

## ***Muslim League's Tacit Acceptance of Radcliffe Award: A Critical Review***

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The Radcliffe Award, which eventually decided the fate of Pakistan, was an absolutely unjust and perverse award. Muslim League had demanded Pakistan consisting of full-fledged six provinces of Bengal and Assam in the North-East and the Punjab, Sind, NWFP and Baluchistan in the North-West of the subcontinent.<sup>1</sup> Instead of meeting this demand fully, the Award granted the Muslim League a moth-eaten, mutilated and truncated Pakistan — an extremely traumatic tragedy which has no parallel in the whole range of modern history.

The Boundary Commission was simply required to demarcate boundaries on the basis of the contiguous Muslim and non-Muslim majority areas,<sup>2</sup> but violating this basic principle, Radcliffe, the

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1 The final and definite resolution in this regard passed in the meeting of League's Legislators' Convention held at Delhi on April 7-9, 1946, runs as: "...the zones comprising Bengal and Assam in the North-East and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West of India, namely Pakistan zones where the Muslims are in a dominant majority, be constituted into a sovereign independent state and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay." Sharifuddin Pirzada (ed.), *Foundations of Pakistan: All-India Muslim League Documents: 1924-1947* (Karachi: National Publishing House, 1970), Vol.II, p.513.

2 The exact wording of its terms of reference for Punjab was as follows: "The Boundary Commission is instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so it will also take into account other factors." Similar wording was used in terms of reference for the Partition of Bengal. Enclosure to Liaquat Ali Khan's letter to Mountbatten dated June 28, 1947. *The Transfer of Power*, Vol.X, No.393, p.729.

Chairman of the Boundary Commission, handed over a number of contiguous Muslim majority areas to India In the eastern part of Pakistan — most of the contiguous Muslim majority areas of Murshidabad and Nadia districts, and even some strategic parts of the Muslim majority district Sylhet in Assam were included in the West Bengal.<sup>3</sup> From political and economic point of view, Calcutta must have been the part of East Pakistan, but as a result of a secret deal with the Congress high command, it was purposely granted to India.<sup>4</sup> The Andaman and Nicobar islands had immense strategic importance for Pakistan, and Quaid-i-Azam had strongly demanded their inclusion in Pakistan,<sup>5</sup> but ignoring the Quaid's demand, these islands were also given to India. Pakistan was denied any corridor through India to link its eastern and western wings, while India was provided with a corridor to Assam from West Bengal, Darjeeling and Jalpaiguri through Dinajpur in East Bengal.<sup>6</sup>

However, the territorial injustices of the gravest kind were done in the Punjab. The Muslim majority *tahsils* of Ajnala in the Amritsar district and of Jullundur and Nikodar in Jullundur district, which were quite contiguous to West Pakistan, were included in the East Punjab.<sup>7</sup> Likewise Gurdaspur district, clearly a Muslim majority district, was contiguous to West Punjab and in the June 3 Plan, it had been counted among the contiguous Muslim majority

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3 See Annexure "A" to the Report by the Chairman of the Bengal Boundary Commission, New Delhi, 12 August, *Quaid-i-Azam Mohammad Ali Jinnah Papers* (Islamabad: Quaid-i-Azam Papers Project, Cabinet Division, Government of Pakistan, 2000), Vol.V, pp.45-47.

4 Sardar Patel, a stalwart of the Indian National Congress, himself disclosed it in a public speech at Calcutta in January 1950. In the course of that speech, he admitted "we made a condition that we could only agree to partition if we do not lose Calcutta. If Calcutta is gone then India is gone." Quoted in the Madras daily *Hindu*, January 16, 1950, and cited by Chaudhri Muhammad Ali in his book, *The Emergence of Pakistan* (Lahore: Research Society of Pakistan, 1973), p.208.

5 See, Draft Telegram, Enclosure to Quaid-i-Azam's letter to Mountbatten dated July 5, 1947, Quaid-i-Azam Papers, Department of National Archives, Government of Pakistan, Islamabad, File No.2, p.179.

