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Simon Commission (India Statutory Commission, 1928): A Case Study

Dr. Hareet Kumar Meena

Assistant Professor, Department of History, Indira Gandhi National Tribal University, Madhya Pradesh, India

Abstract:

In 1927, the Indian national freedom movement was at one of its periodic low level. A number of deadlocks as Hindu-Muslim riots, financial stringency and the frustration of living under an almost unworkable constitution had made the Indian political scenario quite dissatisfactory. In that time span a unifying and galvanizing issue was required to mobilize the freedom struggle, which was initiated by the British Parliament. Under section 84 of the Government of India Act, 1919, a Statutory Commission was to be appointed at the expiration of ten years after the passing of the Act for the purpose of inquiring into the working of the system of Government and the development of representative institutions in India. It was assumed that the proposed Commission will extend, modify or restrict the degree of responsible government existing in India. However, the structure or composition of the Commission - an all white membership - made it impossible for the Commission to carve out something worthy for Indian public. Moreover, till this time, the nationalist leaders were no longer convinced by the entrenched historical fact that Britain was the only guide for India or that it even needed a mentor.

Keywords: Government of India Act 1919, statutory commission, dominion status, dyarchy, Nehru report

1. Introduction

Though offering far more advanced constitutional reforms than ever before, the Government of India Act of 1919 articulated the underlying racial, cultural and social dichotomies of its authors. The continued authority of the British at the center, the reliance on race as an important element of politics, the pedagogical nature of the reforms and the decision to appoint commissions to review and assess Indian compatibility with democratic institutions clearly reflected Britain's negative opinion of Indian political and intellectual thought (Aggarwal, 1967; Bakshi, 1976). Hence, as Britain made political gestures toward greater Indian independence, it continued to undermine this political stance with its deeply embedded biasness toward India. The Simon Commission and other constitutional reforms in India must be seen within tills tension between Britain's political move to provide greater independence in India, through constitutional reform, and its inability to escape the racial, cultural and social dichotomies that had long justified imperial rule assumptions (Andrews, 1930).

In the late 1920s, the Conservative government, then in power in Britain, feared imminent electoral defeat at the hands of the Labour Party and also feared the effects of the consequent transference of control of India to such an 'inexperienced body.' Hence, it appointed seven MPs to constitute the commission that would look into the state of Indian constitutional affairs (Bayly, 1988; Brown, 1994; Chopra, 2003). At the same time, an All-India Committee for Cooperation with the Simon Commission was established by the acting Viceroy Lord Irwin (1926-31). The members of the committee were- Sir C. Sankaran Nair (Chairman), Sir Arthur Froom, Rajah Nawab Ali Khan, Sardar Shivdev Singh Uberoi, Nawab Sir Zulfiqar Ali Khan, Sir Hari Singh Gour, Sir Abdullah Al-Mamun Suhrawardy, Kikabhaj Premchand and Rao Bahadur M. C. Rajah (Chandra, 1989).

2. Objectives

The paper deciphers the hidden aim of the alien government in their attempt to solve constitutional deadlock in India. It also explicates how the Colonial masters tried for another British imposition through the Commission headed by John Simon.

3. Prologue of John Simon and Other Members

Simon was on the right wing of the declining Liberal party who later became the leader of the National Liberals. Simon was Birkenhead's choice; and like Birkenhead he was a brilliant lawyer. Although a front-rank Liberal, he had all the attributes that Birkenhead required. Moreover, he had been a close friend of Birkenhead's since they had played in the Wadham XV together at Oxford and gone on to the Bar and politics (Bence, 1982). Like Birkenhead, Simon had a brilliant legal career; unlike him, he had what Birkenhead called 'great subtlety and "tact"'. Attlee along with Vernon Hartshorn, the Labour Party representative, wrote of Simon, "He was at his best when a decision had not to be taken." The other four commissioners were staunchly conservative. Lord Burnham, editor of the Daily Telegraph, was an unashamed imperialist, Edward Cadogan believed 'in the great imperial idea', George Lane-Fox was related to both Baldwin and Lord Irwin, and Lord Strathcona had decidedly anti-black attitude. Strathcona believed they were sent on the Commission to give it a certain elegant demeanour and make things socially easier for Lord Irwin. The main purpose of the Commission was to be a show of strength, Indians liking the aristocracy and being great snobs. They were called the 'simple seven' (Bakshi, 1976).

Studies carried out so far suggest that Simon was given two directives by British Parliament. Firstly, to assess India's progress toward responsible government since the Government of India Act of 1919 was passed. Secondly, to draft a report that made recommendations for further constitutional reform. British officials and Indian leaders alike were well aware that its unspoken mission was to create the groundwork upon which a new constitution, which gave Indians more responsibility while securing the British imperial rule. Simon made it clear in front of the House of Commons before leaving for India for the first visit (Bence, 1982; Cohn, 1961; Dutton, 1998). He said, "The British have a tremendous responsibility to the peoples of India which cannot be denied or evaded, for it is rooted in history and in the facts of the world today. If therefore the future of India is to be one of peaceful progress it can only come about by the action of the British Parliament combined with the cooperation of India itself. The Commission does not go to India with any idea of imposing Western ideas or constitutional forms from without; we go to listen, to learn, and faithfully to report our conclusions as to actual conditions and varying proposals from within." However in reality the declaration of Simon was just an extension of mighty British rule in India.

