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Another road to midnight: The India League and the anticolonial idea of a Constituent Assembly 1932–47

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Abstract

This article argues that the India League's 1942–47 anticolonial campaign for a Constituent Assembly for India played a constitutive role in Indian independence. It examines the Constituent Assembly not as an institution that followed the decision to offer India independence but as an anticolonial idea that helped produce it. A necessary part of this was the dissolution of the 'minority veto' placed on Indian constitutional progress, mainly by the Conservative Party. It traces the transmission of the Constituent Assembly idea through the India League's transnational networks until it became a Congress demand in India and a Labour Party initiative in Britain, leading to the Cripps Mission and the policy of the 1945 Labour government. In doing so this article challenges the historiography of geopolitical decolonization by finding Indian independence to be the product of an anticolonial campaign that operated through solidarity and elective affinities with the global left. This was contested by both the Conservative Party and the Muslim League, and the article also examines how Muslim League opposition to being 'minoritized' within the Constituent Assembly contributed to the Partition of India.

Keywords: anticolonialism; decolonization; Partition; imperial; global; India

Introduction

In 1947, Constituent Assemblies in India and Pakistan began debating the constitutions which would become the successors to the sovereignty of the British Raj after the Muslim League refused to enter a Constituent Assembly for a united India. This history is well known but puzzling, as sovereign Constituent Assemblies were a far less common form of constitution-making in the British empire than imperial conferences codified by Statutes of Westminster that recognized, even as they might have substantially superseded, the sovereignty of the imperial parliament.¹ While it is well known that the Indian National Congress had been demanding a Constituent Assembly from at least 1934, the swiftness with which this was conceded by the 1942 Cripps Mission has never been satisfactorily explained, given the ongoing reservation of Indian constitution-making powers by Westminster and Winston Churchill's hostility to Congress and all that it stood for.

In answering this it is necessary to frame the Constituent Assembly not as an institution formed *after* the decision to grant India independence (which has been well studied) but as an anticolonial idea that politically symbolized the prospect of that freedom for many years, and therefore helped

¹The only two examples are the 1900 Australian Constituent Assembly and the Third Dáil which sat as a Constituent Assembly in 1922. Neither were fully free nor sovereign as the first conceded amendments and ratification by Westminster, while the latter was circumscribed by the Anglo-Irish Treaty.

achieve it.² Possibly originating among Indian Marxists, the idea was first published in a 1932 book, *The Condition of India*, co-authored by V. K. Krishna Menon, Bertrand Russell, and three members of the British Labour Party who supported the India League, a London-based organization campaigning for Indian independence among the British and global left.³ It was then retransmitted through the India League's transnational anticolonial networks in a globally connective campaign that made it both a key Congress demand in India and Labour Party policy in Britain. This article argues that this campaign was a constitutive—and largely unknown—cause of Indian independence, which successfully maintained within the British Labour Party a principled commitment to Indian self-determination. It also produced the policies by which Labour intended to realize that commitment: a Constituent Assembly and a residual treaty. These were the terms agreed between Labour leaders and Nehru at a secret meeting brokered by the India League in 1938 at Goodfellows, a country house belonging to Sir Stafford Cripps. The later inclusion of Attlee and Cripps in Churchill's Cabinet allowed the Goodfellows proposals to be officially offered by the important, if abortive, Cripps Mission in 1942 before a Constituent Assembly was finally summoned by the Labour government of 1945 as the means by which Indian independence could be realized.

The India League was an Indian anticolonial organization deliberately based in London, the site of imperial power. Despite this, the League's history is a global one. It campaigned for the self-determination of Abyssinia, Ceylon, China, Ireland, Vietnam, and other colonised territories. It also drew on arguments and connections provided by, or inherited from, international organizations such as the Comintern and the League Against Imperialism (LAI). Most importantly, the League's successes depended upon its ability to conjugate Indian anticolonialism with diverse and global progressive movements it encountered in interwar Britain. This included socialism, feminism, other anticolonialisms, antiracism, Pan-Africanism, trade unionism, and, above all, antifascism—particularly the international mobilization for the Spanish Republic.⁴ These groups encountered each other in a global contact zone established by the interwar efflorescence of progressive politics and the development of an international civil society.⁵ It was in this political space that Congress, the India League, and Labour exchanged ideas, including that of freeing India through a Constituent Assembly. These movements, as well as the India League itself, had connections and political horizons that exceeded the national or imperial. As they equated fascism, racism, imperialism, and exploitative capitalism, they produced a countervailing politics of solidarity between the victims of these global forces. Thus, the Constituent Assembly idea was propelled through the India League's networks by the conviction, shared with figures and organizations as diverse as Paul Robeson, Jawaharlal Nehru, Cripps, and the National Union of Railwaymen, that the freedom of India was a victory not just against colonialism, but against global fascism, racism, and the exploitation of the working class.

The India League/Constituent Assembly story may be distinguished by the remarkable fact of an anticolonial transnational organization succeeding at having its radical idea adopted, not by post-colonial successor elites, but as the decolonial policy of a political party governing an imperial

²Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford University Press, 1999); Sujit Choudhry, Madhav Khosla, and Pratap Bhanu Mehta, eds., *The Oxford Handbook of the Indian Constitution* (Oxford University Press, 2017); Madhav Khosla, *India's Founding Moment: The Construction of a Most Surprising Democracy* (Harvard University Press, 2020).

³India League, *The Condition of India: Being the Report of the Delegation Sent to India by the India League in 1932* (Essential News, 1933) (hereafter, IL, COI).

⁴The India League's anti-fascist activities are in L/PJ/12/451, India Office Records, British Library, London (hereafter, IOR, BL) and in File 278, Krishna Menon Papers, Nehru Memorial Museum and Library, New Delhi (hereafter, KMP, NMML).

⁵See Emma Hunter, "'Our Common Humanity': Print, Power, and the Colonial Press in Interwar Tanganyika and French Cameroun", *Journal of Global History* 7, no. 2 (2012): 279–301.

metropole.⁶ It is also, however, revealing of the global dilemmas of anticolonial constitutionalism.⁷ Ideas of popular sovereignty, democracy, and limited government—those very values which, in the Indian case, were implied by a Constituent Assembly—were potent and potentially unifying discursive weapons against arbitrary colonial rule as well as useful legitimators of the post-colonial state. As multi-ethnic but authoritarian empires were replaced by a system of potentially democratic nation-states, however, an emergent politics of numbers made categories of ‘majority’ and ‘minority’ hugely significant.⁸ This made it difficult to square the new juridical uniformity with political difference, and the results were mixed. Some post-colonial states experimented with federation (the West Indian and Malayan examples are particularly noteworthy), while others saw secessionism, civil war, or majoritarian dominance.⁹ Lebanon, to take a different example, pursued shaky confessional power-sharing while Indonesia saw increasingly authoritarian ‘guided democracy’ follow the collapse of its own Constituent Assembly.¹⁰ Partition, meanwhile, emerged as an option not just for India, but for Ireland and Palestine as well. The prehistory of the Indian Constituent Assembly reveals these universal tensions in close detail. As the Assembly became both an increasingly prominent Congress demand and a realizable Labour policy, it was widely contested. This extended to Tory diehards and representatives of Indian social difference, including the Dalit leader and spokesperson, Bhim Rao Ambedkar, the South Indian Dravidian/Non-Brahmin Justice Party, and, most consequentially, the Muslim League.¹¹

In a sense, this was unavoidable: even as the India League’s politics reached beyond nation, race, and empire in its search for anticolonial solidarities, its rallying cry of a Constituent Assembly was clearly intended to cut the power of the Muslim League down to its demographic proportions. This is surprising. Why would an anticolonial organization so far from the future nation need to embark so actively upon this erasure? In part, this was to build up the legitimacy of Congress, but it was also to overcome the way the British, especially the Conservative Party, justified the Raj. The last Secretary of State for India said of his predecessors that they ‘clung to power [in India] under the cloak of respectability lent by protection for the minorities’.¹² The method, according to Cripps, was to hold that political leaders of the Muslim minority possessed a veto over constitutional progress that was ‘absolute’.¹³ The India League’s campaign sought to dissolve this veto by minoritizing non-Congress groups in a demographically proportionate Constituent Assembly operating by majority vote. For the London-based India League, this was directed far more against imperial self-justification than the Muslim League *per se*, but the campaign for the Assembly made clear that it was intended to ‘solve’ communal problems.

⁶This category enables the recovery of anticolonial agency without rehabilitating stale nationalist metanarratives. See Erez Manela and Heather Streets-Salter, eds., *The Anticolonial Transnational: Imaginaries, Mobilities, and Networks in the Struggle against Empire* (Cambridge University Press, 2023).

⁷I borrow this term from Son Ngoc Bui, ‘Anticolonial Constitutionalism: The Case of Ho Chi Minh’, *Japanese Journal of Political Science* 19, no. 2 (2018): 197–221.

⁸See Faisal Devji, *Muslim Zion: Pakistan as a Political Idea* (Harvard University Press, 2013), 49–88.

⁹See Jason Parker, ‘The Federation Persuasion: Identity, Sovereignty, and Decolonisation in the Indies East and West’, *Journal of Global History* 20, no. 1 (2025): 1–18; Kamal Sadiq, ‘Postcolonial Citizenship’, in *The Oxford Handbook of Citizenship*, ed. Ayelet Shachar, Rainer Bauboeck, Irene Bloemraad, and Maarten Vik (Oxford University Press, 2017), 178–99.

¹⁰For a fresh reading of this period, see Farabi Fakhri, *Authoritarian Modernization in Indonesia’s Early Independence Period: The Foundation of the New Order State 1950–1965* (Brill, 2020).

¹¹See, respectively, B. R. Ambedkar, *Communal Deadlock and a Way to Solve It: Address Delivered at the Session of the All India Scheduled Castes Federation Held in Bombay on May 6, 1945* (Bheem Patrika Publications, 1945); ‘Congress Hypocrisy: Justice Party Ideals Explained’, *Times of India*, 3 July 1935; ‘Presidential Address by M. A. Jinnah to the Twenty-Fifth Session of the All-India Muslim League’, 15–18 October 1937, in *Foundations of Pakistan: All India Muslim League Documents 1906–1947* (2 vols.), ed. Syed Sharifuddin Pirzada (National Public House, 1970) (hereafter, FP), vol. 2, 271.

¹²William Francis Hare, Earl of Listowel, *The Rise of Labour and the Fall of Empire: The Memoirs of William Hare, Fifth Earl of Listowel*, ed. H. Humarasingham (Cambridge University Press, 2019) (hereafter, *Listowel Memoirs*), 133.

¹³House of Commons Debate (hereafter, HC Deb), 4 March 1947, vol 420 cols 1422–3.