6 Z.H. Zaidi, *Quaid-i-Azam Mohammad Ali Jinnah Papers*, Introduction, Vol.V, p. xii.

7 See, Annexure "A" to the Report by the Chairman of the Punjab Boundary Commission, New Delhi, August 12, 1947, *Quaid-i-Azam Mohammad Ali Jinnah Papers*, Vol.V, pp.37-42.

districts of West Punjab,<sup>8</sup> but again as a result of a secret deal, it was finally allotted to East Punjab, providing India a land link to the state of Jammu and Kashmir, and thus creating the Kashmir tragedy.<sup>9</sup> Above all, the contiguous Muslim majority *tahsils* of Ferozpur and Zira in Ferozpur district, which had primarily been included in the West Punjab, were also transferred to India at the eleventh hour.<sup>10</sup> And with these territorial transfers, the Madhopur headworks (Gurdaspur) and Ferozpur headworks automatically went under the control of the Indian dominion, thus creating a serious canal water issue between India and Pakistan, as a considerable part of West Pakistan was irrigated by the canals emanating from the said headworks. Shortly after independence, India started stopping supply of water to these canals with the objective of crippling Pakistan's economy.<sup>11</sup>

As Radcliffe was pressurized by his masters to make his decision in favour of India his Award was no less than "a command performance".<sup>12</sup> The most important decisions regarding the partition of India were made behind the curtain. Ch. Zafarullah is not incorrect when he says that the Boundary Commission was a farce. A secret deal between Mountbatten and Congress leaders had already been struck.<sup>13</sup> As a matter of fact, Mountbatten had

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8 See, Appendix to The Announcement made by the British Prime Minister Attlee in the House of Commons and the Viceroy Mountbatten on the All-India Radio on June 3, 1947, which came to be popularly known as June 3 Plan in the history of British India. We see that Gurdaspur was placed in the Muslim majority Lahore division of the Punjab. *The Transfer of Power* (London: Her Majesty's Stationery Office, 1982), Vol.XI, No.45, pp.89-94.

That the British policy-makers were determined to include Gurdaspur into Hindu India and secret efforts in this regard had been started even during the Viceroyalty of Wavell (1943-1947) is very much evident from the study of Mountbatten Papers.

9 Chaudhri Muhammad Ali, *op.cit.*, pp.215-16.

10 Kanwar Sain, *Reminiscences of an Engineer* (New Delhi: Young Asia Publications, 1978), p.122. Also see, Sharifuddin Pirzada "Radcliff Award", *The Partition of the Punjab: A Compilation of Official Documents* (Lahore: National Documentation Centre, Lahore), Vol.I, pp.xxv-xxvi. See the extract from the map of Punjab, Punjab States and Delhi given in this volume, opposite to, p.246.

11 Chaudhri Muhammad Ali, *op.cit.*, pp.316-31.

12 Interview with Mian Sadullah Khan, former Keeper of Records, Punjab Archives, West Pakistan Civil Secretariat, who was officially associated with the Punjab Boundary Commission.

13 Muhammad Zafarullah Khan, *Tahdith-i-Ni'mat* (Lahore: Pakistan Printing Press, 1982), p.515.

“evolved [a plan for the] partition of Pakistan rather than partition of India.”<sup>14</sup> So bunglings were made in the demarcation of boundaries at a large scale. The inner official circles knew it very much. George Abbel, Mountbatten’s private secretary, Christopher Beaumont, Radcliffe’s secretary, all knew it, as is evident from their later writings.<sup>15</sup>

In short, when the Radcliffe Award carrying such drastic territorial injustices was publicly announced on August 17, 1947, the whole of Muslim India was mentally perturbed. Particularly, the Punjab Award caused great disappointment.<sup>16</sup> The majority of Indian Muslims were confident that the territory of West Punjab would be enlarged and the Muslims majority *tahsils* of Gurdaspur, Amritsar, Jullundur, Hoshiarpur and Ferozpur would be added to Pakistan but unfortunately they were transferred to India. The Muslim public in general and the Muslim intelligentsia in particular sharply reacted against this extremely unjust Award.<sup>17</sup> Justice Din Muhammad and Justice Muhammad Munir who had acted as the members of the Punjab Boundary Commission were stunned to read the Radcliffe Award.<sup>18</sup> Muslim League leaders like Abdur Rab Nishtar<sup>19</sup> and Raja Ghazanfar Ali also condemned the Award in very strong words.<sup>20</sup>

The pro-Pakistan newspapers also showed utmost anxiety and bitterness. *The Pakistan Times* recorded that the way the commission was functioning “was nothing more than a hoax perpetrated on the Muslims of India.” The paper repeatedly demanded that the delimitation of frontier between the States of

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14 Muhammad Anwar, “Mountbatten Plan” unpublished M.A. dissertation submitted to the University of the Punjab, 1962, p.37.

