guaranteed the basic civil and political rights to all citizens of the country irrespective of religion. Muslim League, which had fought for Pakistan and was the ruling party in Pakistan, had found no place for Hindus among its members. The prevailing talks of an Islamic State in Pakistan worried

47 Azad, n. 12, p. 232.

48 Jawaharlal Nehru, Independence and After, (New York, 1950), pp. 43-46.

49 D.G. Tendulkar, Mahatma (1947-48), (Bombay, 1954), vol. VIII, pp. 57-8.

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India about the treatment of the minorities in Pakistan, since in a traditional Islamic State, the non-Muslims, even if they could enjoy religious freedom, were not equal citizens.⁵⁰ Subsequent views expressed in and outside the Pakistan Constituent Assembly about Pakistan being an Islamic State and the position of the minority made the whole situation confusing. Dr. Mahmud Hussain, a former Cabinet Minister of Pakistan observed "we possess common nationality which is a legal concept, but we are not the same nation which is a sociological concept".⁵¹ Some regarded the establishment of Pakistan for the 'sake of demonstrating the efficacy of the Islamic way of life'.⁵² Maulana Shabbir Ahmad Usmani, the spokesman of the traditional school, was against giving any responsibility to the non-Muslims in the 'framing of the general policy of the State or in matters vital to country's safety and integrity'.⁵³ The objective Resolution which was moved by Liaquat Ali Khan and adopted by the Constituent Assembly 'aroused the

50 Arif Hussain, n. 32, p. 61.

51 Constituent Assembly of Pakistan Debates, vol. XV, p. 540, cited in Callard, n. 11, p. 236.

52 Khurshid Ahmad, Introduction to Syed Abul Ala Maududi, Islamic Law and Constitution, (Karachi, 1955), p. 1.

53 Constituent Assembly of Pakistan Debates, vol. V, March 9, 1949, p. 45.

resentment of the Hindus because of its Islamic terms'.⁵⁴

The international economic situation also affected the problem of the migration of population. British pound sterling was devalued in relation to dollar in September 1949. Commonwealth countries except Pakistan devalued their respective currencies proportionately.⁵⁵ Pakistan's refusal to devalue her currency caused serious repercussions in India.⁵⁶ India declined to recognise the new value of the Pakistani rupee. This led to gradual lessening of inter-dominion trade, culminating in a virtual deadlock in the jute and coal business. The jute mills in West Bengal were adversely affected and India imposed an embargo on coal supply to Pakistan on December 24, 1949. The loss of the Indian market meant a serious threat to the jute growers of East Pakistan. The deteriorating economic relations of the two countries led to mass migration of population on both sides of Bengal.

54 Callard, n. 11, p. 89.

55 India News, September 24, 1949.

56 The Annual Register, 1949, p. 123.

CHAPTER II

NEHRU-LIAQUAT AGREEMENT

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The tempers in both the countries were running high. Leaders of both the countries were preaching war. In this tense atmosphere, India's Prime Minister Nehru showed great statesmanship by inviting Pakistan's Prime Minister Liaquat Ali Khan to discuss the 'ways and means to end the trouble'.¹ The historic meeting between the two Prime Ministers took place in New Delhi from 2-8 April 1950. The news of Nehru-Liaquat meeting came 'like a glimpse of blue sky' in this tense atmosphere. It seemed that the imaginative leadership had drawn the two countries back from the 'brink of war'.² Delhi Agreement on the minorities of the two countries was signed on April 8, 1950 which could be called a 'Bill of Rights' for the affected minorities.³ The Pakistani Prime Minister described it as the 'precursor of a new understanding between India and Pakistan'.⁴ In commending the Agreement to the Indian Parliament, Nehru declared that the two countries had stopped themselves on the 'edge of a precipice' and appealed to put 'an end to the vicious

1 G.W. Choudhury, Pakistan's Relations with India (1947-66), (London, 1968), p. 193.

2 Arif Hussain, Pakistan - Its Ideology and Foreign Policy (London, 1966), p. 12.

3 Choudhury, n. 1, p. 193.

4 Constituent Assembly, Legislature of Pakistan Debates, Vol. 1, No. 20, April 10, 1950, pp. 746-50.

atmosphere that had strained the Indo-Pakistani relations for the last two and half years'.⁵

Salient Features of the Agreement⁶

The main features of the Agreement could be divided in four parts. The first part aimed at allaying the fears of the religious minorities by giving them an assurance about the basic human rights. The second part was concerned with the solution of the immediate problem by promoting communal peace and normalising the disturbed situation. It could be achieved by restoring confidence among the members of the minority community. The third part aimed at establishing a climate in which other differences could be solved amicably. The last part referred to the implementation machinery which aimed at redressing the grievances of the minority communities of the two countries. In the last it was also mentioned that except where it modified the Inter-Dominion Agreement of 1948, the previous agreement was to remain in force.

Basic Human Rights

Both the Governments assured the minorities the right to equality, life, property, personal honour and

5 Parliamentary Debates, Parliament of India, Vol. 4, No. 7, Part II, April 10, 1950, pp. 2675-78.

6. For text of the Agreement see Appendix I.

culture, freedom of occupation, speech and worship. It also guaranteed the members of the minority community, the right to participate in the public life, hold political and other offices and to serve in the civil and armed services of the countries. Both the Governments declared their intention to guarantee these basic rights to their nationals without any distinction. While the Indian Prime Minister pointed out that these rights were already guaranteed by the adopted Constitution of India, the Pakistani Prime Minister pointed out that similar provisions existed in the Objectives Resolution adopted by the Constituent Assembly of Pakistan. The agreement stated that the allegiance and loyalty of the minorities should be to their own state and they should look to their own Government for the redress of their grievance, if they had any.

Restoration of Confidence among minorities and normalization of the atmosphere

For the restoration of confidence among the members of the minority communities of East Bengal, West Bengal, Assam and Tripura, the two Governments agreed to take immediate measures to prevent recurrence of communal disturbances. These measures included the recovery of the looted property, non-recognition of conversion which took place during periods of communal disturbance, punishment of wrongdoers who had committed offences against persons

and property, imposition of collective fines, and setting up of an agency to assist in the recovery of abducted women. To encourage the migrants to return back, provision was made for their freedom of movement and protection in transit. Increased customs facilities to avoid unnecessary harassment to the migrants were to be provided. The rights of a migrant to the ownership of his movable and immovable property were retained. The maximum cash which an adult and a child migrant could carry was fixed at Rs. 150/- and Rs. 75/- respectively. The property of those migrants who returned by December 31, 1950 was either to be restored or they were to be rehabilitated by the concerned Government. Those who did not return were allowed to sell their property or exchange it with an evacuee in the other country or give it on rent. The interests of the owner of the property were to be guarded by a committee consisting of three minority representatives presided over by a Government representative.

In order to restore confidence among the people of a disturbed area and to facilitate the return of the migrants to their homes, both the Governments agreed to depute two Ministers to remain in the affected area till the normalisation of the atmosphere. It was also decided to include a representative of the minority community in the Cabinets of East Bengal, West Bengal and Assam. Both the Governments agreed to set up a Commission of Enquiry, consisting of

persons in whom the minority had confidence and it was to be presided over by a High Court Judge. Its aim was to find out the causes and the extent of the disturbances and recommend measures for preventing their recurrence in future.

Establishing a climate for solving the other disputes amicably

Both the Governments agreed to take prompt and effective steps to prevent dissemination of news and mischievous ideas aimed at arousing communal passion by press or radio or by any individual or organisation and to deal vigorously with those who were guilty of all this. Both the Governments took the responsibility of preventing the propaganda in their country directed against the territorial integrity of either State or which aimed at incitement to war and decided to take prompt and effective action against any individual or organisation found guilty of such propaganda. These provisions were of utmost importance and were aimed at establishing peaceful climate so that other problems facing the two countries could be solved amicably.

Implementation Machinery

It was decided to set up minority commissions in East Bengal, West Bengal and Assam. These were to be headed by a Minister of the Provincial or State Government

concerned and were to include one representative each of the Hindu and the Muslim community. Both the Governments were to appoint a Minister in the Central Cabinet regarding minority affairs. These two Central Ministers could attend and participate in the meetings of the provincial minority commissions. These Ministers were empowered to call joint meetings of these Commissions. These Commissions were to be responsible for the implementation of the Agreement and were to report and suggest actions to be taken on their recommendations. These recommendations, if agreed upon by the two Central Ministers, were to be enforced but in case of any disagreement between the Central Ministers, the matter was to be referred to the Prime Ministers of India and Pakistan who were empowered to resolve it themselves or determine the agency and procedure by which the disagreement could be resolved. In case of Tripura, these functions were to be discharged by the two Central Ministers till the restoration of normal atmosphere.

Critical Appraisal

The minority problem was the tragic consequence of the partition of India based on Jinnah's two-nation theory i.e. the Hindus and the Muslims were two different nations. It involved the millions of lives on both the sides of the borders. The partition of India was followed

by the largest movement of population on both the sides of the border ever known in the history of the world. In Punjab the migration of population was complete while in East Bengal twelve million non-Muslims decided not to migrate to India. About forty five millions of Muslims preferred to stay in India. As the object of achieving Pakistan was already fulfilled, Jinnah realized the impossibility of the complete transfer of population and compromised his two-nation theory. He advised the non-Muslims to stay in Pakistan where he promised that they would be regarded as 'equal citizens of the country'. But the communal disturbances continued in the two countries. Both the Governments blamed each other for these disturbances. Two agreements were signed in 1948 which aimed at removing the sense of insecurity and fear from the minds of the minority communities. But the recurrence of communal disturbances and riots continued and both the countries failed to stop them.

The riots at a large scale erupted in Bengal in 1950. Both the Governments failed to stop the mass exodus which started in East Bengal and West Bengal and both the countries were on the 'verge of war'. Even though this problem erupted at the Bengal border, it aroused the public opinion of both countries and war hysteria dominated the people of both the countries. The Delhi talks resulted in the agreement on minorities which was signed on April 8,

1950. The Nehru-Liaquat Agreement differed from the Inter-Dominion Agreement of December 1948 in two respects. While the previous agreement did not refer to any particular area, the 1950 Agreement specifically mentioned the names of the riots affected states and secondly the new agreement provided for the implementation machinery which the previous agreement did not contain. The seriousness of the problem and the efforts of both the Governments (in the form of Nehru-Liaquat Agreement) to meet it require a deeper analysis in terms of their effectiveness.

The first aspect of the agreement consisted of the declaration by both the Governments to guarantee basic human rights to their citizens. A democratic country is expected to guarantee these rights to its citizens irrespective of whether they belong to a minority or a majority community. It was of little or no use to reassure the minorities of the rights which they were legally entitled to. Further, the agreement itself added that the Indian Constitution guaranteed these rights to citizens irrespective of religion. The agreement also stated that the 'Objectives Resolution' adopted by the Constituent Assembly of Pakistan also made such provisions for the citizens. If the provisions for these rights already existed in the two countries, it was hardly relevant to incorporate these rights again in the agreement. The inclusion of these rights in the agreement and the justification offered by

the Prime Ministers seemed to be to establish the sincerity of their good intentions rather than to assure the citizens of their rights which they already had. The clause regarding this declaration of the intentions of the two Governments, alongwith justification for the inclusion of these basic rights, was a legal anomaly.

The clause re-emphasising the allegiance and loyalty of the minorities to the nations was 'hailed' by the Pakistan Prime Minister Liaquat Ali Khan.⁷ If the fundamental rights were already guaranteed to all citizens or a provision existed for their inclusion in the future Constitution of the country, all the citizens were naturally required to look to their own state for redress of their grievances. That being so, it was very difficult to know what the agreement was about.⁸ The minority had got no representation in regard to the conclusion of the agreement. The agreement was arrived at governmental level. Hence the agreement was not likely to be supported by the affected communities. How the loyalty could be made to order through declarations at Governmental level without the participation of the minorities.⁹ The minorities could be liquidated either by integration or by expulsion.

7 Dawn (Karachi), April 11, 1950.

8 Vigil, Editorial (Delhi), April 15, 1950.

9 Ibid., April 29, 1950.

By including the clause regarding loyalty and allegiance of the minorities, both India and Pakistan repudiated the expulsion alternative. The exchange of population at State level was ruled out and both the States opted for the integration and assimilation of the minorities in the States where these were residing.