Naturally, the Muslim League opposed the idea and ultimately refused to join a Constituent Assembly for a united India, that final milestone on the road to Partition.¹⁴

This article lends support to the work of P. S. Gupta and R. J. Moore who cite a distinctive Labour policy in explaining the end of the Raj, even if neither is particularly attentive to the contributions of the India League. It challenges Nicholas Owen's reinterpretation which stresses disjuncture and disapproval between Labour and Congress and concludes that Labour only conceded Indian self-determination due to the force of events.¹⁵ Owen's work aligns with historians such as John Darwin who hold the Second World War and its impact upon the British 'world-system' to be the near-universal cause of imperial collapse.¹⁶ Decolonization is the product of an 'official mind' seeking 'the adjustment of a world-system to protect core interests' with anti-colonialism having little role to play. Naturally, Darwin calls Labour's support for Indian independence a 'historical myth'.¹⁷ The idea of an 'inevitable' decolonization has now been roundly critiqued, not least because of its Eurocentrism and miserly allocation of historical agency to the colonized.¹⁸ As part of the 'global turn' there have been calls for greater emphasis on non-Western initiative, anticolonial agency, and historical contingency.¹⁹

Recent scholarship has also left the official mind far behind, with a new attentiveness to the decolonial power of international organizations and anticolonial transnationalism, ideas, networks, and connections, especially between different parts of the Global South.²⁰ There are new regional foci and greater thematic diversity, with historians seeking to recover non-elite experiences of decolonial processes.²¹ Despite this, the Second World War's destruction of British power and the Raj's administrative capacity, including its political bargains with Indians, is still often seen (by historians of diverse interests and perspectives) as the major cause of formal Indian independence.²² Against this, this article seeks to further pluralize our causal understanding of decolonization and emphasize its contingent and contested nature. It does so by tracing the origins of Britain's key decolonial policy towards India not to officials seeking to mitigate 'inevitable' post-war weakness, nor a bounded national struggle in India, but through a global (and, importantly, pre-war) contact zone and network of progressive anticolonial solidarities, ideas, and

¹⁴In seeing Partition to be the result of Congress and British policy as much as the Muslim League, this article agrees with Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* (Cambridge University Press, 1985).

¹⁵P. S. Gupta, *Imperialism and the British Labour Movement 1914–1964* (Cambridge University Press, 1975); R. J. Moore, *Churchill, Cripps and India* (Clarendon Press, 1979); Nicholas Owen, *The British Left and India: Metropolitan Anti-Imperialism 1885–1947* (Oxford University Press, 2007).

¹⁶See, for example, John Darwin, *Britain and Decolonisation: The Retreat from Empire in the Post-War World* (Macmillan, 1988); Ronald Hyam, *Britain's Declining Empire: The Road to Decolonisation 1918–1968* (Cambridge University Press, 2006); Bernard Porter, *The Lion's Share: A Short History of British Imperialism 1850–1983* (Longman, 1975); Martin Shipway, *Decolonization and Its Impact: A Comparative Approach to the End of the Colonial Empires* (Blackwell, 2008).

¹⁷See, respectively, Karl Hack, 'Unfinished Decolonisation and Globalisation', *Journal of Imperial and Commonwealth History* 47, no. 5 (2019): 818–50, 821; John Darwin, *End of Empire: The Debate* (Basil Blackwell, 1991), 7; John Darwin, *Unfinished Empire: The Global Expansion of Britain* (Penguin, 2013), 351.

¹⁸Stuart Ward, 'The European Provenance of Decolonisation', *Past & Present* 230 (2016): 227–60; Hack, 'Unfinished Decolonisation.'

¹⁹Frederick Cooper, 'What Is the Concept of Globalisation Good For? An African Historian's Perspective', *African Affairs* 100, no. 399 (2001): 189–213, 200; d Antoinette Burton, *The Trouble with Empire* (Oxford University Press, 2017).

²⁰Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (Oxford University Press, 2007); Carolien Stolte, 'South Asia and South Asians in the Worldwide Web of AntiColonial Solidarity', in *Routledge Handbook of the History of Colonialism in South Asia*, ed. M. Framke and Harald Fischer-Tiné (Routledge, 2021), 463–73.

²¹Sunil Purushotham, *From Raj to Republic: Sovereignty, Violence and Democracy in India* (Stanford University Press, 2021); Kalyani Ramnath, *Boats in a Storm: Law, Migration, and Decolonization in South and Southeast Asia, 1942–1962* (Stanford University Press, 2023).

²²See, for example, Sarah Stockwell, 'Britain and Decolonisation in an Era of Global Change', in *The Oxford Handbook of the Ends of Empire*, ed. Martin Thomas and Andrew Thompson (Oxford University Press, 2018), 65–84; Yasmin Khan, *The Great Partition: The Making of India and Pakistan* (Yale University Press, 2017), 29.

conjunctures. Following Manela and Streets-Salter, it argues for the importance of anticolonial transnational campaigning by providing a concrete example of it influencing the policymaking establishment of the largest and most powerful European empire of the time and producing the core policy of a major, and pathbreaking, decolonization.

This is not to appropriate agency from the mass anticolonial movement in India. By 1909 Congress had already forced the Raj to concede quasi-democratic institutions and selective administrative devolutions at the provincial level, with more power transferred in 1919 and 1935. By the 1940s Congress was a powerful, mass-member, election-winning machine with extensive political and administrative experience. A reckoning with the Raj was certainly coming. If, however, it had been the Churchillian Conservatives and not Labour (lobbied by the India League) taking decisions in 1945 then events would have unfolded very differently. While Congress and the Muslim League have been the subject of a vast literature, the India League has never been the subject of a study commensurate with its significance. It mostly appears in biographies of its (admittedly important) secretary, V. K. Krishna Menon, the authors of which usually want to gallop ahead to his later roles in the government of India.²³

As a London-based organization, the League falls outside nationalist histories of India and while anticolonialism in interwar Britain is increasingly well-studied key histories often either start too late end too early.²⁴ The India League receives only a passing mention in relevant works by P. S. Gupta, Michelle Louro, or Priyamvada Gopal.²⁵ Mark Reeves has recently explored the League, but his focus is on its debts to the LAI, rather than its own distinctive history.²⁶ Other accounts take an unfairly dismissive view of the India League. For Stephen Howe, it is a one man 'single-issue' group, while Owen emphasizes the League's poverty, rivalries, and 'parasitic' dependency on outside, often Communist, support.²⁷

This article introduces the India League, the idea of a Constituent Assembly, and the problems it was meant to solve. It then surveys the India League's conversion of the Constituent Assembly idea into policy through its connections with the global and British left during the years of antifascist campaigning until it was abortively implemented by the Cripps Mission. It then examines how, after the Mission failed and Labour's leadership retreated from their position on India, the India League turned to British trade unions. This campaign culminated in the 1944 Labour Conference, where unions affiliated to the India League overruled the party leadership and pledged Labour to Indian independence. The article ends by contrasting the India League/Labour position with the Conservatives to demonstrate the importance of the India League's initiative. Interwoven with these themes are explanations for the Muslim League's rejection of the Assembly and the ways in which this led to Partition. The result is a history of decolonization which is

²³Suhas Chakravarty, *Crusader Extraordinary: Krishna Menon and the India League 1932–1936* (India Research Press, 2006); T. J. S. George, *Krishna Menon: A Biography* (Jonathan Cape, 1964); Janaki Ram, *V. K. Krishna Menon: A Personal Memoir* (Oxford University Press, 1977); Jairam Ramesh, *A Chequered Brilliance: The Many Lives of V. K. Krishna Menon* (Viking, 2019).

²⁴For interwar anticolonialism, see Marc Matera, *Black London: The Imperial Metropolis and Decolonization in the Twentieth Century* (University of California Press, 2015); Leslie James, *George Padmore and Decolonization from Below* (Palgrave Macmillan, 2015); Rehana Ahmed and Sumita Mukherjee, eds., *South Asian Resistances in Britain 1858–1946* (London: Bloomsbury, 2012). Some studies leave out the interwar period: Gregory Claeys, *Imperial Sceptics: British Critics of Empire 1850–1920* (Cambridge University Press, 2010); David Goldsworthy, *Colonial Issues in British Politics 1945–1961: From 'Colonial Development' to 'Winds of Change'* (Clarendon Press, 1971).

²⁵Gupta, *Imperialism and the British Labour Movement*, 226, 255–9; Gopal, *Insurgent Empire: Anticolonial Resistance and British Dissent* (Verso, 2019), 291; Michelle Louro, *Comrades against Imperialism: Nehru, India and Interwar Internationalism* (Cambridge University Press, 2018).

²⁶Mark Reeves 'Two Leagues, One Front? The India League and the League Against Imperialism in the British Left, 1927–1937', in Michelle Louro et al., eds., *The League Against Imperialism: Lives and Afterlives* (Leiden University Press, 2020), 283–8.

²⁷Stephen Howe, *Anticolonialism in British Politics: The Left and the End of Empire 1918–1964* (Oxford University Press, 1993), 100; Owen, *The British Left and India*, 270.

neither an ‘inevitability’ of the rising nation nor the falling imperial world-system, but contingent, contested, and influenced by anticolonial ideas and global solidarities.

The India League and the anticolonial idea of a Constituent Assembly, 1916–33

The India League began during the First World War as a small committee established by the socialist, theosophist, campaigner for women’s rights and Indian Home Rule, Annie Besant, with help from the future Labour Party leader, George Lansbury.²⁸ Labour had endorsed Indian Home Rule from 1918 and this early period amounted to little more than an appeal from British Theosophy to British Labour for implementing this commitment and little more.²⁹ By the early 1930s, however, under pressure from its local branches, the Congress resolution at Lahore, the increasing importance of Menon, a rising alliance with the Independent Labour Party (ILP), and an imminent meeting with the Mahatma, the India League had committed itself to Congress’s objective of total self-rule: *purna swaraj*.³⁰ It willingly traded moderate British support for the ‘confidence of the Indian nationalist movement’.³¹ Tellingly, the League always felt the need to *appear* British and was chaired at various times by Bertrand Russell or Labour MPs. By the end of the Second World War it had branches all over Britain, affiliations with mass-member trade unions and connections with the British Communist Party (CPGB), Pan-Africanists, and anticolonialists from throughout the British and even the French empires, the American and Soviet ambassadors, Lord Mountbatten, members of the Labour Cabinet, and a parliamentary committee of over 100 MPs, including the leader of the Liberal Party.³² It also had strong connections with Congressmen, including Gandhi, Nehru, Mohan Madan Malaviya, Bhulabhai Desai, Mino Mansani, and the wider Congress Socialist Party as well as Indian communists and trades unionists like Puran Chand Joshi and Shripad Amrit Dange.³³ In addition, it mobilized the India diaspora in Britain, not only students but sailors and workers living in the East End of London, and forged an alliance with the Indian Workers Association of the West Midlands.³⁴ Middle-class British Indians increasingly provided funds for the organization, while its leadership mixed left-wing Britons with diasporic Indian activists and intellectuals like Mulk Raj Anand, Bhicoo Batlivala, and Benegal Shiva Rao.³⁵ The India League was unmistakably an organization of Indian anticolonialism, if something of a hybrid with the British and global left.