15 See, Khan Hussain Zia, *Mountbatten and Partition*, Montreal, 1985.

16 Based on writer’s interviews with Dr. Rafique Ahmad, former Vice-Chancellor of the Punjab University, Dr. Shakoor Ahsan, former Director, Research Society of Pakistan, and Professor Ehsan Elahi Salik, former Member of the Punjab Students Federation who were eyewitness to the crucial circumstances of 1947.

17 See, *The Police Secret Abstracts of Intelligence*, West Punjab, Lahore, August 23, 1947.

18 Latif Ahmad Sherwani, *Pakistan Resolution to Pakistan* (Karachi: National Publishing House, 1969), pp.231, 284.

19 *Ibid.*, p.268, *The Statesman*, Calcutta, August 19, 1947.

20 *The Pakistan Times*, Lahore, August 19, 1947.

Pakistan and Hindustan should be strictly on the basis of the Muslim majority areas and any concessions on the “basis of other factors”<sup>21</sup> should be reciprocal and by mutual consent of the two parties. Instead, a British lawyer sat in judgement and played the jigsaw puzzle of *tahsils*, *thanas* and villages. The basis of the “other factors” he used only militated against the Muslims. The paper held that the Award was most unfair and certainly not the ‘non-political’ award of an impartial judge. The paper regretted the partiality shown by the Britishers in the process of the partition and remarked that “the award is wrong, unfair and unjust.”<sup>22</sup> Similarly, the daily *Nawa-i-Waqt* regarded the Award “as a monument of dishonesty”. It maintained that such open distrust had no parallel in the political history of nations. The most regrettable thing was that whatever dishonesty or crime Radcliffe committed, he committed it purposely and Mountbatten, the Viceroy of India, was equally responsible for it. The way the partition was made was highly objectionable. The basic principle for demarcating boundary lines was the contiguous Muslim and non-Muslim majority areas. But Radcliffe did not fully follow that principle, instead he mostly violated it. Therefore, the Muslim League, the paper categorically demanded, should not abide by the Award. It should not give up its claim over the contiguous Muslim majority areas that had been illegally and unjustly given to India.<sup>23</sup> The daily *Inqilab* wrote that the partition scheme itself was basically defective, and this was repeatedly pointed out in its columns, but nobody took notice. The daily regretted “we failed to achieve the state we wanted.”<sup>24</sup> The daily *Dawn* regarded the partition of Bengal and Punjab by Radcliffe as a “territorial murder”. It regrettably wrote that “the decision of the Boundary Commission came for Pakistan like a bolt from the blue. This is an unjust Award, a biased decision, an act of shameful partiality by one who had been trusted to be fair because he was “neutral”. The paper added,

We maintain that the person so chosen and so trusted having proved either unequal or unworthy of the task entrusted to him, the present Government

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21 See the last sentence of the terms of reference in footnote 2, above.

22 *Ibid.*

23 *Nawa-i-Waqt* (Lahore), Editorial, August 21, 1947.

24 *Inqilab*, Editorial, September 7, 1947.

of Pakistan is not bound by the previous undertaking. Let us make it perfectly clear that even if the Government of Pakistan accepts this territorial murder of Pakistan which is miscalled a judicial award, the people will not.<sup>25</sup>

As a matter of fact the stressing demand for rejection of the Radcliffe Award had really become a burning question at the birth of Pakistan and remained a moot-point throughout the post-partition period. It still strikes the thinking minds in Pakistan. Particularly our younger generation often raises the question that if the Radcliffe Award was so unjust and perverse, why did not the All India Muslim League reject it? Why did it accept it after all? But a counter question is also commonly raised: was the Muslim League in a position to reject the Radcliffe Award? It can be maintained that Muslim League was not in a position to do so. The rival parties, Muslim League and the Congress, had solemnly pledged to abide by Radcliffe's decisions whatever they would be.<sup>26</sup>