The second aspect of the agreement was aimed at the restoration of confidence among the minorities and normalisation of the atmosphere so that the minorities could feel secure and return back to their respective places from where they moved after the disturbances. This aspect covered only the areas of East Bengal, West Bengal, Assam and Tripura. If the agreement was aimed at solving the minority problem in full, it should have also been applied to West Pakistan and other parts of India. The provision regarding the punishment of wrongdoers was practicable if they could be detected. The power to impose collective fines in the worst affected areas was justified and could bear relevance. The setting up of an agency to assist in the recovery of women was practicable. The provision regarding increased custom facilities to avoid unnecessary harassment of the migrants was encouraging. The sending of Ministers of both the Governments to the affected areas was likely to help in the restoration of confidence among minorities and normalisation of atmosphere. As regards the recovery of looted property, the Government machinery was not to be of much use in tracing the miscreants

because they could not be recognized. The assurance given to the returning migrants for protection in transit was not feasible. How the same Government machinery which failed to protect the lives of people in its territory, could take the responsibility of safe travel of the migrants? As regards non-recognition of forced conversion during a period of riots, no convert could dare to report his case to the Government in which he lacked faith because of historical reasons. The severe restriction on the amount of cash which the migrants were allowed to carry was scarcely justified.¹⁰ The agreement gave no guarantee to the migrants, who returned within the specified period that they would get back their immovable property. The final authority to decide the cases where property could not be restored back, rested with the Government concerned. The people lack faith in their Governments and if the Government itself was communally inclined, then this clause could give no justice to the affected party.¹¹ A family which occupied a costly and spacious house could be rehabilitated in a meagre cottage, or a man who lost a business or an industrial concern could be given a thousand rupees and asked to rehabilitate himself. The agreement gave no compensation to those who might have

10 Sadiq Ali, "Give it an honest trial", Vigil, April 22, 1950.

11 Vigil (Editorial), April 15, 1950.

lost their movable property or a family which might have lost its earning family member during the riots.¹² Though to a limited extent the agreement safeguarded the interests of the propertied class, it ignored the interests of the majority of the migrants.¹³ The inclusion of a representative of the minority community in the Cabinets of East Bengal, West Bengal and Assam was likely to help in restoring the confidence of the minorities in their Government particularly after the recent disturbances. In the case of India which was a secular State, though the Constitution removed the reservation of seats for minorities, the inclusion of this clause was justified and it did not affect the secular nature of the State as at that time the faith of the minority community in the majority community was completely shaken and the majority community also owed some duty to the minority community.¹⁴

The third aspect of the agreement was aimed against the dissemination of news and mischievous ideas which aroused communal passion through communication media. These steps seemed adequate on paper but their effectiveness required few strong actions on the part of the respective

12 See the Statement of S.P. Mookerjee in Indian Parliament on April 19, 1950 when he resigned from the Cabinet against the signing of the Nehru-Liaquat Agreement.

13 Cross Roads (Bombay), April 11, 1950.

14 Sardar Patel's Radio Broadcast at Calcutta on 12 April 1950, reported in the Hindu (Madras), April 13, 1950

Governments. The first step required was to put a ban on all communal parties. If so, Pakistan Government had to do away with the Muslim League. In India, it meant the ban on Hindu Mahasabha and R.S.S. in which even the men in power had a vested interest, and these two organisations had a grip over the minds of those who had suffered due to the partition of India. The second step, required for achieving this objective of the agreement was to have Government controlled press as the private owned press gave partial interpretation of communal issues and the India-Pakistan relations. The past experience was a proof that the press did not play its role in a responsible manner in both the countries and incited communal feelings at difficult times. The Government controlled press in a democratic country was not possible. Further the dissemination of news in a controlled manner would have been challenged as an infringement of the rights of the press. The Government could only appeal to the press to behave in a 'responsible way' and to use the freedom of speech and expression to 'sooth rather than to hurt'.¹⁵ But the press could do nothing if the actual news 'told its own tale'.

The agreement emphasised the amicable solution of all the existing contentions between the two countries.

15 Ibid.

This proposition could materialise provided the Kashmir dispute was solved peacefully. Otherwise Pakistan was likely to go on with her propaganda mainly based on the two-nation theory which, in turn, could enrage Indian opinion leading to the vicious circle of communal disturbances again.¹⁶ Thus without the solution of Kashmir problem the very basis of communal harmony could be falsified. Any attempt to safeguard the position of the minorities in one country, without a general policy of friendship towards the other was bound to fail.¹⁷ The Government controlled radio could give only the official version of all the happenings. If the Governments, inspite of the agreements, were not inclined to follow peaceful means of solving the problems, it was merely a play of words.

The fourth aspect of the agreement dealt with the implementation of the agreement. It was for the first time that a provision for the supervision and control of the day-to-day working of an agreement was envisaged.¹⁸ But the appointment of joint commissions and the joint Ministerial enquiries meant the interference of one country in the internal affairs of the other country.¹⁹ It gave

16 Modern Review (Calcutta), May 1950.

17 Sisir Gupta, India's Relations with Pakistan (1954-57), (New Delhi, 1958), p. 48.

18 Modern Review, May 1950.

19 Economic Weekly (Bombay), Editorial, April 15, 1950.

chance to both the countries to pose as the champions of the other country's minority community. It could in the longrun mean a potential source of mischief. Further this provision regarding joint ministerial enquiries meant that minorities were not the exclusive concern of their respective Governments. It would mean that the minority of one country should also look to the other country, for presenting its case favourably, to safeguard its interests. Another glaring shortcoming was the lack of sanction for the agreement. The violation of agreement on the part of one Government could lead to a permanent deadlock. If the agency appointed by the Prime Ministers failed to find any agreeable solution, no other means were provided to solve the problem. Agreements without sanctions were mere words and could seldom be observed. Sardar Patel had earlier said that if any new agreement would be signed, the Government of India would insist on getting a guarantee for its implementation from Pakistan Government²⁰ but this agreement made no provision to that extent.²¹ Further, it seemed not feasible to implement the agreement through the Commission Offices at District level as the enforcing men could also be partial in reporting the matter. The

20 The Statesman (New Delhi), January 30, 1950.

21 Vigil, April 15, 1950.

machinery devised to implement the agreement was cumbersome and likely to fail in solving the minority problem in both the countries.

Conclusion

The obvious merits of the Nehru-Liaquat Agreement were that India and Pakistan guaranteed basic human rights to their respective minorities. The proposal of the exchange of population was ruled out by both the countries. The inclusion of minority representatives in the cabinets of East Bengal, West Bengal and Assam was likely to restore confidence in the affected minorities. The provision for the immediate sending of ministers to the riots affected areas was likely to raise the morale of the suffering minorities. The agreement on holding joint ministerial enquiries and conferences was also encouraging. In spite of these merits it was not likely to succeed in solving the problems because of the apparent shortcomings. The agreement left untouched the deeper economic issues. It did not provide any method for achieving equality in economic sphere between the minority and majority community. The agreement created a promise of political equality between majority and minority in each State but it said nothing with regard to the existing economic inequality. The most important question left unanswered was whether

political equality would mean an absence of discrimination in the economic sphere. The agreement provided, to a limited extent, compensation to the propertied class but it contained no provision for compensating those who had lost their earning member or were physically handicapped during riots. Even the propertied class which lost its movable property was not to get any compensation. A controlled press and elimination of communal parties would have helped in maintaining the peaceful and cordial atmosphere among the minority and majority communities and between India and Pakistan. But it was not possible in a democratic and secular State. The agreement lacked sanctions behind it and inspite of the provision for the implementation machinery, it was not likely to achieve its aims. The agreement referred only to the immediate problem in East Bengal, West Bengal, Assam and Tripura²² and did not refer to West Pakistan and other parts of India. By reassuring the basic human rights and resorting to immediate measures to stop the recurrence of the riots, it was likely to succeed in cooling down the communal passions and restoring the confidence among the minorities in the two countries for the time being. It failed to provide a permanent solution of the minority problem which was likely to persist in both the countries inspite of the agreement.

22 Jawaharlal Nehru's Speeches (1949-53, New Delhi), 1957, p. 293.

CHAPTER III

RESPONSE TO THE NEHRU-LIAQUAT AGREEMENT

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The issue of minorities was extremely important because it was relevant to the lives of millions of people living in India and Pakistan. Whenever there were reports of any ill-treatment of the member of one community in either country, immediately there were cases of reprisal in the other one. The problem emerged from the implications of the partition of India - making the Hindu community a minority in Pakistan and the Muslims a still smaller minority in free India. People were interested in early and peaceful solution of this problem as their blood relations living in the other country were directly affected. Both the Governments were keen to solve the refugee problem which emerged in 1947 and wanted to enforce plans for the economic development of their respective countries. Two agreements were arrived at in 1948 among the two Governments to solve the minority problem but both failed to provide any lasting solution due to various reasons. The mass exodus complicated the already existing issues of relationship of both the countries. When the agreement was signed by the Prime Ministers of India and Pakistan, the general atmosphere was tense and much was needed to change the vicious atmosphere. The support of the Government, political parties, press and affected parties as well as the majority community was necessary for making the agreement a success.

Response of the Indian Government

The Government of India was faced with the immediate problem of settling the millions of Hindu refugees whose number was increasing everyday. Economically the country was underdeveloped and demanded great efforts for improving the lot of masses. The trade with Pakistan was at standstill and the jute mills in West Bengal were not working due to non-availability of jute. The Government was pledged to the ideal of secularism which could have become a farce if the lives of minorities were not safe. The safety of Muslim minority depended on the safety of Hindu minority in Pakistan. The Indian Government declared its faith in following a peaceful policy. It wanted good relations with the immediate neighbouring countries. India's Prime Minister justified his signing of the agreement when he presented the agreement in the Indian Parliament.¹ He was sure that the agreement would bring 'immediate relief' to the suffering millions of Bengal. He wished the agreement to be a 'starting point' in the improvement of Indo-Pakistani relations. He pleaded with the Members of the Parliament to extend their unreserved support to the agreement and called upon the press to create favourable public opinion for making the agreement a success.

1 Parliamentary Debates, Parliament of India, Vol. 4, No. 7, Part II, 10 April 1950, pp. 2675-78.

In a radio broadcast the same night, he stressed the importance of the spirit underlying the agreement and expressed his faith in the sincerity of Pakistan's Prime Minister to enforce it in the letter as well as in spirit. Again he referred to the great responsibility of the press and expressed the hope that it will help in making the agreement a success.² While addressing a press conference, India's Deputy Prime Minister Sardar Patel expressed his full satisfaction at the agreement and appealed to the press to cooperate with the Government in the successful working of the agreement.³ While touring Calcutta he urged the people to give a fair trial to the agreement and issued an appeal to the migrants from East Bengal to go back and advised the press to act in a responsible way.⁴ Dr. Rajendra Prasad, the President of India, advised the public to cooperate whole heartedly with the Government in making the agreement a success and said that the agreement had opened a 'new chapter' in India's political history.⁵ India's Health Minister Raj Kumari Amrit Kaur described it as a 'great step in the fulfilment of Mahatma Gandhi's dream of world peace'.⁶ The determination

2 The Hindustan Times (New Delhi), 11 April 1950.

3 Ibid.

4 Ibid., 22 April 1950.

5 The Hindu (Madras), 15 April 1950.

6 Ibid., 18 April 1950.

of Indian Government to implement the agreement was further stressed by India's Minister for Works, Mines and Power, Mr. N. V. Gadgil.⁷

Two Bengali Ministers of the Indian Cabinet, Mr. K.C. Neogy and Mr. S.P. Mookerjee, resigned in protest against their Governments signing of the agreement. As the public opinion in West Bengal was not favourable to the Government's decision of signing the agreement, the two Bengali representatives of the Indian Cabinet bowed to the local sentiments. While Mr. K.C. Neogy did not give any statement in the Indian Parliament, Mr. S.P. Mookerjee read a detailed statement in the Indian Parliament on 19 April 1950.⁸ His doubts were that Pakistan's fundamental policy was based on the building up of an Islamic State. Therefore, he was sure that Hindus would not be able to live in East Bengal on the assurances of security given by Pakistan Government. His main reason for doubting the success of the agreement was the lack of sanctions behind the present agreement. He believed this reason to be responsible for the failure of two similar agreements entered in 1948.