²⁸Reginald Sorensen, The India League: A Note, 6 September 1945, File 191, KMP, NMML.

²⁹Labour Party, *Report of Annual Conference*, 1918 (hereafter, LP, RAC).

³⁰Letter to the members of the Commonwealth of India League from various provincial secretaries, 29 August 1930, File 173, KMP, NMML; Secretary’s Report to the Council of the India League, 17 January 1932, File 177, KMP, NMML; Menon to Brockway, 20 June 1931, and Menon to Brockway, n.d., likely June 1931, File 415, KMP, NMML. On local branch pressure, see: Letter to the members of the Commonwealth of India League from various provincial secretaries, 29 August 1930, File 173, KMP, NMML. For the ILP: Secretary’s Report to the Council of the India League, 17 January 1932, File 177, KMP, NMML; Menon to Brockway, 20 June 1931, and Menon to Brockway, n.d., likely June 1931, File 415, KMP, NMML. On Gandhi, see: Minutes of the Executive Committee, India League (hereafter, EC/IL), 12 November 1931, File 194, KMP, NMML.

³¹Secretary’s Report to the Council of the India League, 17 November 1932, File 177, KMP, NMML.

³²For the India League’s connections in Britain see File 208, KMP, NMML; IPI to Silver, 29 August 1941, L/PJ/12/453, IOR, BL; Phillip Ziegler, *Mountbatten: The Official Biography* (Phoenix, 2001), 237; Cripps to Pethick-Lawrence, 30 December 1945, L/PJ/12/10/19, IOR, BL; Extract from New Scotland Yard Report (hereafter, ENSYR), 15 August 1945, L/PJ/12/456, IOR, BL; File 191, KMP, NMML.

³³For the India League’s connections in India see Menon to M. M. Malaviya, 6 March 1932, File 567, KMP, NMML; Menon to Bhulabhai Desai, 4 May 1934, File 179, KMP, NMML; Menon to Ashok Mehta, 29 December 1936, File 142, KMP, NMML; ENSYR, 7 July 1944, L/PJ/12/456, IOR, BL; Michael Carritt to ‘Dear Comrade’, 11 November 1943, UBN/26/1, Reginald Bridgeman Papers, Hull History Centre, Hull (hereafter, RBP, HHC); File 155, KMP, NMML; ENSYR, 22 November 1944, L/PJ/12/456, IOR, BL.

³⁴ENSYR, 13 October 1943, L/PJ/12/455, IOR, BL; Indian Political Intelligence Report (hereafter, IPI), 30 March 1940, KV2/2509, Records of the Security Service, The National Archives, London (hereafter, TNA); Chief Constable of Birmingham to Major D. B. Dykes, 26 January 1944, L/PJ/12/456, IOR, BL.

³⁵ENSYR, 3 March 1943, L/PJ/12/455, IOR, BL.

In 1932 the League dispatched a delegation to investigate Britain's violent suppression—through something called 'civil martial law'—of Gandhi's civil disobedience movement.³⁶ The delegation, including Menon and the well-known Labour politician Ellen Wilkinson, cooperated with the Congress party in India and upon their return, co-authored a book, *The Condition of India*. This duly catalogued the violence of British rule and made the first published proposal for a Constituent Assembly for India.³⁷ The book was promptly banned in India and repressed in Britain with the India Office threatening 'respectable publishers' with libel prosecutions and sharing intelligence material with *The Times*, *Daily Mail*, Conservative Central Office, and para-fascist groups.³⁸ Despite this, the delegation's views were carried in left-wing newspapers, by Labour MPs in parliamentary debates, and the 1933 Labour Conference where an India League-sponsored resolution calling for a 'constitution for India' was passed.³⁹

The Constituent Assembly idea responded to Britain's 'Dual Policy' towards India. This combined 'civil martial law' with an increasingly hollow constitution-making process in Britain. This began early with the all-British (and famously boycotted) Simon Commission, which had been brought forward by the Conservatives to keep it out of the hands of Labour.⁴⁰ The new Labour Prime Minister, Ramsay MacDonald, refused to be bound to its limited recommendations and was willing to concede the all-important power of central responsibility as part of a Dominion constitution.⁴¹ Labour's political weakness, however, meant that Tories and officials were increasingly able to hijack the following Round Table Conferences (RTC) that took place in London with selected Indian leaders. After the formation of the National Government and conceding much to a dangerous diehard revolt led by Churchill that threatened to split his party, Samuel Hoare, the new Conservative Secretary of State for India, produced the 1935 Government of India Act.⁴² This made no mention of Dominion Status, limited responsibility to the provinces and made the next constitutional step, a federation, dependent on the cooperation of the reliably loyalist Indian princes. These, even if they decided to pool their sovereignty with British India, were still expected to act as a 'bulwark against the more radical anticolonialists' in Indian politics.⁴³ Elections under the Act were only held in 1937, resulting in massive Congress majorities and just two years later, justified by the war, the Act's major concessions were annulled at a stroke.

Hoare's co-pilot in steering the Act through a Joint Committee of Parliament (which contained no Indians) was the future Viceroy, the Marquess of Linlithgow, who stated that it was 'calculated, on the long view, to hold India to the Empire'.⁴⁴ In defence of this cynical objective the minority veto had long been laid down by Conservatives as a challenge to political India to produce a constitution that represented all shades of political opinion, code for the support of the Muslim League.⁴⁵ Congress had failed to secure Muslim League endorsement for the 1928 Nehru Report, a prototype constitution produced by an Indian 'all-parties' conference as a riposte to the Simon

³⁶Haig to Innes, 18 June 1932, Home (Political) Series, National Archives of India, New Delhi.

³⁷IL, COI, 517–20.

³⁸'Index to Statements of Prohibitions etc. Prohibited from Entering under Section 19 of the Indian Sea Customs Act', 10 September 32, L/PJ/12/23, IOR, BL; H. A. Macgregor to I. M. Stephens, 2 May 1934, L/I/1/50, IOR, BL; India Office Information Office, Secret Minute Paper, 16 October 1932; and 'H.A.R.' to M. Seton and Rab Butler, 29 November 1932, L/I/1/50, IOR, BL.

³⁹Monica Whately, 'What We Saw in India', *New Clarion*, 14 January 1933; 'India League Delegation's Visit to India: Miss Wilkinson's Trenchant Reply to Sir S. Hoare', *Tribune*, 28 December 1932; HC Deb, 22 December 1932, vol. 273, col. 1259; LP, RAC, 1933.

⁴⁰Lord Birkenhead to Lord Reading, 10 December 1925, L/PO/6/22, IOR, BL.

⁴¹David Marquand, *Ramsay Macdonald* (Richard Cohen, 1997), 708.

⁴²Nick Smart, *The National Government 1931–1940* (Macmillan, 1999), 70.

⁴³Priyasha Sakshena, *Sovereignty, International Law, and the Princely States of Colonial South Asia* (Oxford University Press, 2023), 49.

⁴⁴Cited in Carl Bridge, *Holding India to the Empire: The British Conservative Party and the 1935 Constitution* (Sterling Publishers, 1986), 153.

⁴⁵HL Deb, 7 July 1925, vol. 61, col. 1086.

Commission, limiting the report's political impact.⁴⁶ The Constituent Assembly idea was a major departure from the Nehru Report as it offered not a set of constitutional principles, but rather a means by which constitutional principles could be legitimately produced without being subject to the minority veto. The *Condition of India* argues that 'the principle of self-determination, in our view, can be implemented only through a Constituent Assembly' rather than an 'ad hoc conference' because these conferred 'false value' on representatives as 'an individual or a small group can, by threats to walk out defeat the purpose of the conference and challenge its basis, which is all party assent'. In contrast, the Assembly 'consists of representatives who have the mandate of their constituents and are amenable to democratic procedure'. This was also a significant departure from the constitutional procedures at the RTC as it relocated the site of constitution-making to India, removed any British representation or ratification, replaced *selected* leaders of fissiparous communal groups with *elected* representatives of the Indian people, and replaced unanimous 'all party' agreement with the far more productive procedure of majority voting. While the importance of 'providing for minority opinion' was recognized, the method of doing so was not discussed.⁴⁷ This meant that the Constituent Assembly would have legitimacy in that it would be democratic, while also being dominated by a likely Congress majority. As a unitary and sovereign institution, it *might* enjoy the power to dissolve any lingering imperial connections, federal arrangements, or princely sovereignty. It would certainly be able to dissolve the minority veto as the Muslim League's power over constitutional advancement was reduced from the 'false value' of an absolute veto conferred by *parity at the imperial conference* to a powerless *minority in a decolonizing Assembly* that had the majority vote as its operating and legitimating principle.

The transnational campaign for a Constituent Assembly, 1933–38

While in India, the delegation had discussed the Constituent Assembly idea with those Congress leaders who 'were outside prison'.⁴⁸ As a socialist, internationalist and alumnus of the LAI, Nehru was a natural ally of the India League. In 1933 he called for 'the Indian People to settle their own Constitution in a popularly elected constituent assembly'.⁴⁹ After urging from Menon, Bhulabhai Desai had the idea adopted by a conference of the Swarajya Party in 1934.⁵⁰ Desai was also a member of the Congress Working Committee which, in the same year, called for a Constituent Assembly as the 'only satisfactory alternative' to Hoare's White Paper on India's constitution. Congress declared that it was the duty of the Assembly to 'determine the method of representation of important minorities and make provision for otherwise safeguarding their interests'.⁵¹ In the same breath, therefore, the minority veto was dissolved and India's minorities were asked to place their faith in an institution in which they were already *powerless minorities*. The Dravidian/non-Brahmin Justice Party of Madras Presidency naturally opposed the idea but Congress's Working Committee reiterated the Constituent Assembly demand the next year (protesting the formation of the Joint Committee of Parliament).⁵² This was repeated by a plenary session of Congress

⁴⁶This was largely due to the uncompromising attitude of the Hindu Mahasabha. See Prabhu Bapu, *Hindu Mahasabha in Colonial North India: Constructing Nation and History 1915–1930* (Routledge, 2012), 143.

⁴⁷IL, COI, 517.

⁴⁸*Ibid.*, 520.

⁴⁹Jawaharlal Nehru, 'Exploitation of India' (newspaper article), 2 October 1933, *Selected Works of Jawaharlal Nehru* (hereafter, SWJN) gen ed. S. Gopal (B.R. Publishing, 1971), Series 1, vol. 6, 11, 35.