4. Covert Agenda and Objectives of the Commission

Indian nationalists had been demanding an early launching of the Commission since, which was a necessary precursor to the further devolution of power from British to Indian hands. Thus, when Birkenhead announced of the appointment of the Statutory Commission on 8th November, 1927, two years ahead of the scheduled date, he could present it as a concession to Indian political opinion (Bakshi, 1976). However, the reality, as Birkenhead himself wrote was rather different, "When I made my speech in the House of Lords suggesting that it might be possible to accelerate the Commission of 1928, if some measure of co-operation were forthcoming in India, I always had it plainly in mind that we could not afford to run the slightest risk that the nomination of the Commission should be in the hands of our successors. You can readily imagine what kind of Commission in its personnel would have been appointed by Colonel Wedgwood and his friends. I have, therefore, throughout been of the clear opinion that it would be necessary for us, as a matter of elementary prudence, to appoint the Commission not later than the summer of 1927. If, therefore, we take the view that we are not prepared to run the slightest political risks in a problem so grave and so decisive of the future of India, it becomes evident that we ought to aim for the best possible terms from our opponents in compensation for a concession which, rightly considered, is no concession at all, because our own interests imperatively require that we should make it (Indian Statutory Commission Report, 1928)."

On 8th November 1927, presenting makeup and method of operation of the Commission to the India Public, Lord Irwin stated that, "The question of what should be the composition of the Commission is one to which the answer must inevitably be greatly influenced by the nature of the task which Parliament has to perform in the light of its advice. In order that the decision at which His Majesty's Government has arrived may be fully understood, it is necessary to state in a few words what they conceive that task to be. If it were simply the drawing up of a Constitution which Parliament would impose on India from without, the problem would be comparatively simple. But that is not how His Majesty's Government conceives it. The preamble of the Act of 1919 recognized that with the development of Indian political thought during the last generation, legitimate aspirations towards responsible government had been formed of which account must be taken."

The newly appointed viceroy, Lord Irwin, making the worst misjudgment of his Indian career, wrote to Birkenhead that he would recommend a small parliamentary commission of five men which would come to a well-considered judgement. Birkenhead preferred a mixed commission, as 'divergent Hindu and Muslim reports' might be of great assistance to us if the Commission took the view that a very considerable advance was not to be recommended (Holland, 1981; Cohn, 1961). However, Birkenhead was also worried that the Indians might sink their differences and team up with the labour representatives to recommend a major shift of power to Indians. Probably, on the basis of this concern he accepted Irwin's recommendation. He stated, "The official rationale for limiting to Englishmen membership of the Simon Commission was that if Indians or bureaucrats became members, they would bring to the evaluation preconceived notions and thereby affect the commission's findings and the readiness with which Parliament would accept its report." To head the Commission he selected Sir John Simon while the other members were little known. However, one of the two labour members was Clement Attlee, who later became British Prime Minister.

5. Recommendations of the Commission

The first principle which was laid down by the Commission was that the new constitution should, as far as possible, contain within itself provision for its own development. It should not lay down too rigid and uniform a plan, but should allow for natural growth and diversity. Constitutional progress should be the outcome of practical experience. Where further legislation is required, it should result from the needs of the time, not from the arbitrary demands of a fixed time-table (Chandra, 1989). The Preamble to the Government of India Act declares that progress in giving effect to the policy of the progressive realization of responsible government in British India can only be achieved by successive stages.

Secondly, it stated that Dyarchy should be scrapped and Ministers responsible to the Legislature would be entrusted with all provincial areas of responsibility. However, safeguards were considered necessary in areas such as the maintenance of peace and tranquility and the protection of the legitimate interest of the minorities. These safeguards would be provided, mainly, by the grant of special powers to the Governor.

Thirdly, the Report considered that a formally federal union, including both British India and the Princely States, was the only long-term solution for a united India. Lastly, immediate recommendations were made for the Centre in order to help the growth of political consciousness in the people, the franchise should be extended; and the Legislature enlarged. The Report strongly opposed the introduction of Dyarchy at the Centre (Chandra, 1989; Sarkar, 1983).