7 The Times of India (New Delhi), 17 April 1950.

8 Parliamentary Debates (India), n. 1, Vol IV, Part II, No. 14, pp. 3017-22.

Response of the Pakistan Government

For Pakistan Government the agreement was an 'expedient to avoid war'.⁹ The situation before the signing of the agreement was grave and both the countries were at the 'brink of war'. For Pakistan the war would have been dangerous as militarily she was definitely inferior to India.¹⁰ In Pakistan, the agreement was welcomed with a great sense of relief, as militarily she was 'at the mercy of India'.¹¹ Pakistan's economy was not in a position to stand the continuous burden of the muslim migrants from India. The complete transfer of population would have meant that Pakistan had to accept four times more refugees in comparison to the non-Muslim migrants leaving her territory. It would have created additional difficulties for Pakistan which was already struggling hard to solve the existing refugee problem. The Pakistan Constituent Assembly had unanimously adopted a resolution wishing Mr. Liaquat Ali Khan's mission to Delhi a success and expressed the hope that his efforts would 'promote peace and better understanding' among the people of India and Pakistan. It hoped that some solution to enable the minorities to live independently and

9 Nirmal Kumar Bose, "The Disease and its Cure", Vigil (Delhi), 20 May 1950.

10 New York Times, 12 April 1950.

11 S.M. Burke, Pakistan's Foreign Policy - A Historical Analysis (London, 1973), p. 58.

fearlessly would be found.¹² Pakistan's Prime Minister Mr. Liaquat Ali Khan declared in his Parliament that the agreement was 'precursor of a new understanding between India and Pakistan' and expressed his firm intention to implement it.¹³ While addressing a press conference in Karachi, he appealed to the press to assist him in the 'noble task of creating peaceful and liveable conditions for the minorities' in India and Pakistan.¹⁴ In a Radio Broadcast from Karachi, he expressed the hope that the agreement would inaugurate a 'new era' in which other disputes could be settled amicably.¹⁵ Sir Zafrullah Khan, Pakistan's Foreign Minister expressed his satisfaction over the signing of the agreement and felt that if implemented it would give security to minorities in both the countries.¹⁶ The Finance Minister Mr. Ghulam Mohammed referred to it as a 'turning point' in Indo-Pakistani relations.¹⁷

Response of the affected Indian States

The West Bengal Government did not react immediately after the release of the terms of the agreement because it

12 Constituent Assembly, Legislature of Pakistan Debates, Vol. 1, No. 17, 5 April 1950, pp. 664-65.

13 Ibid., 10 April 1950, pp. 746-50.

14 Dawn (Karachi), 11 April 1950.

15 Ibid.

16 The Statesman (Calcutta), 24 April 1950.

17 Dawn, 22 April 1950.

wanted to see the reaction of the people of the State. It had to be cautious as two Bengali Ministers had already resigned from the Indian Cabinet in protest against the Government's signing of the agreement because just before the Delhi talks they expected the Indian Government to adopt tough attitude against the East Bengal Government. The State Government was also reluctant to come out with the criticism of the Central Government as both the Governments belonged to the same party. Members of the Muslim community were satisfied that some solution to the problem had been found. The Governments of Assam and U.P. welcomed the agreement and expected the agreement to help in solving the minority problem.

West Bengal Chief Minister Dr. B.C. Roy declined to comment and adopted a policy of 'wait and see'. Dr. P.C. Ghosh, a prominent Congress leader, expressed satisfaction at the agreement.¹⁸ On 15 April 1950 Dr. B.C. Roy extended the support of his Government and expressed the hope that it would open a 'new era of understanding and faith'.¹⁹ Muslim members of the West Bengal Assembly regarded the agreement as the 'charter of minority rights' and a 'welcome solace' to the minorities in both the countries.²⁰

18 The Hindu, 12 April 1950.

19 Ibid., 16 April 1950.

20 Ibid., 12 April 1950.

Mr. I.D. Jalan, the Speaker of the Bengal Assembly, in a Radio Broadcast from Calcutta appealed to the nation and the West Bengal people in particular to help the Government in the implementation of the agreement as the alternatives to it were exchange of population or war which were dangerous for both India and Pakistan.²¹ Two Hindu Members of Parliament from West Bengal, Pandit L.K. Mitra and Mr. S.C. Majumdar, were critical of the agreement and regarded it as the 'revised version of the 1948 Agreements' and were pessimistic about the success of the agreement.²² The Assam Government responded favourably and expressed its determination to make the agreement a success. Governor of Assam, Mr. Sri Parkasa, promised to take every possible step for implementing the agreement.²³ Its Chief Minister, Mr. Gopi Nath Bardoloi, expressed the desire of his Government to implement the agreement in its letter and spirit and described it as a 'great document'.²⁴ He was sure that if it was sincerely worked out, it would help in solving the minority problem and improving the relations of the two countries. He urged the press and people of his state to support the Government in the imple-

21 The Hindu, 30 April 1950.

22 The Times of India, 17 April 1950.

23 Ibid., 12 April 1950.

24 The Times of India, 12 April 1950.

mentation of the agreement.²⁵ Mr. Abdulla Nurul, former President of the Assam Provincial Muslim League, was confident that the agreement meant 'peace, prosperity and welfare' for the minorities on the both sides.²⁶ U.P. State was also affected by the migrants as it was also sharing the burden of rehabilitating the migrants from East Bengal. The Muslim residents of the State were feeling insecure and tension prevailed in the State for some months. Pandit Govind Ballabh Pant, the Chief Minister of U.P., heard the news of the signing of the agreement with a 'genuine sense of relief and gratification' and expressed the hope that it would open a 'new chapter' in the Indo-Pakistani relations.²⁷

Response of the East Pakistan Government

The East Bengal Government welcomed the agreement and expressed its determination to implement it. As the agreement was related to the people of East Bengal, the Government felt relieved of a major problem which threatened the economic and political stability of the State. The geographical location of Eastern Wing of Pakistan, which

25 The Hindu, 21 April 1950.

26 The Times of India, 12 April 1950.

27 The Hindu, 12 April 1950.

was separated by over one thousand miles of Indian territory from the Western part, made it weak as they could never expect any help from West Pakistan. From economic point of view the jute trade with India could be revived only if peaceful relations with India were restored. Further they had to rehabilitate Muslim migrants who were coming from India. East Pakistan's economy could not stand the pressure of refugees. All this naturally affected the law and order situation. Briefly these factors made East Bengal's Government to respond in favour of the agreement. Its Governor, Mr. Feroz Khan Noon, declared the determination of his Government to 'honour' the agreement in 'letter as well as spirit'. He felt that the agreement would open a new 'era of peace' for the much harassed people of the sub-continent and urged the people to turn their minds to 'constructive work'.²⁸ Mr. Nurul Amin, the Premier of East Bengal welcomed the signing of the agreement and said that his Government and people were determined to implement the agreement.²⁹ The reaction of the East Pakistan public was not known because of 'iron curtain' imposed upon the Pakistani press. Further the Hindu community was gripped with the sense of insecurity and fear because of the recent riots. They feared that their

28 The Statesman, 17 April 1950.

29 The Hindu, 15 April 1950.

Government and Pakistani public might misinterpret their feeling. So they chose to be not vocal in this situation of turmoil and disturbances.

Response of the Political Parties in India

In India, the Indian National Congress was controlling the Central as well as State Governments. The party supported the agreement without any reservations as its leaders had signed it. The party was committed to the ideal of secularism and the reservation of minority representation in Central and State Cabinets was regarded as a measure to strengthen the country's faith in secularism.³⁰ The Congress party wanted to solve the problem before the coming general elections in the country. Mr. Pattabhi Sitaramaya, the Congress President, praised the agreement for its comprehensiveness and implementation machinery and felt that the success of the agreement would itself justify its signing.³¹ Even before the signing of the agreement, the Congress Working Committee had passed a resolution wishing the talks a success. It appealed the public to refrain from any word or deed which could adversely affect the existing atmosphere.³² Mr. Sadiq Ali, a Congress M.P., welcomed the agreement as he thought that it would

30 Sardar Patel's Radio Broadcast at Calcutta on 21 April 1950, The Hindu, 22 April 1950.

31 The Hindustan Times, 11 April 1950.

32 Ibid., 8 April 1950.

help in 'lowering the tensions' in both the countries.³³ Mr. C.R. Rajagopalachari who was hopeful of the outcome of the Delhi talks regarded the agreement as an 'act of wisdom' on the part of the two Governments which arrived at it without any 'external intervention'. He appealed to the people not to indulge in 'irresponsible talk' and silenced the critics of the agreement by saying that it was easy to 'pick holes' but very difficult to 'weave a peace of cloth'.³⁴ The National Executive of the Socialist Party had expressed the hope that the Delhi talks would come out with some 'concrete solution' of the problem. It had urged upon the two Prime Ministers to bilaterally guarantee the protection of minorities and their enjoyment of human rights.³⁵ Its leader Jai Parkash Narain congratulated Nehru on the signing of the agreement and appealed to all parties and schools of thought to give it an 'honest and sincere trial'. He hoped that it would mark the beginning of 'friendly relations' and 'speedy cooperation' between the two countries in other fields also.³⁶ Another Socialist leader welcomed the agreement as the 'first step of wider cooperation' among the two countries.³⁷

33 Sadiq Ali, "Give it an honest trial", Vigil, 22 April 1950.

34 The Hindu, 9 April 1950.

35 The Hindu, 6 April 1950.

36 Ibid., 12 April 1950.

37 Ibid.

The Communist Party of India had never regarded the riots in East Bengal as communal riots. Based on their own ideology of materialistic interpretation, they regarded these riots as the outcome of the conspiracy of the Capitalist class to disrupt the 'mounting wave of workers and peasants struggle for economic freedom'.³⁸ The party referred to the agreement as a 'paper pact' as it contained no provisions for the immediate rehabilitation of millions of propertyless refugees.³⁹ The feeling of the Party was that the agreement gave protection only to the propertied class and not to the workers.

Response of the Political Parties in Pakistan

In Pakistan, Muslim League was the only political party which commanded unrivalled following as it had won almost all the Muslim seats in the 1946 election held in undivided India. When its leader Prime Minister Liaquat Ali Khan was busy in Delhi talks, the party sent a message to him 'earnestly praying' for the success of his mission.⁴⁰ Its Working Committee recorded its deep sense of appreciation at the successful completion of the talks and appealed to the Muslims of Pakistan to live in 'complete harmony'

38 Cross Roads (Bombay), 31 March 1950.

39 Ibid., 14 April 1950.

40 Dawn, 6 April 1950.

with the minorities and not give any 'occasion of suspicion' to them about the insecurity of their rights and privileges.⁴¹ In Peshawar, the Hazara Muslim League Conference adopted a resolution expressing the hope that the agreement would be effectively followed.⁴²

Response of the National Press

The press in both the countries gave full coverage to the talks and restrained from publishing anything which might worsen the already tense atmosphere. The press gave wholehearted support to the two Prime Ministers in their efforts to normalise the relations of the two countries and welcomed the agreement. The newspapers came out with editorials urging people to support it inspite of its shortcomings and make it a success. Newspapers Editors Conference in both the countries welcomed the agreement and assured of its full cooperation in its implementation. Calcutta press was critical and pessimist about the success of the agreement and referred to the failure of the similar agreements of 1948. On the whole the national press behaved in a responsible manner so as not to jeopardize the spirit of cooperation and goodwill underlying the

41 Ibid., 10 April 1950.

42 The Statesman, 18 April 1950.

agreement.