⁵⁰Menon to Bhulabhai Desai, 4 May 1934, File 179, KMP, NMML; Swaraj Party Resolution on the White Paper and the Communal Award, 3 May 1934, in *The Framing of India's Constitution: Select Documents* (2 vols.), ed. Benegal Shiva Rao et al. (Indian Institute of Public Administration, 1966) (hereafter, FIC), vol. 1, 76.

⁵¹Congress Resolution on the White Paper and the Communal Award, 17–18 June 1934, in FIC, vol. 1, 77.

⁵²Congress Hypocrisy: Justice Party Ideals Explained', *Times of India*, 3 July 1935; Congress Resolution on the Joint Parliamentary Committee Report, 4–7 December 1934, FIC, vol. 1, 79.

(protesting parliament's passing of the 1935 Government of India Act).⁵³ In 1936, a major Congress conference at Faizpur accepted an enlarged scheme for a Constituent Assembly put forward by Nehru, who called for it to be 'the very corner-stone of Congress policy and our election campaign must be based on it. This Assembly must not be conceived as something emanating from the British government or as a compromise with British imperialism.'⁵⁴ Nehru's appeal was powerfully endorsed by Congress's landslide in the 1937 elections, after which resolutions rejecting the 1935 Act in favour of a Constituent Assembly were passed by nearly every Legislative Assembly in British India, a feat of political cohesion and an emphatic rejection of the Conservative Party's convoluted and cynical constitutional process.⁵⁵

Jinnah, however, scorned the idea of a Constituent Assembly at the 1937 session of the Muslim League.⁵⁶ In the Assembly of the United Provinces, Nawab Mohammed Ismail Khan moved an amendment on behalf of the Muslim League that declared that 'the representation of Muslims to the Constituent Assembly shall be the same as that provided by the Communal Award' and required that it not be competent to 'alter or vary the personal law or the existing civil, political and religious rights of Muslims without the consent of three-fourths of the Muslim representatives'.⁵⁷ Congress rejected the amendment, leading to a Muslim League walkout.⁵⁸ In the Central Legislative Assembly, Jinnah moved an amendment demanding that the rights and customs of Muslims and other minorities could only be reformed with 'mutual consent of the Communities concerned'.⁵⁹ Congress refused to accept it. Ironically, the Muslim League's powerlessness to include protections in a resolution *about* a Constituent Assembly was the best predictor of what would happen to it *inside* an Assembly given absolute power to permanently decide the constitution and politics of India. To borrow from Bar Sadeh and Houwink ten Cate, this experience of liberal institutions—compounded by Congress's refusal to share power with the Muslim League in the provinces after 1937—furthered the politicization of Muslim social difference towards the status of a minority, which would only be exacerbated by the seemingly limitless power of a Congress-dominated Constituent Assembly summoned by Labour.⁶⁰

In 1934 extracts from the *Condition of India* were made the basis of a memorandum supported by Russell and Menon's old tutor, Harold Laski, for circulation among the Labour Party and 'various persons of influence' in Britain. It argued that 'a Constituent Assembly is the obvious method of implementing self-determination which is the accepted Labour policy'.⁶¹ Lansbury was a notable supporter of the idea and, in 1934, Menon unsuccessfully moved a resolution at the Labour Party Conference which declared that 'The Conference therefore supports the demand of the Indian people for a Constituent Assembly to be elected in India'.⁶² At the 1935 Labour Conference, the new leader of the party, Attlee, accepted a radical resolution put forward by an India League ally whose accompanying speech called for the next Labour government to 'to set up in India a Constituent Assembly'.⁶³ After Congress won the 1937 elections, the Labour MPs on the India League's parliamentary committee congratulated 'the people of India on the remarkable victory won by them in the recent election' which was for a 'Constituent Assembly elected on a

⁵³Congress Resolution on the Government of India Act, 12–14 April 1936, FIC, vol. 1, 80.

⁵⁴Nehru's Presidential Address at the Faizpur Conference, 27 December 1936, FIC, vol. 1, 81.

⁵⁵The various resolutions are in FIC, vol. 1, 93–4.

⁵⁶Presidential Address by M. A. Jinnah to the Twenty-Fifth Session of the All-India Muslim League', 15–18 October 1937, FP, vol. 2, 271.

⁵⁷Discussion on Constituent Assembly: U.P. Legislature Amendments to Resolution . . .', *Times of India*, 6 September 1937.

⁵⁸U.P. Assembly and Constitution . . .', *Times of India*, 4 October 1937.

⁵⁹Constituent Assembly Move', *Times of India*, 15 September 1937.

⁶⁰Roy Bar Sadeh and Lotte Houwink ten Cate, 'Towards a Global Intellectual History of Minority', *Comparative Studies of South Asia, Africa, and the Middle East* 41, no. 3 (2021): 319–24.

⁶¹Menon to H. N. Brailsford, 30 May 1934, File 179, KMP, NMMML.

⁶²George Lansbury, *My England* (Selwyn & Blount, 1934), 173; LP, RAC, 1934.

⁶³LP, RAC, 1935.

mass basis'.⁶⁴ Labour's support did not go unnoticed in India: the *Hindustan Times* reported on the 1937 Labour Conference under the headline 'British Support to Constituent Assembly: Labour Resolution on India'.⁶⁵ Naturally, the India League now believed that 'the idea of a Constituent Assembly as of extreme importance'.⁶⁶

The India League was both part of, and drew its effectiveness from the 'the explosion of political activity and exchange that characterized the 1920s and 1930s on every inhabited continent'.⁶⁷ It managed to advance the Constituent Assembly idea in Britain by its ability to conjugate Indian anticolonialism with other global progressive movements that had outposts in London, the great 'junction-box of empire' and also a radical node, as revealed by Susan Pennybacker, in a network of expatriate anti-racists and exiled anticolonialists forming radical alliances with anti-fascists, suffragists, socialists, and others.⁶⁸ The rise of European fascism, in particular, enabled countervailing global solidarities that afforded the India League increasing access to the British left. Comintern switched to supporting antifascist fronts in solidarity with the non-communist left, leading to the formation of the Unity Campaign and its successor, the Popular Front. The India League was an active member of both.

A classic Popular Front tactic was the use of pageants of Britain's radical heroes, including Wat Tyler, John Ball, the Peterloo victims, James Connolly, Levellers, Tolpuddle Martyrs, Robert Owen, the Chartists, Keir Hardie and William Morris.⁶⁹ The India League produced its own global protest iconography to match this: in January of 1938 it organized a 1,200-strong contingent of protestors in Mornington Crescent 'for the avowed purpose of celebrating Indian Independence Day and demonstrating solidarity with the Indian, Chinese and Spanish people'. The procession carried 'Flags of the Spanish Republic, Irish Republic, Indian National Congress, Sama Samaj Party and banners with portraits of Bose, Nehru, Gandhi, Tagore, the Emperor of Abyssinia, Chiang Kai-Shek and La Passionaria'. The following protest meeting in Trafalgar square expressed 'solidarity with the Indian workers in their fight for self-government'.⁷⁰

The India League's profile was further raised in the late 1930s by the presence in London of Nehru, an internationalist, socialist, author of a bestselling *Autobiography*, and leader of an increasingly mass movement in India which had just won a convincing electoral victory. Nehru helped the India League gain a prominent position in 'the biggest moment of international solidarity in British history' in which 'the greater part of one million political and trades union activists' took part: the anti-fascist campaign for the Spanish Republic. Nehru viewed anti-colonialism and anti-fascism as natural allies in resisting global capitalist exploitation.⁷¹ He had revitalized Congress's Foreign Department which 'condemned fascism in Spain, expressed solidarity with the Republicans, and raised funds for goods and medical assistance for the Spanish cause'.⁷² Menon had already campaigned to prevent both the British Union of Fascists and the German Nazi Party from holding meetings in London.⁷³ He also marched through Kentish Town

⁶⁴Copy of a Statement by Parliamentary Committee of the India League, n.d., L/PJ/12/450, IOR, BL.

⁶⁵British Support to Constituent Assembly . . .', *Hindustan Times*, 18 September 1937.

⁶⁶IPI to Silver, 1 February 1937, L/PJ/12/323, IOR, BL.

⁶⁷Disha Karnad Jani, 'The League against Imperialism, National Liberation, and the Economic Question', *Journal of Global History* 17, no. 2 (2022): 210–32, 213.

⁶⁸Jonathan Schmeer, *London 1900: The Imperial Metropolis* (Yale University Press, 1999); Susan Pennybacker, *From Scottsboro to Munich: Race and Political Culture in 1930s Britain* (Princeton University Press, 2009).

⁶⁹Thomas Linehan, 'Communist Culture and Anti-Fascism in Interwar Britain', in *Varieties of Anti-Fascism: Britain in the Interwar Period*, ed. Nigel Copsey and Andrzej Olechnowicz (Palgrave MacMillan, 2010), 31–51, 45.

⁷⁰ENSYR, 9 December 1938, L/PJ/12/451, IOR, BL.

⁷¹Copsey, "'Every Time They Made a Communist They Made a Fascist'", 53; Michelle Louro, 'Anti-Fascism and Anti-Imperialism between the World Wars: The Perspective from India', in *Anti-Fascism in a Global Perspective: Transnational Networks, Exile Communities and Radical Internationalism*, eds. Kevin Braskén, Nigel Copsey, and David Featherstone (Routledge, 2021), 115–32.

⁷²Louro, *Comrades against Imperialism*, 214.

⁷³ENSYR, 14 July 1937, L/PJ/12/323, IOR, BL; ENSYR, 6 April 1938, L/PJ/12/323, IOR, BL.

in aid of Republican Spain and in 1937 the India League spun off an India-Spain Committee which 'organised shipments to republicans and international brigadiers'.⁷⁴ In 1938, at the height of the Spanish campaign, Nehru and the India League held two large conferences which attracted a remarkably diverse set of delegates. They included representatives of the Communist Party (Rajani Palme Dutt), Left Book Club, ILP, LAI/Colonial Information Bureau, and the National Council of Civil Liberties. Also present were Ellen Wilkinson, Victor Gollancz, two Labour MPs who supported the India League, the Chairman of the Trades Union Congress (TUC) and the General Secretary of the Labour Party. Also attending were Peter Blackman, Jomo Kenyatta, Dr. Harold Moody, T. Ras Makonnen, George Padmore, Paul Robeson, and Emile Fauré, the latter representing Africans resisting French imperialism. The Indian contingent included Nehru, Menon, and Rajani Patel among other Congress members along with activists from the British Indian diaspora. The Credentials Committee of one meeting entered the details of 613 delegates representing 292 organizations, including 68 Labour organizations, and ranging from the Abyssinia Association, the Cyprus Autonomy League, the Socialist Party of Ceylon, and the Arab Centre to the Amalgamated Society of Wood-Cutting Machinists.⁷⁵

Nehru asked an audience whether they could 'distinguish between Empire and fascism?' while Cripps asserted that 'there are some people who are inclined to regard fascism as a new political factor but let me tell you it is as old as Empire itself. It was not an Indian that most dramatically insisted on the equivalence between fascism and the Raj but Kenyatta, who declared that

Most of my people are still living under fascist rule. To you British people . . . I would say this—clean your own doorstep first. Instead of you people going to the German embassy, I would like to see you march to the India Office and protest against the oppression of that people . . .

