

ALL-INDIA MUSLIM LEAGUE: A STUDY OF ITS CONSTITUTION WITH AMENDMENTS (1907-43)

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Abstract

The constitution of a political party is a written document embodying the basic principles and rules. The League was founded in December 1906 at the culmination of a meeting of the Muhammadan Educational Conference founded in 1886 by Muslim reformist and modernizer, Syed Ahmad Khan (1817-98). Like other national political parties, most notably the Indian National Congress founded in 1885, the League developed an organizational structure and a written constitution. During its inaugural session a group of Muslim leaders not only resolved to establish a new party, the All-India Muslim League, but also decided to enunciate certain principles and devise certain rules on which the party would be based and organized. These basic principles and rules became the constitution of the League. This Constitution was unanimously ratified during the first annual meeting of the League in December 1907. It was first revised and modified in March 1908. However, the Constitution was not a completed document and proved to have many flaws as political conditions and personnel changed. As a result it was refined and upgraded with numerous modifications and amendments in the form of additions, substitutions and rectifications. This research paper mainly focuses on the 1907 Constitution of the League with a detailed account of major changes incorporated upto 1943. In addition, it lists minor adaptations incorporated on other occasion. This is done through an examination of both primary and secondary sources.

Key words: All-India Muslim League, Constitution, Amendment

Introduction

The All India Muslim League established on 30th December 1906, was at that time the only national political

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organization of the Indian Muslims. It was established on the conclusion of a meeting of the All-India Muhammadan Educational Conference held at Dhaka. This organization under the enthusiastic and altruistic leadership of Mohammad Ali Jinnah (1876-1948) after 1936, strove to establish a separate and sovereign state: Pakistan for the Muslims of South Asia. The League was not only the name of an organization but like other nationally-run political organizations, it developed an organizational hierarchy and a written constitution. The party had a President, several Vice-Presidents, one Honorary Secretary and two Joint Honorary Secretaries. It had its own Headquarters, various provincial organs and it developed its own funds, although it largely depended upon donations from wealthy donors. In the initial period of its existence the party had only 400 members appointed from different provinces. Membership was allowed only to a Muslim of British India aged twenty-five years. Every member was required to pay an admission fee and an annual donation.

During the meeting of the Educational Conference the Muslim leaders not only determined to found the League but also resolved to prepare its constitution. Under Resolution-II, a Provisional Committee consisted of sixty members was appointed with a view to frame a constitution for the League within a period of four months (Pirzada, 1970, pp. 10-11). Mohsinul Mulk (1837-1907), a civil servant in the British administration from the United Provinces and a close friend and colleague of Syed Ahmad Khan and Viqarul Mulk (1841-1917), also from the United Provinces and a devoted follower of Syed Ahmad Khan, were elected Joint Secretaries of this Committee. The Committee was empowered to call a meeting of representatives of the Indian Muslims at a proper place and time for the consideration and approval of the Party's Rules (Sharif-al-Mujahid, 1990, p. 170). But unfortunately Mohsinul Mulk fell seriously ill and the Committee failed to prepare the draft

constitution within the stipulated time. It was finally devised by mid-1907 and circulated among Muslim leaders for their suggestions. (Hasan, 1976, p. 5). A well-known Muslim leader, Maulana Muhammad Ali Jauhar (1878-1931), from Rampur State in the United Provinces, was mainly responsible for drafting the rules and regulations of this new organization. All the resolutions passed during the meeting were published by him in the form of a brochure called the 'Green Book' (Editors, 1963, p. 38). A draft constitution was finally presented at the League's first annual meeting held at Karachi on December 29, 1907, with wealthy Bombay philanthropist Sir Adamji Peerbhoy (1845-1913), as the President of the meeting. For further consideration of the constitution, a Representative Committee of twenty-six members was formed (Pirzada, 1970, pp. 21-22). This Committee fully discussed all aspects of the draft for two days and after proposing several amendments, the League's Constitution was unanimously approved (Hasan, 1976, p. 6). However, the session was adjourned without completing its proceedings. The adjourned meeting was held at Aligarh on March 18, 1908 when the constitution was further modified. Sir Aga Khan III (1877-1957), the Imam of the Nizari Ismailis, although not actually present in the meeting and not even in India as he was in England, was elected as the League's First President (Becker, 2013, p. 65). A Central Committee consisting of forty members was formed and representatives from various provinces were elected. (FMA, Vol.5)

The League's Constitution 1907

The Constitution adopted in the League's Karachi Session of December 1907 and modified in March 1908 had forty sections (Hasan, 1976, pp. 295-311), (Sharif-al-Mujahid, 1990, pp. 181-190).