(a) India:

Mr. C.R. Srinivasan, President of the All India Newspapers Conference welcomed the agreement and assured the cooperation of press in implementing the agreement.⁴³ The Times of India was hopeful of the outcome of the Delhi talks and when the agreement was made known, it expressed the hope that in spite of lack of sanctions it was 'quite capable' of solving Bengal problem and paved way for solving other problems. In Pakistan's signing of the agreement, it saw her acceptance of the liberal provisions of the Indian Constitution in regard to fundamental rights but warned Indian Government that 'one sided fulfilment' would be meaningless.⁴⁴ The Hindu which had referred to the Delhi meeting as a 'silver streak in a gloomy sky' welcomed the agreement in spite of its shortcomings and expressed the hope that India and Pakistan would be successful in their endeavour to solve the problem in a friendly way.⁴⁵ The Statesman editorial pleaded for giving a fair chance to the agreement which opened grounds for 'new hope'.⁴⁶

43 The Hindu, 15 April 1950.

44 The Times of India, 11 April 1950.

45 The Hindu, 11 April 1950.

46 The Statesman, 11 April 1950.

One Calcutta Journal regarded the return of the refugees as the only proof of Pakistan's sincerity in implementing the agreement.⁴⁷ Another journal which was critical of the agreement and had no faith in Pakistan's Prime Minister, referred to the agreement as 'an unlucky bargain' but urged Indians to welcome it, to strengthen Mr. Nehru's hands.⁴⁸ Bombay's Economic Weekly believed that it was a measure aimed at temporarily solving the minority problem and not at providing a permanent solution.⁴⁹ The agreement was praised for being arrived at bilaterally by the two Governments. The agreement was criticised by Harijan for not being applicable to West Pakistan.⁵⁰

(b) Pakistan

The Journalists and Editors Association of Pakistan praised the agreement as it was regarded to be the only solution of the problem. The Press extended its support to make it a success. It congratulated Mr. Liaquat Ali Khan for coming to an honourable agreement. They expected the Delhi talks to lead to a permanent solution of the

47 The Modern Review (Calcutta), May 1950.

48 Vigil, 11 April 1950 and 22 April 1950.

49 The Economic Weekly (Bombay), 15 April 1950.

50 Harijan (Ahmedabad), 23 April 1950.

minority problem.⁵¹ Mr. Pir Ali Muhammad Rashidi, President of the Pakistan Newspapers Editors Conference appealed to the newspapermen to follow and implement the 'solemn agreement' and urged the Pakistani press not to publish anything which could even in the 'slightest degree be disparaging or disrespectful of the Indian Leaders'.⁵² Pakistani Journalists passed a resolution assuring Pakistan's Premier of their 'wholehearted support' in the implementation of the agreement.⁵³ In another meeting the representatives of Lahore Newspapers and periodicals extended their support for promoting 'friendly relations between the people and journalists on either side of the borders'.⁵⁴ As their Prime Minister had signed the agreement, it was taken as a matter of national honour to implement it. The Dawn appealed the people to forget about the treatment meted out to the minorities in past in both the countries and advised them to ensure that complete equality in matters of religion was observed. The paper pledged unqualified support and cooperation to the Government in implementing the agreement and punish-

51 The Times of India, 8 April 1950.

52 The Hindu, 13 April 1950.

53 Ibid., 15 April 1950.

54 Ibid., 16 April 1950.

ing its violators.⁵⁵ The agreement was referred to as the first step in the process of reversing the process of communal hatred which created an atmosphere of war and anarchy. The Governments of both the countries were urged to follow this process in solving the other problems so as to cultivate friendly relations between the two countries.⁵⁶ The Civil and Military Gazette stressed the importance of 'work rather than words' to make the agreement effective and felt that if the agreement was sincerely followed it would improve the lot of millions of people of the two countries.⁵⁷ The Sind Observer called upon the press to help in implementing the agreement and in improving the relations of the two countries.⁵⁸

Response of the Affected Minorities in India

The affected Mulsim minority of India had great hopes about Delhi talks because the outcome of this meeting directly affected their future. Their cause of anxiety was genuine as they were worried about their security of life and property because of the recurrence of communal riots. They sincerely desired the welfare of the Hindus

55 Dawn, 11 April 1950.

56 The Pakistan Times (Lahore), 11 April 1950.

57 The Civil and Military Gazette, 11 April 1950.

58 The Sind Observer, 11 April 1950.

living in Pakistan as they felt that the security of Hindus in Pakistan would in turn guarantee a security of their life and property in India. In pursuance of this goal two Muslim deputations headed by Nawab Chattari and Maulana Hifizur Rahman, General Secretary of Jamiat-Ul-Ulema-i-Hind met the Pakistan Premier during his stay in Delhi and impressed upon him the need for an urgent settlement of the problem.⁵⁹ The Muslim Itehad Committee sent a telegram to Nehru from Bombay wishing the talks a success while Liaquat Ali Khan received a telegram from prominent Muslim Leaders of Hyderabad urging him to grant rights to the minorities which a modern State should grant to its citizens.⁶⁰ Mr. Mohamed Ismail, President of the Indian Union Muslim League expressed happiness at the cordial atmosphere in which the talks in Delhi were being held and extended the support of the Muslim community to the Indian Prime Minister in his endeavour for achieving an amicable solution.⁶¹ Sir Syed Sultan Ahmad, President of the Shia All India Conference was hopeful of the outcome of the Delhi talks and expressed confidence in the measures taken by the Indian Government for the security of life, property

59 The Hindustan Times, 5 April 1950.

60 The Times of India, 3 April 1950.

61 The Hindu, 7 April 1950.

and honour of the Indian Muslims.⁶² He regarded the agreement as an 'earnest attempt' of the two Prime Ministers for solving the immediate problem and expected it to usher an 'era of peace, tranquility and prosperity'.⁶³ President of the Muslim League congratulated the Prime Ministers for producing a document, which if properly implemented, would also help in solving the other problems.⁶⁴ Sir Mohamad Usman called upon all to support the Government in implementing the agreement which he thought would be a 'boon' to both India and Pakistan.⁶⁵ Maulana Abul Kalam Azad called upon Indian Muslims to live as loyal citizens of the country and wanted them to help the Government to create an atmosphere of goodwill and cooperation in the country. He regarded the agreement to be a 'bold step' towards the solution of the minority problem.⁶⁶ Sikh Leaders welcomed the agreement as they regarded it as 'a step in the right direction at the right moment'. But their leader Master Tara Singh regretted that it did not

62 Ibid., 8 April 1950.

63 The Times of India, 18 April 1950.

64 The Hindu, 11 April 1950.

65 Ibid., 12 April 1950.

66 Ibid., 22 April 1950.

refer to people who were converted forcibly in West Pakistan and the Sikh shrines left in Pakistan.⁶⁷

Response of the Pressure Groups

Business circles were glad over the signing of the agreement as the business community was adversely affected economically due to the trade deadlock since September 1949. They expected revival of trade relations after this agreement. Mr. R.G. Saraiya, the President of Indian Merchants Chamber welcomed it as a 'precursor of an improvement' in the Indo-Pakistan relations and expected it to pave the way for the economic prosperity of the two countries.⁶⁸ Mr. R.K. Dalmia appealed for citizen's help for strengthening Government's hands in the implementation of the agreement. The Textile Importers and wholesale Cloth Merchants Association of Pakistan congratulated both the Prime Ministers for their 'noble achievement' and called upon the people to whole-heartedly support the Government for implementing the agreement.⁶⁹ The sufferers of the communal disturbances were mostly poor peasants who started migrating whenever the communal disturbances occurred. The signing of the agreement was of great relief to them. Prof. N.G. Ranga, President of the All

67 The Statesman, 19 April 1950.

68 The Hindu, 17 April 1950.

69 Dawn, 23 April 1950.

India Kisan Sammelan appealed to the 'Kissans' to work for the success of the agreement.⁷⁰ The reaction of the leaders of the Mahasabha and R.S.S. was not available as most of them were arrested even before the Delhi talks and they were debarred from making any public speech and issue any statement for publication on Indo-Pakistani relations. R.S.S. Weekly regarded the agreement as a 'scratch of water' and its treatment of both the countries at par as an 'insult to injury'.⁷¹ It did not expect Pakistan Government to enforce it and warned the Indian Government against betrayal and pleaded for preparedness.⁷²

Conclusion

The newly independent countries of India and Pakistan were mainly concerned with the problem of achieving the goal of political stability and national integrity. The minority problem was the biggest threat to disturb the balance, particularly when the situation was so tense that political circles were expecting an armed conflict between the two countries. At this juncture India and Pakistan responded favourably. Their action averted the war and strengthened the forces of peaceful solution of problem.

70 The Hindu, 18 April 1950.

71 Organiser (Delhi), 10 April 1950.

72 Ibid., 24 April 1950.

The agreement aimed at creating an atmosphere of goodwill for solving the other problems peacefully. The Governments of India and Pakistan gave full support to the agreement and the Prime Ministers appealed to their respective legislators to extend their whole-hearted support to the agreement. They also called for cooperation from the press in making the agreement a success. The political parties in both the countries responded favourably. Press extended its full support and did not unnecessarily criticise it. For sometime the West Bengal press and people were critical of the agreement but they also reconciled with the situation after sometime. The Muslim community in India was hopeful that the agreement would be successful in removing the fear psychosis from its community and achieving its aims. The foreign press also hailed the determined attempt of the two Prime Ministers to avoid war and resolve their disputes peacefully.⁷³

73 The New York Herald Tribune described it as one of the most important document; The New York Times referred to it as a 'turning point' in Asia; The Times expected it to give 'new' signs of hope'; The News Chronicle regarded it as a 'practical beginning; The Manchester Guardian said that the war had been avoided; The Labour Daily Herald said that it had eased the Indo-Pakistan tensions; The Sydney Morning Herald regarded it as the best 'piece of news'; while the Sydney Daily Telegraph described it as the 'fresh proof of democratic maturity'.

CHAPTER IV

WORKING OF THE AGREEMENT

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The agreement generated an atmosphere of friendship and cordiality between the two countries. Initially it succeeded in putting an end to the tense atmosphere. The relations of the two countries showed signs of improvement. The relaxed atmosphere between the two countries led to the signing of a trade agreement on February 1951. Reviewing the working of the agreement, Jawaharlal Nehru informed the Indian Parliament on 19 April 1950 about the decrease in the number of migrants on both sides.¹ But a large scale migration of Muslims from U.P. and Rajasthan to West Pakistan became greatly intensified during April and May.² The elements of fear and insecurity amongst Muslims after the communal disturbances of March 1950 in U.P. mainly affected their attitude. The ban on economic transactions between the two countries and competition in business from Hindu refugees forced them to leave India. The belief of getting more employment opportunities in Pakistan also tempted them to migrate to Pakistan. Hindu money lenders did not take risk to advance loans to Muslims because of prevailing unsettled conditions. To check the influx of Muslims from India, Pakistan Government announced

1 Parliamentary Debates, Parliament of India, 1950, Vol. 3, Part I, pp. 1666-68.

2 Keesings Contemporary Archives, (Bristol), June 3-10, 1950, p. 10740.

on 15 May 1950 the closure of Sind-Jodhpur border from 27 May 1950.³ Despite these developments both the Prime Ministers expressed satisfaction about the working of the agreement. On 7 August 1950 Nehru again confirmed the reversal of the process of migration due to the agreement.⁴ On 15 November 1950 he said that the back flow of migrants was 'progressively increasing in both directions' and he gave figures of migrants in support of his statement.⁵ Liaquat Ali also maintained that there were signs of improvement in the situation and he reiterated that Pakistan would grant 'equal rights to the minorities' and would continue to observe the pact faithfully in 'letter and spirit.'⁶

Fluctuations in Migration

After the signing of the agreement the first major exodus occurred in 1951. In June the relations of the two countries deteriorated on Kashmir issue. War hysteria in both the countries added to the fears of minorities and again there was spurt of migration on Bengal borders. India's Rehabilitation Minister claimed that Hindus in

3 The Hindu (Madras), 16 May 1950.

4 Ibid., 8 August 1950.

5 Parliamentary Debates, India, 1950, Vol. 6, Part II, pp. 83-84. Nehru said that 1,223,794 Hindus had gone back to East Bengal out of 1,626,270 who had entered India during troubled period while 705,120 Muslims out of 705,140 had come back from East Bengal.

6 Dawn (Karachi), 23 December 1950.

large numbers were entering India from East Bengal because of 'virulent propoganda about Kashmir' in Pakistan.⁷

The Pakistan Government denied the validity of Indian reports about fresh Hindu exodus from East Pakistan and claimed that 209,062 men had entered East Pakistan from West Bengal between September 1950 and June 1951.⁸ Nehru blamed communal policies of Pakistan for the large scale movement of Hindus from East Pakistan.⁹ India's Deputy Foreign Minister referred to the influx of 68,200 refugees from East Pakistan.¹⁰ But the issue soon subsided and the number of migrants decreased by the end of the year. The situation was normal during 1952-53 and the movement of population did not cause anxiety to either side.