Robeson dwelt on fascist aggression against China, Ethiopia, and Spain as well as anticolonial unrest in the West Indies and Ireland and 'welcomed Nehru on behalf of Black America, Africa and other parts of the world which had a fellow feeling for the suffering of India. Leaders like Nehru demonstrated to the world that coloured people were not a backward race.'⁷⁶ Laski declared that 'the emancipation of India would strike a blow for the freedom of the working classes in England, and thus for the freedom of the working classes throughout the whole world'. The conference resolution extended solidarity to the people of Abyssinia, China, Czechoslovakia, India, and Spain, holding 'that in fighting for their national freedom they are fighting for all oppressed and subject peoples'.⁷⁷ This was a global—even universal—counter-category of the oppressed that rejected the silos and hierarchies of empire by equating European imperialism, exploitative capitalism, and fascism. Equally, the freedom of India was now an objective of the global front and fight against those forces.

While the Congress leader Subhas Chandra Bose might criticise Nehru for his 'championing lost causes all the time', Bose's realism—courting Axis powers—eventually came to little, while the idealism of global antifascism gave Nehru and the India League access to Labour's leadership, leading to concrete results.⁷⁸ In 1936, the Socialist League, a left-wing pressure group led by Cripps and deeply committed to the objectives of antifascism, left-wing solidarity, and Spain passed a resolution at its Conference which called for 'self-determination through a freely elected Indian

⁷⁴ENSYR, 20 April 1938, L/PJ/12/323, IOR, BL; IPI, Note on Vengali Krishnan Krishna Menon, n.d., L/PJ/12/323, IOR, BL; Louro, 'Anti-Fascism and Anti-Imperialism between the World Wars', 122.

⁷⁵See File 423, KMP, NMML.

⁷⁶IPI, Memorandum on India League Reception for Nehru at Kingsway Hall, 27 June 1938, L/PJ/12/293, IOR, BL.

⁷⁷ENSYR, 27 July 1938, L/PJ/12/293, IOR, BL.

⁷⁸Subhas Chandra Bose to Jawaharlal Nehru, 28 March 1939, in *Congress President: Netaji Subhas Bose, Collected Works*, ed. Sisir Kumar Bose and Sugata Bose (Oxford University Press, 1995), 193.

Constituent Assembly'.⁷⁹ The *Unity Manifesto* pledged the United Front to Indian independence and was signed by Aneurin Bevan, Cripps, Laski, Communists, and the leaders of the powerful South Wales Miners Federation and the Amalgamated Engineering Union (AEU):⁸⁰ both unions would provide support to the India League during the Second World War. In 1937 Menon addressed a meeting at Transport House which drew some 180 delegates from various parts of the Labour movement. He declared 'that it was just as important to fight against fascist methods of British imperialism in the colonies as it was to fight against fascism in Spain'.⁸¹

In 1938 Menon and Cripps orchestrated a secret meeting in Cripps's country house, Goodfellows, in the Oxfordshire village of Filkins.⁸² Nehru and Menon met with Attlee, Bevan, Cripps, Laski and other Labour leaders. They had all been active in the Spanish campaign or members of the associated *Tribune* group. Cripps was a central *Tribune* figure while Bevan, for example, would frequent the India League headquarters as they were just over the Strand from the *Tribune* offices.⁸³ Attlee had visited Spain with Wilkinson, where he raised the clenched-fist salute to the Republic: the Spanish campaign found Attlee in an ecumenical mood and he even shared 'platforms with Communists on the issue of Spain'.⁸⁴ While Attlee had been a member of the Simon Commission, he had dissented from its majority report by favouring, like Macdonald before him, responsibility at the centre. He described the 1935 Act as a 'continuation of the debate at the Conservative conference' and declared that Labour was not bound to it, but to its own Conference.⁸⁵ Labour's leader was clearly open to a new constitutional departure on India. Menon had been discussing the idea of a Constituent Assembly with Cripps since at least 1934 and the Goodfellows attendees duly pledged their support for an 'self-determination by means of a Constituent Assembly'.⁸⁶ All other outstanding issues of Britain's long presence in India, including minorities, debt, the army, and the princes could be held over or digested by a treaty between equal nations. Back in London, Menon arranged for Nehru to meet again with Attlee and others in the House of Commons.⁸⁷ The Goodfellows proposals were further discussed by the General Council of the TUC and an 'informal meeting of the Labour executive'.⁸⁸ Nehru noted that 'these leaders, it must be remembered, include all the moderate and most cautious of the Labour group' and that 'Labour now admits that the only solution of the Indian problem is complete self-determination. So far as the Conservatives are concerned, we have disturbed their minds, but not their loyalty to the present Indian policy'.⁸⁹ Nehru received encouragement that Gandhi fully supported these approaches and, by 1939, was telling Menon that 'Gandhiji has now become a complete convert' to the Constituent Assembly idea. Thus, one of Britain's key decolonial policies towards India was advanced by a politics that was simultaneously Indian, British, Spanish, socialist, anti-racist, anti-fascist, universal, and therefore powerfully global.⁹⁰

⁷⁹Michael Bors, *The Socialist League in the 1930s* (Athena Press, 2005), 289.

⁸⁰*Ibid.*, 361.

⁸¹ENSYR, 16 January 1937, L/PJ/12/450, IOR, BL; ENSYR, 15 June 1938, L/PJ/12/451, IOR, BL.

⁸²Gwendoline Hill to Menon, 12 June 1938, File 278, KMP, NMML.

⁸³Michael Foot, *Aneurin Bevan: A Biography* (Faber and Faber, 2008), 453.

⁸⁴Copsey, "Every Time They Made a Communist They Made a Fascist", 63.

⁸⁵Kenneth Harris, *Attlee* (Weidenfeld & Nicholson, 1995), 114; LP, RAC, 1934.

⁸⁶Menon to Cripps, 22 March 1934, File 179, KMP, NMML; Nehru, note to the Congress Working Committee, 1 August 1938, in SWJN, series 1, vol. 9, 98–9; see also: CAB 127/60, TNA; Leonard Barnes, *Empire or Democracy: A Study of the Colonial Question* (Victor Gollancz, 1939), 265–73; Gupta, *Imperialism and the British Labour Movement*, 258–9; R. J. Moore, *Escape from Empire: The Attlee Government and the India Problem* (Clarendon Press, 1982), 6.

⁸⁷Menon to Major Attlee, 28 June 1938, File 278, KMP, NMML.

⁸⁸Menon to Middleton, 25 June 1938, File 278, KMP, NMML; Nehru, note to the Congress Working Committee, 1 August 1938, in SWJN, series 1, vol. 9, 101.

⁸⁹*Ibid.*, 101.

⁹⁰J. B. Kripalani to Nehru, 9 September 1938, in SWJN, series 1, vol. 9, 101; Nehru to Menon, 25 November 1939 in SWJN, series 1, vol. 9, 253.

Goodfellows to the Cripps Mission, 1938–42

Imperial Britain's war against the fascist powers led to a major contradiction in the League's politics of antifascist–anticolonial solidarity while its Communist and pacifist connections led to a rupture with Labour, now a loyal partner in Churchill's government. The Constituent Assembly idea survived, however, becoming the core of what R. J. Moore calls a 'non-official initiative' that resulted in the Cripps Mission.⁹¹ Owen has attempted to read down any connection between Goodfellows and the Cripps Mission, tracing it instead to the fall of Singapore. The Cripps offer, however, included a post-war Constituent Assembly and treaty and there is nowhere else that such a distinctive policy set could have come from.⁹² Attlee himself recalled:

I had a good many stiff contests with Churchill on India. It was a great surprise when he embraced the idea of the Cripps Mission. The lines on which Cripps was empowered to go went beyond anything previously considered by any government. It embodied in fact some of the main ideas discussed by Cripps, Nehru and myself one weekend at Filkins [Goodfellows].⁹³

In 1939, long before the Japanese army was anywhere near the straits of Johor, Cripps was pressing the Goodfellows formula, with help from the India League's greatest supporter in Parliament, Reginald Sorensen, upon the Marquess of Zetland as Secretary of State for India, as well as India Office officials and MPs across party lines. Cripps believed that he had obtained broad support for a 'Constituent Assembly within one year of the termination of the war'.⁹⁴ Zetland even took the proposals to the War Cabinet where Churchill exploded, holding that nothing needed to be done as the communal 'feud' was a 'bulwark of British rule in India'.⁹⁵ The idea of an Indian Constituent Assembly was soon seen by Conservatives as so subversive that Neville Chamberlain expressly instructed the Viceroy not to promise one.⁹⁶ Cripps was undaunted and, after the fall of Chamberlain, showed Goodfellows to Churchill's new Secretary for India, Leopold Amery. It took the dark days of 1940 for Amery to include 'a post-war Constituent Assembly, and possibly a treaty' in what would become the 'August Offer' to India but Churchill removed the Assembly and reimposed the minority veto, refusing to concede 'any system of government whose authority is directly denied by large and powerful elements in India's national life'.⁹⁷ Nevertheless, as Carl Bridge puts it 'from the middle of 1940 the clash ceased to be between federationists and diehards and became one between advocates of the constituent assembly treaty solution and supporters of Churchillian obstinacy'.⁹⁸ The 1935 Act and the federation it promised had been the result of nearly seven years of consultation and drafting, had only been fully implemented in 1937, and was clearly been intended to serve as India's political framework for a very long time, far longer than the mere three years it took the India League to replace it among British governing circles by its anticolonial idea of a Constituent Assembly.

⁹¹R. J. Moore 'The Problem of Freedom with Unity: London's India Policy 1917–47', in *Congress and the Raj: Facets of the Indian Struggle 1917–47*, ed. D. A. Low (Oxford University Press, 2004), 375–403, 384.

⁹²Nicholas Owen, 'The Cripps Mission of 1942: A Reinterpretation', *Journal of Imperial and Commonwealth History* 30, no. 1 (2002): 61–98.

⁹³Clement Attlee, Marginal notes, 'Notes for an Unpublished Memoir', ATLE 1/13, Attlee Papers, Churchill Archives, Cambridge (hereafter, CA).

⁹⁴Cripps, diary entry, 31 September 1939, manuscript diary (hereafter, MD), Mss.9661/3, Cripps Papers, Bodleian Library Special Collections, Oxford (hereafter, CP, BLSC).