6. Consequences of the Commission

It is a fact that the appointment of the “all-white” Simon Commission reinvigorated Indian Nationalism to a high pitch of activity which would have a major impact throughout the remaining years of the British Raj. On the issue of boycotting the Commission, Lord Birkenhead challenged Indian nationalist leaders to prepare an agreed constitution and submit it to the Parliament for further workings to establish responsible government in India. This led, in short order, to the development of the all-party Nehru Report. In September 1928 Motilal Nehru presented his Nehru Report to counter British charges that Indians could not find a constitutional consensus among themselves. Nehru Report advocated a constitution based on the principle of responsible government on the lines of self-governing dominions within the British Empire. On 31st Dec. 1929, at Lahore annual session, the Congress adopted the resolution of Complete Independence (Puran Swaraj) as its ultimate objective (Nehru, 1989). The Nehru Report, along with that of the Simon Commission, was provided to the participants of three Indian Round Table Conferences (1931-33) held in England. However, the Government of India Act 1935 owes much to the Simon Commission report and little, if anything to the Nehru Report.

Secondly, Clement Attlee got his lesson about Indian political maturity. He became aware of the broaden outlook of the Indian nationalist leaders. As we know that, both he and Simon were involved in developing Indian policy during the Second World War and Attlee headed the labour Government that Granted India independence in 1947.

The third outcome of the Simon Commission was the Government of India Act 1935, which established representative government at the provincial level in India and is the basis of many parts of the Indian Constitution (Sarkar, 1983). In 1937, the first elections were held in the Provinces, resulting in Congress Governments being returned in almost all Provinces.

Last but not least, the Simon boycott lobbying provided the first experience of political action to a novel production of youth. They acted as the most active elements in this protest and it was they who gave the freedom movement a militant flavour. Jawaharlal Nehru and Subhash Chandra Bose emerged as the leaders of this new wave of youth. Both travelled every nook and the corner of the country addressing over innumerable youth conferences. This scenario proved a fruitful ground for the germination and spread of the new radical ideas of socialism that had begun to reach Indian shores (Nehru, 1989; Viswanathan, 1988). Jawaharlal Nehru returned from Europe in 1927 after representing the Indian National Congress at the Brussels Congress of the league against Imperialism. He also visited the Soviet Union and was deeply impressed by socialist ideas. Although Jawaharlal Nehru's was undoubtedly played the most important role, other groups and individuals too played a crucial part in the popularization of the socialist vision. Subhash Chandra Bose was one such individual, though his notion of socialism was nowhere as scientific and clear as compared to Jawaharlal Nehru. Among groups, the more important ones were the Naujawan Bharat Sabha in Lahore and the small group of Communists who had formed the Workers and Peasants Parties (WPP) with the specific aim of organizing workers and peasants and radicalizing the Congress from within (Guha, 1989).

7. Indian Response towards the Commission

The people of the Indian subcontinent were outraged and felt insulted, as the Simon Commission, which was to determine the future of India, did not include a single Indian member in it. The Indian National Congress, at its December 1927 meeting, resolved to boycott the Commission and challenge Lord Birkenhead, the Secretary of State for India, to draft a constitution that would be acceptable to the Indian populace.

Almost immediately with its arrival in Bombay on February 3, 1928, the Simon Commission was confronted by throngs of protestors. The entire country observed a strike and many people turned out to greet the Commission with black flags. The slogan of the protest movements throughout the country was “Simon Go Back (Mukherjee, 2002; Kumar, 2006).” Similar protests occurred in every major Indian city that the seven British MPs visited. However, one protest against the Simon Commission would gain infamy above all the others. On 30th October 1928, the Simon Commission arrived in Lahore where, as with the rest of the country, its arrival was met with massive amounts of protestors. The Lahore protest was led by Indian nationalist Lala Lajpat Rai, who had moved a resolution against the Commission in the Legislative Assembly of Punjab in February 1928. In order to make way for the Commission, the local police force began beating protestors with their sticks. The police were particularly brutal towards Lala Lajpat Rai, who died later that day (Indian Statutory Commission Report, 1988).

As we know that the most important aim of a new constitution, from the British point of view, was to attract to their support from Liberals or moderate Congress members while retaining the support of most Muslims and the rulers of the princely states. However, when news reached India that the Commission would be “all-white”, the Congress and the Muslim followers of Jinnah announced that they would boycott all its proceedings (Maheshwari, 1970). Moreover, Tej Bahadur Sapru and Jaykar also announced that they would boycott the Commission.

8. Conclusion

The Indian Statutory Commission was a group of seven British Members of Parliament who were dispatched to India in 1927 to study and solve constitutional deadlock. It was commonly referred as Simon Commission after its chairman, Sir John Simon. Under section 84 of the Government of India Act, 1919, a Statutory Commission would be appointed at the expiration of ten years after the passing of the Act. The proposed Commission will investigate into the working of the system of Government and the development of representative institutions in India, with a view to extend, modify or restrict the degree of responsible government in India. Its composition met with a storm of criticism in India as Indians were excluded from its membership. Lord Birkenhead justified the exclusion of Indians from the proposed Commission on the assumption that there were vital differences and debates among the various Indian political parties.

9. References

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