The question of rejection, in fact, arose only after the Award was publicly announced on August 17, two days after the Muslim League and the Congress, as successor authorities, had officially assumed the reins of their respective dominions. Hence each successor authority, it can be argued, was morally, legally and constitutionally bound to abide by the Radcliffe Award. Particularly, the Muslim League government, it is generally maintained, was absolutely not in a position to take the risk of rejecting the Radcliffe Award whatsoever it was. But we think that League Government, as it had been legally and constitutionally established, was definitely in a position to register at least its protest against the unjust Award.

Further, it can also be argued that even if the Muslim League government, under mounting pressure, had taken the drastic step of rejecting the Radcliffe Award, would it have been possible for it to

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25 *Dawn* (Karachi), Editorial, August 18, 1947.

26 See, the joint statement in this regard which follows as: "Both Governments [of Bharat and Pakistan] have pledged themselves to accept the awards of the Boundary Commissions, whatever these may be... Both Governments will take appropriate steps to allow the Boundary Commission to work without any disturbance and as soon as the awards are announced, both Government will enforce them impartially and at once." *The Transfer of Power*, Vol.X, p.327.

retrieve the lost territories? Or, would it have been possible even to save the truncated Pakistan from further destruction? It can be claimed that nothing could have been retrieved or saved. It can also be maintained that with the Pakistan government's rejection of the Radcliffe Award, civil war would have instantaneously broken out throughout the subcontinent. But the fact is that the country was already in the grip of a civil war. The communal passions were already running high. The communal frenzy had already become acute. In such a critical situation, the communal volcano would have taken no time to burst out.<sup>27</sup>

Which way the civil war would have gone, can be anybody's guess. It can be maintained that in case of Pakistan government's rejection of the Radcliffe Award, the whole of Muslim India would have suffered beyond imagination. Particularly, Muslim minorities in Hindu majority provinces would have been subjected to untold miseries. The tragedies of Calcutta's great killings and Bihar massacres would have been definitely repeated. The Muslim minorities in those provinces would have been completely wiped out.<sup>28</sup>

Besides, it is also generally maintained that had the Muslim League rejected the Radcliffe Award, the newly established Pakistan government would have instantly collapsed. It is also asserted that it lacked necessary resources to sustain the resultant shock. It had no money, no proper administrative machinery. It had no sufficient defence forces at its disposal. The Muslim regiments were lying scattered in the far-flung regions of the subcontinent. Only some troops of the Baluch regiment and some policemen were available which were not sufficient to cope with the odd circumstances.<sup>29</sup> On the contrary, the Indian dominion government was in a better position. It had all the resources of undivided India

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27 See, *The Police Secret Abstracts of Intelligence for the Years 1946-1947* (Punjab Archives, Civil Secretariat, Lahore; Note on the Sikh Plan (Lahore: Superintendent, Government Printing, West Pakistan); *RSS: Rashtriya Swayam Sevak Sangh* (Lahore: Superintendent, Government Printing, West Pakistan, 1948); *The Sikhs in Action* (Lahore: Superintendent, Government Printing, West Pakistan, 1948).

28 For a detailed study of Calcutta and Bihar killings, see, Francis Toker, *While Memory Serves* (London: Cessell, 1950).

29 Z.H. Zaidi, *Quaid-i-Azam Mohammad Ali Jinnah Papers*, Vol.IV, Introduction, p.xvi.

were at its disposal, the major part of the pre-partition Indian army was under its direct control and the services of all other law enforcement agencies were also at its command.<sup>30</sup> It is generally maintained that finding itself in a stronger position, in the event of civil war, the first action of the Indian dominion would have been to get immediately the control of the Pakistani provinces and to achieve this objective, the ministers of the Pakistan government or the Muslim League high command would have been imprisoned and consequently, the agitating Muslim masses in Sind, Punjab and NWFP would have to depend on the second or third rate leaders who were mostly landlords or *jagirdars*. Could such leaders have sustained the pangs of the civil war? Another setback for Pakistan was that even some Muslim organizations including the Ahrars, the Khaksars and the Nationalists were against the creation of Pakistan and they could not have been expected to play a positive role in the civil war.<sup>31</sup> So, it would have been very easy for the Indian dominion to reunite the seceding provinces. But we think these are all suppositions.