⁹⁵Cripps, diary entry, 29 November 1939, MD, Mss.9661/3, CP, BLSC; cited in Bridge, *Holding India*, 153.

⁹⁶*Ibid.*, 152.

⁹⁷*Ibid.*, 154; Cmd 6219, 8 August 1940; *The Transfer of Power, 1942–7* (12 vols.), ed. Nicholas Mansergh, Eric Lumby, and Penderel Moon (HMSO, 1970–83) (hereafter, TP), vol. 2, 878.

⁹⁸Bridge, *Holding India*, 155.

Cripps also visited India in the autumn of 1939. Menon and Nehru provided an itinerary and contacts, helping Cripps discuss the Goodfellows proposals with a remarkably broad range of Indian political leaders.⁹⁹ Inspired by what he had achieved by reaching around the *Raj*, Cripps conceived of achieving Indian constitutional change through an ‘*ad hoc* delegation of three members with plenipotentiary powers’ which Labour would later implement with the 1946 Cabinet Mission.¹⁰⁰ This provides further evidence of the pre-war, non-official, and anticolonial origins of important decolonial policies. Meanwhile, Congress’s intention to use the Assembly to minoritize the Muslim League was made clear to Cripps. Nehru began by attacking the Muslim League in ways that his socialist comrade would understand, by distinguishing between the ‘the common people who are supporters of Congress and the landlords or middle class who are the main supporters of the Muslim League’.¹⁰¹ Nehru predicted that an Assembly based on adult suffrage would bypass the ‘elite’ Muslim League because it would ‘throw up a new class of political leadership’.¹⁰² Gandhi told Cripps that any Assembly based on communal representation ‘would do more harm than good’ and told Cripps that ‘HMG . . . must rely on Congress and the C.A. to safeguard the minorities, as of course they must.’¹⁰³ Cripps believed he had Muslim League support, nevertheless: its leaders cautiously accepted a Constituent Assembly *but not a fully sovereign one* as it had to be accompanied by existing communal franchises, minority guarantees in a treaty, and a ‘thin executive’.¹⁰⁴ Thus, the main disagreement of 1945–47, between Congress’s demand for a fully sovereign Constituent Assembly and the Muslim League’s insistence on unalterable protections *was already being rehearsed in 1939*. Interestingly, it was not just the Muslim League that feared a Constituent Assembly turning Congress into the nation. Bhim Rao Ambedkar, the great spokesman for Dalit interests, would eventually play an important role in drafting independent India’s Constitution. This could be taken as the fixing of a Dalit seal of approval upon the national project, which would be an overstatement. Neeladri Bhattacharya points out that Dalit histories are ill-digested by the colonial–nationalist binary and are often appropriated by nationalist narratives.¹⁰⁵ In reality, the Dalit critique of Indian nationhood—especially when manifested in elected institutions where Dalits are not meaningfully represented—has been trenchant and important. In line with his critique of Gandhian nationalism, Ambedkar opposed the Constituent Assembly, telling Cripps that it ‘would be merely an assembly of so many representatives of Gandhi’ and therefore a vehicle for upper-caste power.¹⁰⁶

After the Viceroy took India into the war (without consulting any Indians) Congress withdrew from government. As they did so, they demanded a Constituent Assembly to be part of Britain’s war aims as ‘the only way of determining the constitution of a free country’ but also that it could solve ‘communal and other difficulties’.¹⁰⁷ Jinnah now saw the Assembly as nothing more than ‘a second and larger edition of the Congress’.¹⁰⁸ As this would ‘mean the complete destruction of the Muslims’ the Quaid pledged to fight it ‘tooth and nail along with other minorities’ and sought

⁹⁹Cripps, diary entry, 31 October 1939, MD, Mss.9661/3, CP, BLSC.

¹⁰⁰Peter Clarke, *The Cripps Version: The Life of Sir Stafford Cripps* (Penguin, 2003), 142.

¹⁰¹Cripps, diary entry, 8 December 1939, MD, Mss.9661/4, CP, BLSC.

¹⁰²*Ibid.*

¹⁰³Cripps, diary entry, 20 December 1939, MD, Mss.9661/4, CP, BLSC.

¹⁰⁴Cripps, diary entry, 8 December 1939, MD, Mss.9661/4, CP, BLSC; Cripps, diary entry, 12 December 1939, MD, Mss.9661/4, CP, BLSC.

¹⁰⁵Neeladri Bhattacharya, ‘The Problem’, Seminar 522 (2003), accessed 31 October 2024, <http://www.india-seminar.com/2003/522.html>.

¹⁰⁶Cripps, diary entry, 15 December 1939, MD, Mss.9661/4, CP, BLSC.

¹⁰⁷Cited in Nihal Singh, ‘The Idea of a Constituent Assembly’, *Indian Journal of Political Science* 2, no. 3 (1941): 255–72, 261.

¹⁰⁸‘Mr Jinnah on Constituent Assembly’, *Times of India*, 9 December 1939.

alliances with Ambedkar and the Dravidian/non-Brahmin leader known as Periyar.¹⁰⁹ The *Raj* was equally alarmed: the Chief Justice of India, in his 1939 convocation address to Benares Hindu University, dismissed the Constituent Assembly and praised the conference method for its success in the British Dominions.¹¹⁰ Colonial and Muslim League anxieties came together at a joint meeting with the Viceroy at the end of 1939 where it became clear that while ‘Congress spokesmen are trying to insist on a Constituent Assembly . . . the Muslim League will have none of it’.¹¹¹ Linlithgow seized the opportunity, ‘pressing Jinnah to state the League’s “constructive policy” as a counterweight to the Congress’s demand for independence and a Constituent Assembly’.¹¹² This began the discussions within the Muslim League that would lead to the 1940 Lahore Resolution demanding a homeland for Indian Muslims, that great leap towards Partition and Pakistan.

By 1940 the Constituent Assembly idea was everywhere. Writing in *Harijan*, Gandhi stated that ‘only the Constituent Assembly will be in position to give reply’ to the question of minorities.¹¹³ This was both a rejection of the minority veto and a terrifying prospect for the Muslim League. The same year, Labour’s former Secretary of State for India rose in the House of Commons to support the summoning of a Constituent Assembly for India after the War.¹¹⁴ Conservatives, however, resisted the idea by invoking the Muslim League.¹¹⁵ At the 1941 Labour Conference a speaker stated plainly that while Congress ‘speaks more for India than the Moslem League . . . the Moslem League count more with the Tory Party and that is our trouble’.¹¹⁶ These divisions played out in the heart of the British government. As soon as Cripps joined the War Cabinet, he began seeking ways to implement the Goodfellows agreement. Both he and Attlee, who was chairing the Cabinet India Committee, began calling for a representative to go to India with powers to negotiate a settlement.¹¹⁷ To overcome Churchillian obstinacy, Attlee told the Prime Minister that ‘his Labour colleagues would find themselves in great difficulty’ with their party if nothing was done.¹¹⁸ The India League played an important role in orchestrating this party pressure. Its campaign began with passionate speeches by India League supporters at the 1941 Labour Conference.¹¹⁹ After further pressure from Sorensen, who was stating openly that Labour wanted Cripps to go to India ‘with powers to effect a settlement’, and Laski’s lobbying of the party machine, a joint committee of the Parliamentary Party and the powerful National Executive recommended that ‘a representative should be sent out to India without delay to negotiate with the Indian leaders’.¹²⁰ In the House of Lords, a dedicated India Leaguer, Lord Farringdon, demanded that ‘some person’ trusted by Indian leaders should go to India and Indianize the government ‘whose duty it would be to call a Constituent Assembly for India’.¹²¹ Officials noted their marginalization by this anticolonial campaign: the permanent under-secretary at the India Office drily noted the ‘curious coincidence’¹²² between Farringdon’s speech and the appearance of Attlee’s memorandum in Cabinet demanding that ‘a representative with power to negotiate within

¹⁰⁹Cited in Arvind Elangovan, “‘We the People’: Politics and the Framing of a Constitution on the Eve of Decolonisation”, in *The Indian Constituent Assembly: Deliberations on Democracy*, ed. Udit Bhatia (Routledge, 2017), 24.

¹¹⁰Shibanikinkar Chaube, *Constituent Assembly of India: Springboard of Revolution* (People’s Publishing House, 1973), 24.

¹¹¹‘Delhi Conference Outlook Not Propitious . . .’, *Times of India*, 2 November 1939.

¹¹²Jalal, *The Sole Spokesman*, 49.

¹¹³See *Harijan*, 29 June 1940.

¹¹⁴HC Deb, 18 April 1940, vol. 359, col. 1176.

¹¹⁵HC Deb, 4 December 1941, vol. 376, col. 1257.

¹¹⁶LP, RAC, 1941.

¹¹⁷The Indian Political Situation: Memorandum by Lord Privy Seal, 2 February 1942, TP, vol. 1, 110; Attlee to Amery, 24 January 1942, TP, vol. 1, 75.

¹¹⁸Moore, *Churchill, Cripps and India*, 51.

¹¹⁹LP, RAC, 1941.

¹²⁰Moore, *Churchill, Cripps and India*, 55; ID/IND/1/41 and 50, Labour Party Archives, People’s History Museum, Manchester (hereafter, LPA, PHM); Party Policy and the Government, ID/IND/1/59ii, LPA, PHM.

¹²¹HL Deb, 3 February 1942, vol. 121, col. 589.

¹²²Minute by Sir D. Monteath, 4 February 1942, TP, vol. 1, 115.

wide limits should be sent to India now'.¹²³ Amery spent the war complaining to anyone that would listen, including the Viceroy and the King about the pressure that Attlee and Cripps were bringing on the government for a concession and the pressure that their own party was placing on them.¹²⁴ In turn, a meeting of Conservative MPs castigated the government for being 'captured by its left-wing members'.¹²⁵ The Viceroy was also incensed and threatened to resign, which Amery feared would tip Indian policy into 'acute party conflict' and even break up the government.¹²⁶

Amery conceded the Mission as a sop to American opinion and the 'Left Wing here' for which Cripps could serve as a useful idiot: somebody that Congress trusted but nevertheless putting forward an 'essentially Conservative policy'.¹²⁷ Although Cripps's draft (based on his 1939 elaboration of Goodfellows) was chosen for the Mission, it differed from the original formula.¹²⁸ First, the defence portfolio remained in British hands, at least for the duration of the war. Second, Churchill (who hoped the mission would fail) imposed a revision that required 'a negotiated agreement between local leaders as a prelude to a new declaration'.¹²⁹ The minority veto was thereby reimposed and even territorialized as Amery insisted, against opposition from Attlee, that provinces be given the right to opt out of the Union. Amery, like Churchill, saw a divided India as a means of preserving British power at the centre and therefore forced the concession of 'the Pakistan option for Indian Muslims'.¹³⁰ He smugly noted the muted response from the Labour benches, 'silent as if they suspected that their Left Wing champion was being used for Tory purposes'.¹³¹

These changes, along with Linlithgow's refusal to operate his Council like a Cabinet, forced Congress to reject the Cripps Mission and launch the Quit India Movement with Gandhi calling for a Constituent Assembly as he did so.¹³² R. J. Moore and Johannes Voigt hold that Cripps exceeded his brief in his zeal for a settlement, allowing Churchill and Linlithgow to *deliberately* wreck his Mission.¹³³ This is an interpretation which Owen has rejected but which Nehru himself believed to be true and Churchill essentially admitted to in Parliament.¹³⁴ It is sufficient to note that the Mission made the Goodfellows formula a realizable policy as an 'elected body charged with the task of framing a new constitution for India' with all other matters 'covered by a treaty'.¹³⁵ Thus, the innermost policymaking core of the British empire was porous, allowing anticolonial ideas to become policy via the India League, the Labour Party and the global progressive politics of antifascism, anticolonialism, and the wider left. This brought difficulties, however: to the Muslim League, it must have appeared disorientating and threatening for Linlithgow to encourage Jinnah to devise an alternative to Congress's demand for a Constituent Assembly in 1940 only for Cripps to offer one in 1942. Cripps was aware of this; he had deliberately avoided using the precise term

¹²³The Indian Situation: Memorandum by the Lord Privy Seal, 2 February 1942, TP, vol. 1, 110.