The year 1954 witnessed another large scale movement of population on Bengal borders. Pakistan Constituent Assembly adopted some of the Islamic principles as the basis of their proposed Constitution. Urdu was declared as the national language of Pakistan. As Bengali was the common language of the masses of East Bengal, people of the province considered it as the imposition of an alien language on them. Though there was nothing Hinduistic in

7 The Hindu, 8 July 1951.

8 Dawn, 17 July 1951.

9 The Hindu, 9 July 1951.

10 Ibid., 8 July 1951.

this opposition to Urdu language, Pakistan Government took it be an act of subversion by the Hindu minority and took steps to suppress the minority community.¹¹ In the general elections held in March 1954 in East Pakistan, the United Front (U.F.) led by Fazlul Haq won the majority and formed the Government. His Ministry enjoyed the support of the Hindu minority of East Bengal too. There were large scale riots amongst working class in May and on this plea the Governor General dismissed Fazlul Haq Government and imposed the Governor's rules in East Pakistan. This led to a sharp increase in migration from East Bengal which in the latter part of 1954 shot up to 10,000 a month.¹²

The exodus of Hindus from East Bengal to India reached its climax in 1956. On 28 January, India's Rehabilitation Minister referred to this large scale migration. While 239,031 persons had migrated to India in 1955, the number rose to 319,726 in 1956.¹³ An important reason for this increased migration was the adoption of an Islamic Constitution by Pakistan's Second Constituent Assembly.¹⁴ In a Press Conference on 2 April, Nehru pointed out that

11 Khushwant Singh, Not Wanted in Pakistan, (Delhi, 1965), p. 14.

12 M.S. Rajan, India in World Affairs, (1954-56), (Bombay, 1964), p. 479.

13 Report of the Ministry of External Affairs for 1956-57, Government of India, New Delhi, p. 16.

14 Statement of C.C. Deasi, India's High Commissioner in Pakistan, reported in The Hindu, 28 March 1956.

the exodus had become acute in the previous six or seven months. The West Bengal Government and the Government of India took strict measures to curb these migrations from East Bengal which resulted in sharp decline in the number of Hindu migrants in 1957 and 1958. Only 19,920 Hindus migrated from East Bengal to India in 1957, and this number declined further to 4,898 in 1958.¹⁵

Implementation of the Agreement

Both the Governments took immediate steps to implement the agreement. As per provisions of the agreement both the Governments appointed Ministers for Minority Affairs. In observance of the agreement the Governments of East and West Bengal appointed the Enquiry Commissions. A Search Service Bureau was formed to assist in tracing the missing persons, separated relations and abducted women. A conference of the Chief Secretaries of East Bengal, West Bengal and Assam was held in Calcutta on 21-22 April 1950 to make efforts for enforcing the agreement. Delegations of both countries exchanged goodwill visits to create cordial atmosphere. The Indian Government announced its decision to take back all Muslims who had left India since 11 February 1950¹⁶ and Pakistan Government also agreed to take back

15 Karunakar Gupta, India in World Politics, (Calcutta, 1969), p. 238.

16 The Hindu, 14 May 1950.

Hindu refugees who had left Sind.¹⁷ Nehru visited Karachi on 26-28 May to review the working of the agreement. Both the Prime Ministers expressed their satisfaction in regard to the progress in the implementation of the Agreement.¹⁸ Head of the Government of East Pakistan, West Bengal and Assam at a Conference held in Dacca on 15 May resolved to take measures to facilitate the return of refugees to their native places. Ministerial conferences were held in Delhi and Karachi on 3-5 August and 9-10 August and to remove some of the difficulties experienced in the implementation of the agreement, a ten point supplement was added to the original agreement.¹⁹ It emphasized the necessity of prompt investigation of communal incidents and punishment of wrongdoers and government servants found committing dereliction of duty. The presidents and members of local-self-government bodies were to be entrusted with special responsibility for prevention of communal incidents in rural areas and for promotion of Hindu-Muslim amity. Influential persons from majority community were also to be associated with the task of promoting communal harmony. Police was entrusted with special powers to deal with situations like imposition of collective fines

17 Dawn, 23 May 1950.

18 The Hindu, 28 April 1950.

19 Keesings Contemporary Archives, August 26, September 2, 1950, p. 10923.

and to search abducted women. Provision regarding claims of property and employment of the migrants and publication of statistics of migrant traffic were also made. Thus the original pact was strengthened to restore confidence among the minorities and to prevent communal recurrences.²⁰

The situation deteriorated in 1951 due to Kashmir question, and both the countries again adopted warlike postures. The fear psychosis led to fresh migration of minorities. Both the Prime Ministers blamed each other for violation of the agreement.²¹ Both the countries issued 'White Papers' quoting extracts from official speeches, Radio Broadcasts, and statements from press in support of the allegations. But no attempt at governmental level was made to restore confidence of the minorities and stop fresh migration. As both the Governments could not afford an armed conflict, the hostile propaganda subsided soon which ultimately resulted in decrease of the number of migrants. Due to improvement of India-Pakistan relations during the years 1952 and 1953, the migration problem was less acute in these years and it did not cause concern to either of the Governments.

The migration of Hindus from East Bengal to India started again in May 1954. The main factors responsible

20 G.W. Choudhury, Pakistan's Relations with India, (1947-56), (London, 1968), p. 198.

21 Keatings Contemporary Archives, August 11-18, 1951, pp. 11648-52.

for this phenomena were political instability and economic insecurity in East Bengal and the proposed adoption of Islamic provisions in the Constitution of Pakistan. A meeting of the two Ministers for Minorities Affairs was held on 10-12 July where the importance of improving the position of minorities was stressed and it was decided to take steps to check press propoganda in both the countries.²² But it did not affect the flow of migrants. Another meeting at Ministerial level was held in Karachi where it was decided to take immediate steps to restore the shattered confidence of the minority communities. The joint communique assured the migrants that their economic interests would be safeguarded on return.²³ After the meeting, the Ministers for Minorities Affairs of India and Pakistan undertook joint tours of affected areas of West Bengal and East Bengal.

In 1956 the inclusion of some Islamic provisions in the adopted Constitution of Pakistan caused considerable increase in the number of Hindu migrants from East Bengal. In an attempt to curb the fresh migration an India-Pakistan conference at Ministerial level was held in Dacca on 5-6 May. It again stressed that the respective Governments were responsible for looking after the interests of their

22 The Hindu, 13 July 1954.

23 Ibid., 13 July 1955.

minorities and advised the minorities to look to their own Governments for redress of their grievances. Pakistan Government reiterated its determination to safeguard the rights of minorities whereas Indian Government agreed not to give 'overt encouragement' to Hindus who wanted to migrate.²⁴ Indian Government appointed a Chief Migration Officer in Dacca and the procedure for issuing Migration Certificates was rationalised. Due to strict measures taken by the Government of India and the West Bengal Government, the flow of migrants from East Bengal was controlled and the number of Hindu migrants decreased during 1957-58.

Response of the Government

The attitude of newly independent nations towards their internal or external problems is determined by factors of ideological commitment, constitutional framework and national interests.²⁵ The partition of India generated a spirit of hostility between the new nations of India and Pakistan. The bitter relations between the Muslim League and the Congress during pre-partition days affected the basic attitudes of the leaders of the two countries in the post-independent era. The persistence of minority problem further aggravated the situation and these factors determined

²⁴ Ibid., 7 May 1956.

²⁵ A.A. Mazrui, Violence and Thought, (London, 1969), p. 192.

the policies of the two countries in regard to the minority problem. Nehru-Liaquat agreement was a device to solve the problem. But the working of the agreement depended much on various factors.

(a) Constitutional Framework

Indian Constitution guarantees fundamental rights to all citizens. The provisions of Fundamental Rights are enforceable in the courts of law. The leaders of Congress had fought against the two nation theory of Jinnah and the partition of India. They regarded all the communities as equal and framers of the Constitution who were guided by secular and democratic ideals favoured equal rights for all citizens. Nehru's greatest achievement was creation of a secular State in which "forty five million Muslims who chose not to get to Pakistan could live peacefully and worship as they please".²⁶ His unshakable faith in democratic and secular principles weakened the communal forces in India which wanted to capitalise on the suffering of the minorities of Pakistan.²⁷ In 1950, when communal forces in India demanded the exchange of population with Pakistan, he rejected it for to him it meant the end of all ideals for which Congress stood.

26 Chester Bowles, Ambassador's Report, (New York, 1954), p. 104.

27 Sisir Gupta, "Moslems in Indian Politics", (1947-60), India Quarterly, New Delhi, 1962, Vol. XVIII, No.4, p. 365.

He declared that he would fight this proposal with all the strength at his command.²⁸ The 1952 Election Manifesto of the Congress Party declared the party's faith in equality of all citizens and affirmed the protection of the minorities as its sacred duty.²⁹ Its 1957 Election Manifesto emphasized the importance and role of minorities in the national life. Indian Government had been careful not to do anything which could cause fear or sense of insecurity in the minds of the minorities. In spite of Constitutional safeguards, the efforts of the liberals to achieve inter-communal harmony had at times failed due to the rise of communal forces which got support from the masses because of the ill treatment of minorities in Pakistan.³⁰

While signing the agreement Liaquat Ali Khan had assured that minorities would be guaranteed equal rights in Pakistan. But the framers of the Constitution decided to adopt an Islamic Constitution for Pakistan. Because of their belief in the two-nation theory, they could never reconcile with the proposition of guaranteeing equal rights to all citizens. The Pakistani Constitution of 1956

28 Jawaharlal Nehru's speeches (1949 to 1953), Delhi, 1954, pp. 309-10.

29 See The Hindu, 15 July 1951, for details of the Election Manifesto of the Congress Party.

30 J.B. Dasgupta, Indo-Pakistan Relations (1947-55), (Amsterdam, 1958), p. 215.

guaranteed right to religion to the minorities which were enforceable by the courts subject to "law, order and morality" (Article 118). The chapter on Directive Principles of the State policy also mentioned some safeguards for minorities. But the religious rights guaranteed subject to 'law, public order and morality' were meaningless as the laws were what the majority decided in the legislature. Actually what the minorities needed was 'protection against such laws'.³¹

(b) Ideological Commitment

The history of Indian national struggle shows the presence of two different ideologies i.e. liberal and sectarian. The Congress Party represented the liberal traditions based on secularism and the Muslim League strictly had a commitment to religion and made it a tool for the achievement of a separate State. Indian leaders adopted a Constitution which contained all the ingredients of a secular, democratic set up. There was no legal bar to the eligibility of any citizen for contesting even for the highest office of State. The decision regarding the system of franchise did not present any ideological problem for the Congress. Right from the beginning they had opposed the introduction of separate electorate. In

31 Keith Callard, Pakistan - A Political Study, (London, 1957), p. 257.

pursuance of this ideology, the framers of the Indian Constitution abolished the separate electorate and opted for joint electorate. These legal guarantees were in existence even before the signing of the Nehru-Liaquat Agreement. This fact was well recognised by the Prime Minister of Pakistan.

Even in the post-Agreement period Pakistani leadership could not afford to fulfill their commitment to the agreement and persisted with its old sectarian outlook. Report of the Principles Committee (B.P.C) recommended in favour of retaining the system of separate electorate and having a Muslim Head of the State. These recommendations met severe opposition from the members of the minority community.³² In addition to this the Constituent Assembly decided to name Pakistan as an Islamic Republic.³³ The decision was defended by the Chairman of the B.P.C. on the ground that more than 80% of the people of Pakistan were Muslims.³⁴ Nehru regarded it as a 'clear breach of Delhi Agreement of 1950' and said that it would give a sense of frustration' to the minorities.³⁵ These decisions could not be implemented as the Governor General

32 Dawn, 23 December 1952.

33 The Hindu, 3 November 1953.

34 For details see Keesings Contemporary Archives, 26 December 1953 - 2 January 1954, p. 13325.

35 The Hindu, 16 November 1953.

Ghulam Mohammed dissolved the Constituent Assembly in 1954. But the dissolution could not alter the attitude of the second Constituent Assembly which incorporated the same provisions in the Constitution of Pakistan. Even some of the Muslim members of the Constituent Assembly were critical of the decision³⁶ and regarded it as unnecessary and felt ashamed that majority was seeking ways to save itself from the minority.³⁷ The persistence of this sectarian policy further complicated the minority problem and aroused fears in the minds of Hindus that the State was partial in matters of religion.³⁸

Another important issue linked with ideological commitment and its impact on minority problem in Pakistan was regarding the system of franchise. The first Constituent Assembly of Pakistan adopted the system of separate electorate which was severely criticised by the minority community. The demand of Hindus for joint electorates aroused suspicion among the leaders of the Muslim League³⁹ who interpreted it as an 'attack on their committed ideology'.⁴⁰ The Hindu demand for joint electorate was considered to be prompted by their ulterior motives by the Muslim

36 Subrawardy's statement, Constituent Assembly of Pakistan, Debates, Vol. 1, 31 January 1956, p.2248.

37 Asian Recorder, October 13-19, 1956, New Delhi, Vol. 1, No. 94, p. 1078.

38 G.W. Choudhury, n. 20, p. 183.

39 Keith Callard, n. 31, p. 243.

40 Arif Hussain, Pakistan - Its Ideology and Foreign Policy, (London, 1966), p. 62.

League.⁴¹ The second Constituent Assembly deferred a final decision on the question. The 1956 Constitution gave powers to Parliament to determine the system of franchise. The East Pakistan Assembly opted for joint electorates while West Pakistan Assembly decided to continue with the old system of separate electorates. A compromise bill which accommodated both the views was carried out in the National Parliament.⁴² The controversy ended with the adoption of joint electorates for Pakistan, with the passing of the Electoral (Amendment) Act, 1957.