It can also be argued that the Radcliffe Award was not simply the act of Cyril Radcliffe, the Chairman of the Boundary Commissions. It was, in fact, the result of the collective thinking and performance of the British policy-makers both at home and on the spot who were deadly opposed to the creation of Pakistan.<sup>32</sup> They strongly believed in the so-called geographical unity of India, which they considered their proud legacy. They did not like the Pakistan scheme which meant the partition of India on the basis of Hindu India and Muslim India. But under the circumstances, they were compelled to accept the Pakistan demand but at the same time they had embarked upon a policy of frustrating the efforts which were being made by Muslim League leadership for its realization. In order to counterbalance the Pakistan demand, they had started to support and stress the Congress demand for partition

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30 Chaudhri Muhammad Ali, *op.cit.*, pp.160-202.

31 For the negative role of the Khaksars, the Muslim Nationalists, see the *Police Secret Reports*, 1946-47.

32 This is quite evident from the study of the volumes of *The Transfer of Power* edited by Mansergh and Penderel Moon as well as from the *Quaid-i-Azam Mohammad Ali Jinnah Papers* edited by Z.H. Zaidi.

of Muslim majority provinces of Bengal and the Punjab. Quaid-i-Azam, the spearhead of the Pakistan movement, vehemently opposed this sinister move and continued to do so till the last moment.<sup>33</sup> But as a result of the machinations of the Congress leaders and the British policy-makers, the partition of Bengal and the Punjab was arbitrarily decided and provision to this effect were incorporated in the June 3 Plan. The Muslim League leaders and a section of the Muslim press strongly condemned the Plan and urged upon the Quaid to reject the Plan, but the Quaid, despite the inherent defects of the Plan, advised his colleagues to accept it.<sup>34</sup> And it has always been asserted in this regard that had the Muslim League rejected the June 3 Plan, the British rulers would have transferred authority to Indian National Congress.

Anyhow, the scheme of partition of India would not have been so dangerous, had it been implemented impartially and justly. But impartiality and justice were the words perhaps unknown to Mountbatten and Radcliffe who were mainly responsible for pushing the country to the brink of civil war. They could never have been expected to favour the cause of Pakistan or Muslim India. All their sympathies were with the Indian dominion. Commenting on the Award in a broadcast speech, the Quaid spoke thus,

The division of India is now finally and irrevocably effected. No doubt, we feel that the carving out this great independent Muslim State has suffered injustices. We have been squeezed inasmuch as it was possible and the latest blow that we have received is the Award of Boundary Commission. It is an unjust, incomprehensible and even perverse Award. It may be wrong, unjust and perverse, and it may not be a judicial but political award but we have agreed to abide by it and it is binding upon us. As honourable people, we must abide by it. It may be our misfortune. But we must bear up this one more blow with fortitude, courage and hope.<sup>35</sup>

Undoubtedly, the Quaid's advice to abide by the Radcliffe Award must have been the act of his utmost political acumen, wisdom and far-sighted statesmanship. But this statement appeared

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33 *Ibid.*

34 See, Sher Muhammad Garewal, "The Third June Plan and the Emergence of Pakistan", *The Journal of the Research Society of Pakistan*, July 1997, pp.1-9.

35 Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah* (Lahore: Shaikh Muhammad Ashraf, 1947), Vol.II, p.427.

in the press 13 days after the announcement of that notorious Award. Now the question is why the Muslim League leadership or the Muslim League Government remained silent for so many days. Why did it not show any reaction to it any sooner? Why did it not make any protest against it? It can be maintained that the Muslim League leadership or the Muslim League government remained silent because it was gratified with the overall outcome of the Partition. Despite all the territorial injustices, it had after all succeeded in achieving a state which could still be considered as one of the largest states in the world. But this gratification can never heal the wounds we received from Radcliffe's territorial injustices.