¹²⁴Amery to Linlithgow, 10 March 1942, TP, vol. 1, 404; Leopold Amery, *The Empire at Bay: The Leo Amery Diaries*, ed. John Barnes and David Nicholson (2 vols.) (Hutchinson & Co., 1988) (hereafter, *Amery Diaries*), vol. 2, 783.

¹²⁵Clarke, *The Cripps Version*, 285.

¹²⁶Amery to Linlithgow, 10 March 1942, TP, vol. 1, 404.

¹²⁷*Ibid.* and Wm. Roger Louis, *In the Name of God Go!: Leo Amery and the British Empire in the Age of Churchill* (Norton, 1992), 152.

¹²⁸Memorandum, n.d., Temp. Mss.47/1, India Conciliation Group, Friends House Library (hereafter, ICG, FHL); Amery, diary entry, 28 February 1942, *Amery Diaries*, vol. 2, 780.

¹²⁹Amery, diary entry, 6 February 1942, manuscript diary, Amel/7/36, CA; John Bew, *Citizen Clem: A Biography of Attlee* (Riverrun, 2017), 285.

¹³⁰Amery to Linlithgow, 24 March 1942, TP, vol. 1, 469; Gupta, *Imperialism and the British Labour Movement*, 270.

¹³¹Amery, diary entry, 11 March 1942, *Amery Diaries*, 2, 787.

¹³²FIC, vol. 1, 133.

¹³³Moore, *Churchill, Cripps and India*; Johannes H. Voigt, 'Co-operation or Confrontation? War and Congress Politics, 1939-42', in *Congress and the Raj*, 349-74, 365.

¹³⁴Owen, 'The Cripps Mission'; Nehru to Menon, 3 September 1945, in SWJN, series 1, vol. 14, 81; HC Deb, 12 December 1946, vol. 431, col. 1368.

¹³⁵Draft Declaration for Discussion with Indian Leaders, 30 March 1942, TP, vol. 1, 565.

‘Constituent Assembly’ in his draft declaration lest it ‘put the Moslems in defiance’.¹³⁶ He fooled nobody: the Muslim League attacked Cripps for supporting Congress’s prominent and long-standing demand for a Constituent Assembly because of an inevitable ‘Hindu majority’ enjoying the power to frame ‘a post-war Constitution’.¹³⁷

The India League amidst the Trade Unions, 1942–44

After the outbreak of the Quit India Movement, Sorensen met with Attlee and Cripps, who told him that ‘since it was now a case of open war between India and Britain . . . nothing more could be said’.¹³⁸ Recognizing its isolation from the Labour leadership and where the power truly lay at Labour Conferences, the India League turned to the trade unions. It was supported in this campaign by Rajani Palme Dutt’s Communists and the British Section of the LAL, now the Colonial Information Bureau.¹³⁹ The India League had made connections with the South Wales miners and the AEU during the Spanish campaign, while its campaign for the Meerut Prisoners in the early 1930s won it the their support. This included S. A. Dange, a founder of the Communist Party of India, who travelled from India to mobilize British workers towards Indian independence.¹⁴⁰ The Labour MPs who supported the League also brought crucial connections to the Unions that sponsored them, notably the Scottish Miners (who swayed the Scottish TUC), the Miners’ Federation, the National Union of Distributive and Allied Workers and, above all, the National Union of Railwaymen (NUR).¹⁴¹ The NUR showed the same global antifascist/anticolonial spirit as the India League. It had campaigned for Spain and was fiercely opposed to Oswald Mosley while its journal published pieces by Nehru, three MPs that it sponsored sat on the India League’s parliamentary committee, and it would later support the Movement for Colonial Freedom.¹⁴² The India League officially affiliated with a wider range of unions including the Fire Brigades Union, the Tobacco Workers Union, the Clerical and Administrative Union, as well as local branches of the AEU.¹⁴³ Motivations varied, but in the case of the Fireman this was because ‘300 firemen who had been sent from this country to India to train personnel when Japanese invasion had seemed imminent, had seen for themselves the condition and poverty of the people. They had returned to this country with a not very high opinion of the British administration.’¹⁴⁴ This was not the passing interest of a few members: Unions passed resolutions supporting Indian independence at their meetings¹⁴⁵ and, at the 1943 meeting of the Trades Union Congress, the Firemen and Railwaymen pushed through a radical resolution condemning the violence of British rule and calling for Indian independence before the war’s end, declaring that a free India would be better placed to fight fascism.¹⁴⁶

At the 1944 Labour Party Conference, the Railwaymen sponsored a resolution, drafted by the League, which also called for Indian independence to precede victory against Japan.¹⁴⁷ This was

¹³⁶Agatha Harrison to Horace Alexander, Carl Heath, and Alexander Wilson, 28 February 1942, Temp. Mss.47/1, ICG, FHL.

¹³⁷All-India Muslim League Meeting, 16–20 August 1942, FP, vol. 2, 397.

¹³⁸IPI to Silver, 8 September 1942, L/PJ/12/454, IOR, BL.

¹³⁹Circular by the League Against Imperialism, 11 May 1937, U/DBN/26, RBP, HHC.

¹⁴⁰ENSYR, 7 June 1944, L/PJ/12/456, IOR, BL; File 155, KMP, NMML.

¹⁴¹EC/IL, 11 October 1944, File 176, KMP, NMML; Circular by the India League, 6 December 1937, File 183, KMP, NMML; EC/IL, no specific date, December 1943, File 176, KMP, NMML; File 191, KMP, NMML.

¹⁴²Copsey, “Every Time They Made a Communist They Made a Fascist”, 59; Phillip Bagwell, *The Railwaymen: The History of the National Union of Railwaymen* (Allen & Unwin, 1963), 700; see File 191, KMP, NMML; Daniel Gorman, *Uniting Nations: Britons and Internationalism, 1945–1970* (Cambridge University Press, 2022), 157.

¹⁴³File 208, KMP, NMML.

¹⁴⁴Birmingham City Police Report, 15 January 1944, L/PJ/12/456, IOR, BL.

¹⁴⁵For the Tobacco Workers, U/DBN/26, RBP, HHC; for the Railwaymen, Bagwell, *The Railwaymen*, 593–4.

¹⁴⁶Trades Union Congress, *Report of the Proceedings of the 75th Annual Trades Union Congress 6th–10th September 1943* (Co-Operative Printing Society, 1943).

¹⁴⁷S. Datta to Menon, 6 December 1944, File 155, KMP, NMML; LP, RAC, 1944.

accompanied by a report from the International Department led by the Chair of the Conference, Laski, which called for a Constituent Assembly. There was no discussion of geopolitical interests, no praise of the imperial mission or consolatory grasping after the Commonwealth. Instead, fiery speeches deplored the violence used against the Quit India Movement and held Britain responsible for the Bengal Famine. A trade union leader concluded that British rule in India contained ‘facts that make us in the Labour Movement feel disgusted at times to be Britishers’.¹⁴⁸ Over the objections of the party leadership, the NUR’s resolution was passed. The 1944 Labour Party Conference may well be the first major British declaration of intent for Indian independence that was both *immediate and unconditional*, emerging from the internationalism of the working-class movement and its resulting receptiveness to the arguments of Indians like Dange and Menon, that a free India would be a victory against fascism.

Labour in power, 1945–47

After Labour’s landslide in the 1945 election the India League’s parliamentary committee expanded by 100 MPs from its wartime total of 39. Formal backbench affiliation now exceeded one-third of the parliamentary Party and included the leader of the Liberal Party but no Conservatives.¹⁴⁹ The India League was able to issue a letter with the signatures of fifty-two MPs that demanded a Constituent Assembly for India.¹⁵⁰ A deputation of MPs even went to see Pethick-Lawrence, the new Secretary of State for India, who assured them that ‘the Cabinet intended to do their best at the earliest possible moment to secure Indian freedom . . . with the right of secession from the Empire if desired’.¹⁵¹ Even before Labour had formed a government, Cripps was calling for the revival of the 1942 Mission proposals and was reassuring Menon that the Assembly-and-Treaty formula would become party policy, which they did.¹⁵² The Viceroy was bitter that ‘Congress propagandists’ were ‘seeing Cripps and Attlee, and they are taking all they say as gospel’ and concluded Labour ‘are obviously bent on handing over India to their Congress friends as soon as possible’ due to their ‘pledges to the [Labour] party tail and fear of their pressure’.¹⁵³ In September, Lord Wavell’s objection to a ‘Constitution-Making body’ (based, in part, on the prediction that the Muslim League would reject it) was overruled by the Cabinet desiring one ‘as envisaged in the Cripps offer of 1942’.¹⁵⁴ Wavell contemplated resigning, refusing ‘to be a party to their plans to Quit India’, but did as he was bid and announced ‘the intention of His Majesty’s Government to convene as soon as possible a Constitution-making Body’.¹⁵⁵ This would go ahead despite Jinnah warning Pethick-Lawrence that ‘the idea of a single Constitution-making body is fundamentally opposed to the basic principles that the Muslim League has declared times out of number’.¹⁵⁶ It must have horrified Jinnah, therefore, when Attlee told Parliament that ‘we cannot allow a minority to place a veto on the advance of the majority’, signalling that Labour had renounced the minority veto.

¹⁴⁸LP, RAC, 1944.

¹⁴⁹One hundred signed application slips are in File 191, KMP, NMML.