(c) National Interest

The post-independence era of India and Pakistan was dominated by the immediate problems posing challenge to the very existence of these nations. The immediate problems which these nations faced were the problem of national integration, national security and economic development. Pakistan was in a better position to achieve the ideal of national integration as it emerged on the basis of religion. Islam was the basis of unity among the people of Pakistan. India had all possible heterogeneous forces posing the threat to the integration process of

41 Dawn, 13 October 1956.

42 Ibid., 2 October 1956.

the nation. The important task before the Government was to achieve 'unity in diversity'. In regard to national security and economic position, India had an edge over Pakistan. India had geographical unity, better defence potential, economic resources and international image while Pakistan lacked these assets. Over and above this India enjoyed political stability while Pakistan failed in this respect.

(1) National Integration

In India the heterogeneity in different fields made national integration a complex problem. Different pressure groups, organised on the basis of religion, region, race, language etc., threatened the very existence of the ideals of secularism and democracy. The most popular slogan of the ruling party was 'unity in diversity'. These ideals formed an important part of the election manifestoes of the Congress party in the first two general elections. No nationalist political party, committed to these ideals could ignore the interests of the Muslim minority which was a deciding factor in many of the electoral constituencies. The signing of the agreement was a genuine effort on the part of the Government of India to solve the minority problem. The ruling party tried to give adequate representation to Muslims in the Government. In September 1951,

Nehru urged the State Election Committees to put up representatives of the minority community in adequate numbers to justify the existence of joint electorates.⁴³

The numerical representation of the Muslims in legislatures had been poor in the elections during 1950-58. It was because most of the popular Muslim leaders had affiliations with the League and opted for Pakistan in 1947.⁴⁴ Those who remained in India were discredited by their past associations and found limited opportunities in the Congress Party. Muslims were not adequately represented in government services. There was communal discrimination in posts filled by departmental heads and by district and Municipal Boards. But for higher posts the difference was due to the existing educational gap. Young educated Muslims were tempted to migrate to Pakistan because of better employment opportunities existing there. The sense of fear and insecurity prevented many of them from even applying for government posts. They believed that there would be discrimination against them.⁴⁵ The Government of India tried to utilize every opportunity to solve the problem.

43 The Hindu, 27 September 1951.

44 Abul Hayat, "Role of Muslims in India," Vigil, Delhi, 1951, Vol. 2, p. 13.

45 D.E. Smith, India as a Secular State, (New Jersey, 1963), p. 418.

In Pakistan, Jinnah assured the minorities of equal rights and tried to do without the two-nation theory,⁴⁶ once Pakistan had been achieved. But the League gave no place to Hindus in its fold and the very presence of Hindus in the State was disturbing to the party. Pakistan lacked geographical unity and the League felt that the slogan of Islam could be the only factor of unity. So the League wanted to keep the religious sentiments at work. Islam was declared to be a State Religion and was to be propagated by State agencies. Inclusion of Islamic provisions in the constitution, in spite of protests from the minorities, relegated non-Islamic citizens to the rank of second grade citizens. Thus the Government seemed to be less interested in solving the problem.

(ii) National Security

During early fifties India did not face the problem of border security and in the realm of foreign policy she advocated the principles of co-existence and non-alignment. She did not have an expansionist policy and wanted friendly relations with her neighbours. Being a peace loving country, she did not pay much attention to her military

46 Qaid-i-Azam Mohammed Ali Jinnah, Speeches as Governor General of Pakistan, 1947-49 (Karachi, n.d.), pp. 8-9.

power. India's concern with the solution of the minority problem was motivated by two political considerations. First, she claimed Kashmir on the basis of her secular ideals.⁴⁷ If there was any major disruption of Muslim life in India, it would have adversely affected her case in the United Nations. The second consideration involved India's role as the leader of the Asian - Arab bloc in world affairs. Any news of mal-treatment of Muslims in India would have adversely affected India's leadership of the Asian - Arab bloc.⁴⁸ Further, the Muslim minority was about forty five million strong and India could not afford to ignore this fact, more particularly when Pakistan was out to exploit the situation.

The foremost problem of Pakistan was the defence of her borders. The problem was of perpetual concern for Pakistan leaders as they had fears that India was not reconciled to the creation of Pakistan. So the Hindus were neglected in army and government services. To improve her military strength Pakistan joined military pacts and aligned herself with the western powers. The geographical disunity of the country posed a danger to her very existence. East Pakistan was struggling for autonomy.

47 V.K. Krishna Menon's speech in Security Council on 24 January 1957, cited in Sisir Gupta, India's Relations with Pakistan (1954-57), New Delhi, 1958, p. 27.

48 D.E. Smith, n. 45 , p. 413.

The League leaders felt that the solution of minority problem would pose a danger to the West Pakistani domination over East Pakistan. Guaranteeing of equal rights to the Hindus would have meant the victory of East Pakistan in elections and this in turn would have 'tentamounted to a recognition of a combined Hindu-Muslim domination over the West',⁴⁹ In order to disunite the forces which were demanding autonomy for East Pakistan, the Government tried to curb the Hindu minority.

(iii) Economic Development

Another major factor which governed the attitude of India and Pakistan towards the minority problem was the economic development of the two countries. India enjoyed political stability as Congress Party got an absolute majority and formed the Government. India resorted to economic planning and embarked upon ambitious five year plans for achieving economic prosperity. The exodus of Hindus from East Pakistan to India involved huge expenses for the rehabilitation of the migrants which hampered India's economic growth. India ruled out the suggestions for the exchange of population and wanted such movements of minorities to stop. The economic pressures did not allow Government to adopt a policy of Muslim repression.

49 Times of Karachi (Karachi), 24 August 1954, Editorial.

Pakistan failed to enjoy stable Government.⁵⁰ The country could not produce a leader of Jinnah's stature and popularity. The political influence of Muslim League was on gradual decline. The political leaders were involved in power-politics and could not concentrate on economic planning. The problem of economic development of the country was thus ignored. East-West struggle in Pakistan forced the League leaders to harden their attitude towards Hindus who were dominating the East Pakistan economy. The law regarding abolition of Zamindari was aimed at getting rid of East Pakistani Hindus.

The Failure of Agreement

The agreement succeeded in solving temporarily the problem faced by India and Pakistan regarding the minorities. But it failed to provide a permanent solution and restore confidence among minorities. The sense of insecurity and fear persisted among the minorities of the two countries which led to exodus in 1951, 1954 and 1955-56. In 1951, prevailing war hysteria over Kashmir problem forced the minorities to migrate. Political instability in

50 During the period under study seven Government^s were formed in Pakistan. After Liaquat Ali Khan's assassination, Khawja Nazimuddin, Mohammed Ali, Ch. Mohd. Ali, H.S. Suhrawardy, I.I. Chundrigar and Feroz Khan Noon formed the Governments and with the abrogation of Constitution on 7 October 1958 democracy came to an end when ultimately Ayub Khan took over the Government.

Pakistan and the proposed inclusion of Islamic provisions in the Constitution led to movement of Hindus from East Pakistan to India in 1954. Whereas in 1955-56, the migration was caused by the adoption of Islamic Constitution in Pakistan, and various economic reasons. Communal political parties played a negative role in complicating the problem. Minority problem remained alive during 1950-58 due to sense of insecurity, war hysteria, economic factors and the adverse role of political parties.

(a) War Hysteria

In the initial stages, Indian and Pakistani press responded favourably to the agreement. A joint session of the Standing Committees of the Newspaper Editors Conference of India and Pakistan was held in Delhi on 4-5 May 1950. Nehru urged the editors to create a friendly atmosphere and sought their help in the implementation of the agreement. Nehru's appeal was responded to by a Pakistani editor, who said, 'Let us not compete in narrow mindedness but in the fields of tolerance and advocacy of peace'.⁵¹ The editors pledged themselves to stop fault finding and recrimination in the press and to promote 'good faith, goodwill and good understanding'

51 The Hindu, 5 May 1950.

among the two countries and the majority - minority communities.⁵² The leaders had also welcomed the agreement but the spirit of cooperation was short-lived and again the two countries were on the verge of war. In June 1951, the dates for the election of Kashmir Constituent Assembly were announced which was regarded by Pakistan as a provocative and defiant step. There were raids across the ceasefire line which led to the movement of troops on the borders. In Pakistan, the disagreement over the status of Kashmir was played up and given an anti-Hindu bias.⁵³ Because of the 'virulent war propaganda' about Kashmir in Pakistan press and the 'war psychosis', there was fresh exodus of Hindus from East Pakistan. Both countries blamed each other for the violation of the agreement. While Pakistan's Prime Minister blamed the Indian press and leaders for carrying on 'war propaganda' against Pakistan,⁵⁴ Nehru referred to an intensive and astonishing campaign of Jihad (holy war) and blamed Pakistan's warmongering tendencies for the fresh exodus from East Bengal.⁵⁵

52 Ibid., 6 May 1950.

53 Khushwant Singh, n. 11, p. 14.

54 Dawn, 16 July 1951.

55 Kessings Contemporary Archives, August 11-18, 1951, p. 1164B.

Government of India issued a White Paper on 4 August, which accused Pakistan of 'persistent war propaganda' against India and quoted extracts from speeches of Pakistani leaders, Radio broadcasts and press reports in support of the allegations. On 12 August, the Pakistan Government also issued a White Paper rejecting Indian charges. It made counter charges of 'war propaganda' by quoting extracts from speeches of Indian leaders, Radio broadcasts and press reports. Commenting on the 1955-56 Hindu exodus from East Bengal, Nehru blamed the hostile propaganda as the main cause which forced the Hindus to quit their homes.⁵⁶ The hostile propaganda carried on by both the Governments helped in the persistence of insecurity and fear in the minds of the minorities and always led to fresh wave of migrations.

(ii) Economic Causes

In India, the main grievance of the Muslims was the discrimination in the economic field. In some states the recruitment of Muslims was stopped on the ground that they were over-represented in the past. There was discrimination in recruitment at local level. In Mysore, they were included in the backward classes and got adequate repre-

56 Jawaharlal Nehru's Speeches, 1953-1957, Delhi, 1958, p. 354.

sentation in government services. In central services their representation amounted to only 2%.⁵⁷ The inadequate representation of Muslims in civil services was due to the existing educational gap at the time of partition. Young educated Muslims were migrating to Pakistan because of existing employment opportunities and the assumption that in India they were bound to be discriminated.⁵⁸ Even then quite a few selected Muslims were holding some high ranking positions in civil and political hierarchy.

In Pakistan, the Hindus always felt that they were being discriminated against. The fear of economic insecurity was the persistent cause of their large scale migration to India. The Hindu members of the Pakistan Constituent Assembly consistently charged the Government for harrasment of their community in the economic field. Private firms were pressurised by the Government to reduce the proportion of non-Muslim workers on grounds of suspicion.⁵⁹ On economic issues the members of the Constituent

57 Statement of Mahavir Tyagi, Union Minister of State for Defence, quoted in Moin Shakir, Muslims in Free India, (New Delhi, 1972), p. 12.

58 D.E. Smith, n. 45, p. 418.

59 See Keith Callard, n. 31, p. 262, for the extracts from the minutes of the Working Committee of the Provincial Muslim League on 28 September 1949 advising the Government that Muslim workers were preferred for employment in private companies and firms.

Assembly were clearly divided into two groups on communal lines. While Hindu members were advocating the economic interests of their community, Muslim members did not extend them support in this respect. Hindu members of the Pakistan Constituent Assembly were critical of the Government's policy of banning employment of Hindus in private firms⁶⁰ and requiring firms to seek prior permission of the Government for employing non-Muslims in their concerns.⁶¹ Virtually no Hindu was holding high administrative office at the centre or in East Pakistan. The Government claimed that Hindus did not take competitive examinations⁶² and if any one qualified and was offered a job, he did not join.⁶³ Calcutta was the centre of higher learning and all qualified young Hindus from East Pakistan preferred to stay in India due to the prevailing sense of economic insecurity and uncertainty about their

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- 60 D.N. Dutta's Speech in Pakistan Constituent Assembly, Debates, Karachi, 1951, Vol. 1, p. 598.
- 61 V.K. Krishna Menon blamed the East Pakistan Government's official circular asking firms not to employ non-Muslims in cloth trade and oil companies. Kashmir, V.K. Krishna Menon's Speech in the Security Council, January-February 1953, p. 82.
- 62 Pakistan Public Service Commission, Report on the Central Superior Services Examination, 1953, Part III says that out of 385 candidates who appeared in examination, only one candidate was Hindu.
- 63 Statement of East Bengal Chief Minister Nurul Amin in East Pakistan Legislative Assembly reported in The Hindu, 18 March 1953.

future. While speaking in the Pakistan National Assembly Prime Minister Suhrawardy blamed the Muslim League Governments in the past for not even offering any responsible post to the Hindus.⁶⁴ Due to political instability and East West struggle for power, leaders in Pakistan were involved in power-politics which led to economic stagnation of East Pakistan. Economic stagnation was the main reason for the 1955-56 migration of East Pakistani Hindus. Nehru described the 'deteriorating economic conditions in East Pakistan' as the main factor which tempted Hindus to migrate to India.⁶⁵ Pakistan Government denied it and attributed the fresh exodus to the West Bengal Government note making a person who had entered West Bengal between June 1947 and December 31, 1954, eligible for rehabilitation.⁶⁶ Indian Government was firm in its belief that large scale migration was caused by deteriorating economic conditions in East Pakistan which adversely affected the Hindus. The abolition of Zamindari added to the economic grievances of Hindus who had to lose their property as a result of this enactment. Indian stand was upheld

64 Dawn, 11 October 1956.

65 Parliamentary Debates, India, Lok Sabha, 24 March 1955, Vol. 2, Part I, Col. 1396.

66 Dawn, 28 March 1955.

by foreign press which regarded the serious shortfall in food production and unsettled economic conditions in East Pakistan as 'responsible for continuing migratory movement of Hindus',⁶⁷

(iii) Sense of Insecurity and Fear

The minorities in India and Pakistan could not reconcile to the sudden violent change, which took place as a result of the partition and created a sense of insecurity and fear in them. This persisted and was the major cause of pre-agreement riots in both the countries. The minorities looked at the agreement as the real solution of their problem but its working revealed its shortcomings and the hopes of minorities for living a better life were shattered. Within six months of the signing of the agreement J.N. Mandal, the only Hindu untouchable member of the Pakistan cabinet, resigned with the protest that the agreement had never been implemented and could never be a real solution of the minority problem. He said that the future of Hindus in Pakistan was darkened by the ominous shadow of conversion or liquidation. The only solution according to him could be that either East Bengal should form part of Indian Union or East Bengali Hindus should be settled in India.⁶⁸ After partition the

67 The Annual Register, (London), 1956, p. 108.

68 For text of J.N. Mandal's letter of resignation see the Report of the Indian Commission of Jurist, Recurrent Exodus of Minorities from East Pakistan and disturbances in India, (New Delhi, 1965), Appendix IV, pp.354-72.

Muslim political elite had left for Pakistan and those who remained in India were on the defensive because of their previous commitment with the League ideology. Hindu fanatic elements had doubts about their centre of loyalty and never trusted them as fellow citizens. Hence they were taken as a liability rather than an asset. Muslims felt that they were being discriminated against as Hindus expressed doubts about their loyalty and patriotism.⁶⁹ Further the Constitution of India abolished special privileges and reservation in services for the Muslims. Adult franchise and common electorates replaced separate and limited electorate. It increased the grievances of the Muslims and added to their fear and frustration. The recurrence of communal riots, inspite of Government's best efforts affected the attitude of the minorities which were uncertain about their future.

In Pakistan, the adoption of Islamic Constitution, the controversy about the system of franchise and the economic discrimination against Hindus added to the sense of frustration and insecurity of the Hindu minority. The resignation of the only Hindu member of Pakistan cabinet over the partial attitude of the Government increased suspicion that Pakistan Government did not care for Hindus. The Pakistan Government did not fulfil her obligations

69 Moin Shakir, n. 57, p. 7.

arising out of the agreement regarding the administrative and Constitutional safeguards. The Hindu minority reacted by saying that the Pakistan Government was not ready to honour her international commitments which was an evidence of her communal attitude. The Governments indifference towards the occurrence of communal riots caused misapprehensions in the minds of the Hindu community. The propaganda for reunification of India and Pakistan⁷⁰ and suggestions for demanding additional territory for settling East Pakistani Hindu refugees⁷¹ carried on by Hindu political parties in India hardened the attitude of Pakistan towards its Hindu minority which in turn created distrust in the minds of the minorities.

Conclusion

The immediate problem faced by India and Pakistan in the post independent era was of achieving stability in economic and political fields. The economic development of the two countries demanded that the minority problem should be solved so that it should not be a hinderance in

70 1952 Election Manifesto of Mahasabha, All India Forward Bloc and 1957 Election Manifesto of Jana Sangh.

71 Organiser, 14 April 1958, p. 12.

the economic sphere. The Indian National Congress, which led the independence movement on the committed principles of secular and democratic set up of the nation, formed the Government in India. Its leaders were sincere in solving the minority problem. But the political forces in Pakistan favoured the continuance of this problem and desired status quo in the power politics. The Muslim League had succeeded in achieving monopoly to represent the Muslim masses of Pakistan on the basis of two-nation theory and in order to retain unopposed leadership and political control, it wanted the differences between the Muslims and Hindus to persist. In order to be successful in its aim, it played upon the communal passions of the people and did not enforce the agreement sincerely. The commitment of the two countries to two opposite ideologies reduced the agreement to 'a paper agreement'.⁷² Furthermore, the recurrence of communal riots made the position of the minorities more insecure and the agreement failed to generate confidence amongst affected minorities of both the countries. The Nehru-Liaquat Agreement 'flickered only for a short while'⁷³ and the minority problem persisted during the period.

72 S.M. Burke, Pakistan's Foreign Policy - A Historical Analysis, (London, 1973), p. 58.

73 Kuldip Nayar, Distant Neighbours - A Tale of the Subcontinent, (Delhi, 1972), p. 140.

CHAPTER V

CONCLUSION

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The belief of the majority of the Muslims that their interests were in conflict with those of the Hindus was the prime cause of the partition of India. It was expected that partition would resolve this conflict. But the partition left unsolved the problem of minorities within the two countries. The ideological conflict between India and Pakistan had its bearing on the position of minorities in both the countries. It affected millions of people in these countries.

The religious minorities were the worst sufferers of the partition, which was followed by the largest ever movement of population of both sides of the border. While millions of people crossed over from one State to another, about twelve million Hindus preferred to stay in Pakistan and forty-five million Muslims remained in India. The migration was not peaceful and communal massacre on an unprecedented scale was witnessed in both countries. The economic realities of the two countries did not allow complete transfer of population. The minority problem affected the relationship between the two countries. The issue was further complicated as India expressed concern about Hindus in Pakistan and Pakistan for Muslims living in India. The hopes of prosperity and progress of the minorities depended upon close and friendly relations of the

two countries. The tension between the two countries made the position of the minorities precarious. The large scale bloodshed during communal riots led India and Pakistan to enter into two agreements in 1948 to safeguard the interests of minorities and remove the sense of insecurity and fear from the minds of the minorities. But these agreements failed in achieving the aim and communal riots and exodus occurred again in 1949-50. By the end of March 1950, the atmosphere became tense and full of explosive possibilities and an armed conflict was feared between the two newly independent countries. The very intensity of the crisis forced the two countries to resolve the dispute peacefully in the form of Nehru-Liaquat Agreement which was signed on 8 April 1950.

India and Pakistan faced immediate problems of economic development and political stability. Economically both India and Pakistan were underdeveloped and much was needed to improve the lot of masses. The increasing burden of refugees was unbearable for the economies of the two countries. India-Pakistan trade relations were at standstill. Jute growers were suffering in East Bengal while jute mills in West Bengal were not running due to non-availability of jute and workers were jobless. Some political circles in India were suggesting transfer of population as the only solution of the problem. Indian

leaders' faith in democratic and secular principles did not allow them to propagate and accept these suggestions. Pakistan's economy was not in a position to withstand the burden of forty-five million Muslims living in India. The minorities were in complete dark about their future. Their main concern was about the security of life and property. The members of the minority were aware that fair treatment of the minority in the other country in turn would guarantee their own security and welfare.

The agreement generated an atmosphere of friendship and cordiality. As a short term consequence of it, the relations between the two countries improved and the chances of peace in the sub-continent became bright. It averted war and led to the revival of trade relations of the two countries. The proposal regarding the transfer of population was ruled out and minorities were advised to be loyal to their respective countries. In order to restore confidence amongst the members of the minority community, both the countries assured equal rights to them. Ministers of minority affairs were appointed and minorities were given representation in the Governments of the riots affected States. Commissions of enquiry were appointed to go into the reasons of the recurrence of riots and suggest remedies for their prevention in future. These steps at governmental level, positive response of the political parties and the constructive role played by the press helped in

the restoration of confidence in the minorities in the immediate post agreement period. The number of migrants from one country to another decreased and the Prime Ministers of both India and Pakistan confirmed reports about the reversal in the process of flow of migrants. But the agreement failed in its long term objective of restoring confidence amongst minorities. There were scenes of large scale migrations on Bengal border again in 1951, 1954 and 1955-56. The recurrence of communal riots shattered the hopes of the minorities and the sense of insecurity and fear prevailed again. The economic condition of the minorities deteriorated in the two countries. In India, it was difficult for the Muslims to get jobs in Hindu concerns while in East Bengal the Government itself followed a sectarian policy and the private employees were instructed not to employ Hindus. Hindus kept migrating to West Bengal where they could get better job opportunities. Muslims kept going to Pakistan where better job potentials existed for them. The agreement could not help in maintaining a peaceful atmosphere for long. Within one year of the signing of the agreement the dispute over Kashmir erupted again and the atmosphere of goodwill and cooperation was vitiated by virulent propaganda carried on by political parties, press and radio in both the countries. While the agreement achieved the immediate objective of removing

the threat of an imminent war between the two countries, it failed in its long term objective of instilling a sense of security in the minorities.¹

The agreement referred only to the immediate problem affecting East Bengal, West Bengal Assam and Tripura and did not refer to the problem as a whole. It lacked sanctions. The parties to the agreement were aware that its enforcement depended upon their sweet will. A major shortcoming of the agreement was that it provided no remedy in case of its violation by either of the parties. It left economic issues untouched. While it concentrated on providing political equality to the minorities, it did not touch the economic aspect of the lives of the minorities. No attempt was made to improve the general economic condition of the suffering minorities. India and Pakistan agreed to take prompt and effective steps to prevent mischievous propaganda aimed at arousing communal passions. It was also agreed not to permit any kind of propaganda against the territorial integrity of the two countries. But it was not possible to enforce this part of the agreement in a democratic set up. Both the Governments were not in a position to ban communal organisations or to control the means of propaganda.

1 G.W. Choudhury, Pakistan's Relations with India 1947-1966 (London, 1968), p. 199.

The agreement also referred to the creation of peaceful atmosphere for solving the other disputes amicably. But the dispute over Kashmir was the major problem which posed a danger to the very basis of communal harmony and the same was still left unresolved.