¹⁵⁰*Ibid.*

¹⁵¹Note of Meeting between Lord Pethick-Lawrence and a deputation of Labour Members of Parliament, 17 September 1945, TP, vol. 6, 264.

¹⁵²See footnote, TP, vol. 6, 21; Menon to Nehru, 2 August 1945, cited in Ramesh, *Chequered Brilliance*, 360.

¹⁵³Archibald Wavell, diary entry, 3 September 1945, in *Wavell: The Viceroy’s Journal*, ed. Penderel Moon (Oxford University Press, 1972) (hereafter, *Viceroy’s Journal*), 169; Wavell, diary entry, 4 September 1945, *Viceroy’s Journal*, 169–70.

¹⁵⁴Minutes of Cabinet, 11 September 1945, TP, vol. 11, 247.

¹⁵⁵Wavell, diary entry, 4 September 1945, *Viceroy’s Journal*, 170; Broadcast Speech by Wavell at New Delhi, 19 September 1945, TP, vol. 6, 282.

¹⁵⁶Jinnah to Pethick Lawrence, 9 February 1946, cited in Jalal, *The Sole Spokesman*, 176.

Meanwhile, Congress support for the Assembly had now reached fever-pitch with Gandhi even calling it a 'substitute for *Satyagraha*', the core of his spiritualized politics. Cripps and the other members of the 1946 Cabinet Mission then set about trying to woo the Muslim League into the Constituent Assembly.¹⁵⁷ The resulting 'Cabinet Mission Plan' envisaged a grouping of semi-sovereign provinces that would establish a subnational Muslim polity while limiting the power of the Union government. This held out a glimmer of hope for a united federal India but then Nehru declared that 'the greatest merit of the Constituent Assembly was that the British Government will have nothing to do with it after it had been set in motion. The Constituent Assembly then will be completely sovereign and will be able to do anything.'¹⁵⁸ This meant that it could repudiate the Cabinet Mission Plan itself. The Muslim League issued a resolution drawing attention to the 'lack of provision or power that could prevent any decision being taken by the Congress with its overwhelming majority'. Congress would be in a position to 'use the Assembly in the manner in which they have already declared i.e. that they will wreck the basic grouping of the provinces and extend the scope, powers and subjects of the Union Centre'.¹⁵⁹ Thus, Nehru's demonstration of the anticolonial quality of the Constituent Assembly was also the point at which Partition became almost inevitable as the speech drove the Muslim League towards civil disobedience.¹⁶⁰ Once again, the Muslim League was not alone: Ambedkar also declared that 'the only function' of the Constituent Assembly was 'to find a solution to the Communal Problem' and wrote in desperation to Churchill that Labour's proposals were 'handing over Untouchables bound head and foot'.¹⁶¹

The Conservative Party remained entirely opposed to Indian independence as Churchill continued to trumpet the minority veto.¹⁶² He warned Attlee that in absence of agreement between 'the great forces comprising Indian life' he would resume his 'full freedom to point the dangers and evils of the abandonment by Great Britain of her mission in India'.¹⁶³ Churchill even favoured 'partition into Pakistan Hindustan, Princistan etc.' because 'British arms should not be used to dominate the Moslems even though caste Hindus might claim a numerical majority in the constituent assembly'.¹⁶⁴ He preferred the creation of a Pakistani Dominion to a united, Congress-ruled, subcontinent likely to go the way of Eire and leave the Commonwealth.¹⁶⁵ Pakistan got its Goodfellows moment at Churchill's country home, Chartwell, where, on 7 December 1946 he held a secret meeting with Jinnah.¹⁶⁶ A few days later Churchill spoke in Parliament, demanding 'the partition of Indian between two different races and religions' so that they could find 'a means of association with our great free Commonwealth'.¹⁶⁷ In the words of Jinnah's biographer 'these remarks of Churchill made Jinnah take an even tougher line ... this final London visit helped reassure him of the strength of Conservative Party support he still enjoyed, and it confirmed his resolve to let Nehru and Congress race round and round the constituent assembly track alone'.¹⁶⁸

¹⁵⁷HC Deb, 15 March 1946, vol. 420, col. 1422; cited in Alok Bajpai, 'Satyagraha and Duragraha: Some Reflections', *Proceedings of the Indian History Congress* 68, no. 1 (2007): 887.

¹⁵⁸Cited in Sangam Lal, 'The Muslim League and the Constituent Assembly of India', *Proceedings of the Indian History Congress* 42, no. 1 (1981): 496.

¹⁵⁹Resolution II of the Council of the All-India Muslim League, 29 September 1946, FP, vol. 2, 557.

¹⁶⁰Maulana Abdul Kalam Azad, *India Wins Freedom: The Complete Version* (Orient Longman, 1988), 164.

¹⁶¹B. R. Ambedkar, *Communal Deadlock and a Way to Solve It: Address Delivered at the Session of the All India Scheduled Castes Federation Held in Bombay on May 6, 1945* (Bheem Patrika Publications, 1945); Ambedkar to Churchill, 17 May 1946, CHUR/2/42A, Winston Churchill Papers (hereafter, WCP), CA.

¹⁶²Nicholas Owen, 'The Conservative Party and Indian Independence, 1945–1947', *Historical Journal* 46, no. 1 (2003): 403–36.

¹⁶³Martin Gilbert, *Road to Victory: Winston S Churchill 1941–45* (Heinemann/Minerva, 1989), 230–1.

¹⁶⁴Wavell, diary Entry, 29 March 1945, *Viceroy's Journal*, 120; Churchill to Jinnah, n.d., likely July 1946, CHUR/2/42B, WCP, CA.

¹⁶⁵See CHUR/2/43B, WCP, CA.

¹⁶⁶Churchill's Private Secretary to Jinnah's Private Secretary, 5 December 1946, CHUR/20/78, WCP, CA.

¹⁶⁷HC Deb, 12 December 1946, vol. 431, cols. 1346–70.

¹⁶⁸Stanley Wolpert, *Jinnah of Pakistan* (Oxford University Press, 1999), 304.

After Chartwell, Jinnah increasingly demanded Pakistani as a separate *Dominion* allowing Churchill to disassociate the Conservatives from Labour's policy: Churchill declared that the 'so-called Constituent Assembly had absolutely no claim or right to decide the fate of India' because the Muslim League was represented. He only consented to the Indian Independence Bill (required to get it through a tight parliamentary timetable) on the condition of 'an effective acceptance of Dominion status for the several parts of a divided India'.¹⁶⁹ This last gasp of the minority veto reminds us that Partition was also, in part, produced by forces beyond the subcontinent. As Amery himself put it, 'the immediate wrecker was Jinnah . . . but the real wrecker [was] Winston'.¹⁷⁰

Conclusion

The MP and future leader of the party, Michael Foot, hailed the India League's 'important role in changing Labour opinion by the end of the war' and Attlee stated that the reassertion of British rule in India would be impossible, partly because 'public opinion especially in our party would not stand for it'.¹⁷¹ George Orwell marvelled that 'the British did get out of India without fighting, an event which very few observers indeed would have predicted until about a year before it happened. On the other hand, this was done by a Labour government, and it is certain that a Conservative government, especially a government headed by Churchill, would have acted differently'.¹⁷² Orwell was right. Facing communal violence in 1946, the Viceroy had suggested a retreat to Muslim-majority areas or the military reinforcement of the Raj for 'fifteen years'.¹⁷³ Churchill's actions show that if he had won the 1945 election he would have chosen the second option and used the minority veto as a shield. Much is therefore owed to Labour's rise to power and the India League's influence within the party. The League achieved this through a campaign of disinterested solidarity and elective affinity which drew strength not only from the rise of Congress in India but also from alliances and solidarities within the global left. This enabled it to penetrate the Labour Party in Britain, producing a policy that was anathema to Conservatives and the Muslim League. The formation of a separate Constituent Assembly for Pakistan, the disappearance of the treaty, along with continuing negotiations with community-representing leaders under Mountbatten, meant that while the India League's campaign for Indian independence through a Constituent Assembly was successful, its accompanying intent of minoritizing the Muslim League had, with Churchill's assistance, backfired spectacularly with enormous and, for millions, desperately tragic consequences.

Despite its strong transnationality, the India League could not lead Labour towards a wider repudiation of the British empire. Through the doctrine of colonial development, Attlee's government was able to square its socialism with imperialism and while South Asia enjoyed independence, other colonies were forced to settle for the fourth British empire: groundnuts if they were lucky and emergencies if they were not. Equally, anticolonial Constituent Assemblies have not enjoyed a global career as Lancaster House-type imperial conferences remained the preferred means for achieving decolonization, especially in Africa. While South Africa summoned a Constituent Assembly after its break with apartheid, it is not clear that this followed the Indian example as there were other global precedents. Constituent Assemblies summoned by Pakistan, Burma, and later by Bangladesh and Nepal show, however, that the idea *has* become embedded in post-colonial South Asia.

There was a global legacy to the India League, however: the post-war Movement for Colonial Freedom affiliated with many of the same Trades Unions that had supported the India League,

¹⁶⁹HC Deb, 6 March 1947, vol. 343, col. 669; Churchill to Attlee, 21 May 1947, CHUR/43B, WCP CA.

¹⁷⁰Louis, *In God's Name*, 178.

¹⁷¹Ram, V. K. *Krishna Menon*, 69; Notes by the Prime Minister, n.d., likely 12 November 1946, TP, vol. 9, 68.

¹⁷²'Reflections on Gandhi', *Partisan Review*, January 1949.

¹⁷³*Listowel Memoirs*, 122.

including the NUR, NUM, AEU, FBU, and Tobacco Workers.¹⁷⁴ Individual supporters included old India League supporters like Bevan, Fenner Brockway, Foot, and Sorensen and even followed the India League's old strategy of asking anticolonial questions in Parliament in collaboration with anticolonial movements and newly independent nations, often in Africa.¹⁷⁵ That the India League's network and methods retained their effectiveness after Indian independence—and were adaptable to wider anticolonial objectives—further demonstrates their globality. In turn, the conversion of the radical anticolonial idea of a Constituent Assembly into policy is valuable evidence of the agency and decolonial power of those same global networks. This holds a historical significance beyond the India League, or even India.

Acknowledgements. I would like to thank my doctoral supervisor, Faisal Devji, as well as the editors at the *Journal of Global History* and my anonymous reviewers for their incisive comments. I would also like to thank Arjun Appadurai, Burton Cleetus, Ramachandra Guha, Sunil Khilnani, Janaki Nair, Sarah Stockwell and Andrew Thompson for their support of my research; Oriole Henry for her patient editing; Vikramjeet Sinha for accommodating me in New Delhi; and Clare Arni and Eloise Stevens for everything else.

Financial support. None to declare.

Competing interests. The author declares none.

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¹⁷⁴Gorman, *Uniting Nations*, 157.

¹⁷⁵Howe, *Anticolonialism in British Politics*, 239–50.