The agreement could not help the two countries in regard to the solution of the existing disputes amicably and the relations of the two countries were again tense in 1951 over the Kashmir issue. The deterioration of the relations resulted in the adoption of warlike postures by both countries. Both the Governments blamed each other for precipitating the crisis and carrying on hostile propaganda against each other, which added to the sense of insecurity and fear of the minorities who had not yet recovered from the shocks and sad memory of the riots of 1949-50. No attempt was made to stop the chauvinistic propaganda being carried on by press, radio and political parties. Communal parties exploited the situation to arouse the passions of the people against the minorities and to a large extent spoiled the chances of solving the existing disputes in a peaceful atmosphere. In the existing state of relations between the two countries, war hysteria created uncertainty in the minds of non-Muslim population of Pakistan and Muslim population of India.²

2 Sisir Gupta, India's Relations with Pakistan, 1954-57
(Delhi, 1958), p. 48.

India and Pakistan were committed to different and opposite ideologies. The Congress leaders had fought for independence on the principle of secularism and were committed to enforce it in independent India, while the Muslim League achieved its aim of Pakistan by propagating enmity between the Hindus and Muslims. The League leaders even after the creation of Pakistan insisted on this line of propaganda to maintain the integrity of their country and consolidate their power. The insistence on the pursuance of different ideologies affected the position of the minorities in both the countries. In Pakistan, no attempt was made to separate state from religion. The Pakistan Constituent Assembly adopted Islamic principles in the 1956 Constitution and insisted on having separate electorate. Even though by signing the agreement Pakistan had assured the minorities of equal rights, it adopted an Islamic Constitution in which non-Muslims were bound to be regarded as second grade citizens. Thus Pakistan failed to honour her commitment which in turn increased the sense of insecurity in the minority community and led to mass migration of Hindus from East Bengal to India in 1954 and 1955-56.

In the post-independent era, India enjoyed stable government and the Congress Party came to power in the general elections held in 1952 and 1957. The problem of

national integration was tackled through the slogan of 'unity in diversity'. The Government could not ignore the importance of minorities which formed a big size of Indian population. On the contrary, Pakistan failed to enjoy a stable government. After the 1945 elections, the Muslim League had emerged as the sole representative of Muslim masses. It came into power by exploiting the religious sentiments of the Muslims. It considered Islam to be a factor of unity of Muslims which was used as an instrument to further its political ends. Shortly after the creation of Pakistan, East Bengal started struggling for autonomy against the domination of West Pakistan. The Government regarded the presence of large minority population in East Bengal as a threat to West Pakistani control over East Bengal. It felt that the solution of the minority problem would accentuate the struggle for autonomy and unite the political forces in East Bengal against the Western wing. In order to keep itself in power and suppress East Bengal, it wanted the communal tension to persist so that the people in East Bengal were involved in internal affairs. The Hindus in East Bengal were curbed in order to disunite the forces demanding autonomy. When in 1954, the Hindu-supported Fazlul Haq ministry came to power, in East Bengal, the Governor General imposed Governor's rule on the pretext of labour riots and it resulted in the migration of the Hindus to India. Political

instability in Pakistan was obvious. Frequent changes of Government after the assassination of Liaquat-Ali Khan, culminated in the proclamation of military rule in 1958.

The most notable omission of the agreement was the economic aspects of the minority problem. It did not mention the ways to improve the lot of the affected minorities. Both the countries were economically underdeveloped and great efforts were required to improve the economic condition of the people. India enjoyed political stability and embarked upon the process of economic planning. The political leaders in Pakistan were busy in the struggle for political power and they did not pay attention to economic planning. East Bengal was industrially backward and economic stagnation forced Hindus to migrate to West Bengal. Better job opportunities in Pakistan tempted young educated Indian Muslims to migrate. Because of East Bengal Government's policy of repression, Hindus could not get jobs there and were forced to leave the country.

The minority problem was directly related to the nature of political relationship between India and Pakistan. Whenever their relations deteriorated, the minorities were exposed to dangers and threats causing a sense of insecurity and fear in them. The hopes of prosperity and progress of the minorities depended upon the establish-

ment of close and friendly ties between the two countries. The Nehru-Liaquat Agreement was an endeavour to avert an immediately explosive situation and was dealt in isolation of other existing differences between the two countries. Any attempt to safeguard the position of the minorities in one country without a general policy of friendship towards the other was bound to fail. While the relations between the two countries continued to be tense, the minorities were bound to suffer. The political relations were not likely to improve unless the Kashmir problem was solved. Pakistan claimed Kashmir for the fulfilment of its two-nation theory, whereas India wanted to retain Kashmir to strengthen its secular base. This ideological conflict was the main hinderance in the solution of Kashmir problem. The economic condition of the minorities deteriorated and further aggravated the total minority problem. The problem could perhaps be solved better by laying more emphasis on economic well being of the minorities in the two countries.

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APPENDIX I

APPENDIX I

NEHRU-LIAQUAT AGREEMENT, APRIL 8, 1950.

A. The Government of India and Pakistan solemnly agree that each shall ensure, to the minorities throughout its territory, complete equality of citizenship, irrespective of religion, full sense of security in respect of life, culture, property and personal honour, freedom of movement with each country and freedom of occupation, speech and worship, subject to law and morality. Members of the minorities shall have equal opportunity with members of the majority community to participate in the public life of their country, to hold political or other office, and to serve in their country's civil and armed forces. Both Governments declare these rights to be fundamental and undertake to enforce them effectively. The Prime Minister of India has drawn attention to the fact that these rights are guaranteed to all minorities in India by its Constitution. The Prime Minister of Pakistan has pointed out that similar provision exists in the Objectives Resolution adopted by the Constituent Assembly of Pakistan. It is the policy of both Governments that the enjoyment of these democratic rights shall be assured to all their nationals without distinction.

Both Governments wish to emphasize that the allegiance and loyalty of the minorities is to the State of which they are citizens, and that it is to the Government of their

own State that they should look for the redress of their grievances.

B. In respect of migrants from East Bengal, West Bengal, Assam and Tripura, where communal disturbances have recently occurred, it is agreed between the two Governments:

(i) That there shall be freedom of movement and protection in transit;

(ii) That there shall be freedom to remove as much of his moveable personal effects and household goods as a migrant may wish to take with him. Moveable property shall include personal jewellery. The maximum cash allowed to each adult migrant will be Rs. 150/- and to each migrant child Rs. 75/-;

(iii) That a migrant may deposit such of his personal jewellery or cash as he does not wish to take with him with a bank. A proper receipt shall be furnished to him by the bank for cash or jewellery thus deposited and facilities shall be provided, as and when required for their transfer to him, subject as regards cash to the exchange regulations of the Government concerned;

(iv) That there shall be no harassment by the customs authorities. At each customs post agreed upon by the Governments concerned, Liaison Officers of the other Government shall be posted to ensure this in practice;

(v) Rights of ownership in or occupancy of the immovable property of a migrant shall not be disturbed.

If, during his absence, such property is occupied by another person, it shall be returned to him provided that he comes back by the 31st December 1950. Where the migrant was a cultivating owner or tenant, the land shall be restored to him provided that he returns not later than the 31 December 1950. In exceptional cases, if a Government considers that a migrant's immovable property cannot be returned to him, the matter shall be referred to the appropriate Minority Commission for advice.

Where restoration of immovable property to the migrant who returns within the specified period is found not possible the Government concerned shall take steps to rehabilitate him.

(vi) That in case of a migrant who decides not to return, ownership of all his immovable property shall continue to vest in him and he shall have unrestricted right to dispose of it by sale, by exchange with an evacuee in the other country, or otherwise. A committee consisting of three representatives of minorities and presided over by a representative of Government shall act as trustees of the owner. The Committee shall be empowered to recover rent for such immovable property according to law.

The Governments of East Bengal, West Bengal, Assam and Tripura shall enact the necessary legislation to set up these committees.

The Provincial or State Government as the case may be, will instruct the District or other appropriate authority to give all possible assistance for the discharge of the committees' functions.

The Provisions of this sub-paragraph shall also apply to migrants who may have left East Bengal for any part of India, or West Bengal, Assam, or Tripura for any part of Pakistan, prior to the recent disturbances but after the 15th August 1947. The arrangements in this sub-paragraph will apply also to migrants who have left Bihar or East Bengal owing to communal disturbances or fear thereof.

C. As regards the province of East Bengal and each of the States of West Bengal, Assam, and Tripura respectively the two Governments further agree that they shall:

(1) Continue their efforts to restore normal conditions and shall take suitable measures to prevent recurrence of disorder.

(2) Punish all those who are found guilty of offences against persons and property and of other criminal offences. In view of their deterrent effect, collective fines shall be imposed, where necessary. Special courts will, where necessary, be appointed to ensure that wrong doers are promptly punished.

(3) Make every possible effort to recover looted property.

(4) Set up immediately an agency, with which representatives of the minority shall be associated, to assist in the recovery of abducted women.

(5) Not recognise forced conversions. Any conversion effected during a period of communal disturbance shall be deemed to be forced conversion. Those found guilty of converting people forcefully shall be punished.

(6) Set up a Commission of Enquiry at once to enquire into an report on the causes and extent of the recent disturbances and to make recommendations with a view to preventing recrudescence of similar trouble in future. The personnel of the Commission, which shall be presided by a Judge of the High Court, shall be such as to inspire confidence among the minority.

(7) Take prompt and effective steps to prevent the dissemination of news and mischievous opinion calculated to rouse communal passion by press or radio or by any individual or organisation. Those guilty of such activity shall rigorously dealt with.

(8) Not permit propaganda in either country directed against the territorial integrity of the other or purporting to incite war between them and shall take prompt and effective action against any individual or organisation guilty of such propaganda.

Sub-paragraphs (1), (2), (3), (4), (5), (7) and (8) of C of the Agreement are of general scope and applicable

according to exigency to any part of India.

E. In order to help restore confidence, so that refugees may return to their homes, the two Governments have decided:

(i) to depute two Ministers, one from each Government to remain in the effected areas for such period as may be necessary;

(ii) to include in the cabinet of East Bengal, West Bengal and Assam a representative of the minority community. In Assam the minority community is already represented in the cabinet. Appointments to the cabinets of East Bengal and West Bengal shall be made immediately.

F. In order to assist in the implementation of this Agreement, the two Governments have decided, apart from the deputation of their Ministers referred to in E, to set up Minority Commissions, one for East Bengal, one for West Bengal and one for Assam. These Commissions will be constituted and will have the functions described below:

(i) Each Commission will consist of one Minister of the Provincial or State Government concerned, who will be chairman, and one representative each of the majority and minority communities from East Bengal, West Bengal, and Assam, chosen by and from among their respective representatives in the Provincial or State Legislatures, as the case may be.

(ii) The two Ministers of the Governments of India and Pakistan may attend and participate in any meeting of any Commission. A Minority Commission or any two Minority Commissions jointly shall meet when so required by either Central Minister for the satisfactory implementation of this Agreement.

(iii) Each Commission shall appoint such staff as it seems necessary for the proper discharge of its functions and shall determine its own procedure.

(iv) Each Commission shall maintain contact with the minorities in districts and small administrative headquarters through Minority Boards formed in accordance with the Inter-Dominion Agreement of December, 1948.

(v) The Minority Commissions in East Bengal and West Bengal shall replace the Provincial Minorities Boards set up under the Inter-Dominion Agreement of December, 1948.

(vi) The two Ministers of the Central Government will from time to time consult such persons or organisations as they may consider necessary.

(vii) The functions of the Minority Commission shall be:

- (a) to observe and to report on the implementation of this Agreement and, for this purpose, to take cognizance of breaches or neglect;
- (b) to advise on action to be taken on their recommendations.

(viii) Each Commission shall submit reports, as and when necessary, to the Provincial and State Governments

concerned. Copies of such reports will be submitted simultaneously to the two Central Ministers during the period referred to in E.

(ix) The Governments of India and Pakistan and the State and Provincial Governments will normally give effect to recommendations that concern them when such recommendations are supported by both the Central Ministers. In the event of disagreement between the two Central Ministers, the matter shall be referred to the Prime Ministers of India and Pakistan who shall either resolve it themselves or determine the agency and procedure by which it will be resolved.

(x) In respect of Tripura, the two Central Ministers shall constitute a Commission and shall discharge the functions that are assigned under the Agreement to the Minority Commissions for East Bengal, West Bengal and Assam. Before the expiration of the period referred to in E, the two Central Ministers shall make recommendations for the establishment in Tripura of appropriate machinery to discharge the functions of the Minority Commissions envisaged in respect of East Bengal, West Bengal and Assam.

G. Except where modified by this Agreement, the Inter-Dominion Agreement of December, 1948 shall remain in force.