1: Name: The Party shall be named as the All-India Muslim League.

2: The Creed:

The party shall endeavor to:

- a. Foster feelings of loyalty among the Muslims of India to the British Government and to discourage any misunderstanding that may occur any time to the aspirations of the government relating to any of its act.
- b. To safeguard and advance the Muslim's political rights and interests to the Government.
- c. Discourage the emergence of hostile feelings among the Indian Muslims towards other communities.

3: Membership Qualification:

The following four qualifications were mandatory for the membership of the League:

- a. He shall be a 25-year Muslim subject of British India.
- b. He shall have ability to read and write in any one of the Indian languages.
- c. He must have at least an income of Rs. 500 per annum. Parents' income will also make him eligible for membership.

During certain conditions, the League's Central Committee had authority to grant an exemption.

4: Number and Classification of Members:

There shall be maximum 400 members of the League at all-India level. The appointment of these members was based on nomination and election and their allotment to the different provinces shall be as under:

About 50 to 200 of the total members shall be appointed through nomination in the meeting in which this Constitution is adopted. The remaining members shall be appointed afterwards in accordance with Section 5. The nominated members shall consist of the following three groups:

First Group:

The First Group shall consist of the following 33 members who attended the Simla Deputation (1906) and who are

still alive and not joined the government services. Sir Aga Khan, Shahzada Bakhtiar Shah, Malak Omar Hayat Khan, Mian Muhammad Shah Din, Syed Nawab Ali Choudhri, Syed Amir Hasan Khan, Naseer Hussain Khan Khayal, Mirza Sujaat Ali Khan, Syed Ali Imam, Sarfaraz Husain Khan, Ahmad Mohiuddin Khan, Maulvi Rafiuddin Ahmad, Ibrahimhoy Adamji Peerbhoy, Maulvi Abdur Rahim, Syed Allahdad Shah, Maulana H.M. Malak, Khalifa Syed Muhammad Hussain, Abdul Majeed Khan, Khwaja Yusuf Shah, Mian Muhammad Shafi, Shaikh Ghulam Sadiq, Hakim Muhammad Ajmal Khan, Muhammad Ihtisham Ali, Syed Nabiullah, Maulvi Syed Karamat Hussain, Syed Abdur Rauf, Abdus Salam Khan, Muhammad Muzammil Ullah Khan, Muhammad Ismail Khan, Sahibzada Aftab Ahmad Khan, Nawab Waqqarul Mulk, Maulvi Habibur Rahman Khan, Nawab Syed Sardar Ali Khan.

Second Group: Those 35 members who were elected at the League's inaugural session held at Dhaka on 30th December, 1906 under Resolution-II:

East Bengal and Assam: Maulvi Himayatuddin, Maulvi Abdul Majid Nawab Salimullah Khan.

Bihar and West Bengal: Mazharul Haq, Abdul Hamid, Hasan Imam, Sirajul Islam, Noorul Haq, Shamsul Huda,.

United Provinces of Agra and Oudh: Naushad Ali Khan, Zahur Ahmad, Muhammad Naseem, Hamid Ali Khan, Maulvi Ghulam Saqlain, Raja Maulvi Abdullah Jan, Muhammad Ishaq, Shaikh Abdullah, Muhammad Rauf, Muhammad Musa Khan, Maulvi Abdul Majid.

Punjab: Fazl-i-Husain, Abdul Aziz, Shaikh Ghulam Ali.

NWFP: Abdul Aziz, Fida Muhammad Khan.

Bombay and Sindh: Ghulam Muhammad, Muhammad Ali, Nawabzada Nasrullah Khan, A.M.K. Dehlavi.

Madras: Yaqub Hasan, Abdul Hameed Hasan, Nawab Ghulam Ahmad, Abdul Hadi Badshah.

Central Province: K.S. Muhammad Ameer Khan.

Burma: A.S. Rafiqi .

Third Group: The other three members who attended the Dhaka Session on December 30, 1906. They were Syed Hussain Bilgrami, Shaikh Muhammad Abdul Qadir and Hissamuddin

5: Provincial Distribution of the Members:

The 400 members from different provinces, as laid down in Section 4, shall be as under:

1. Agra and Oudh:	70
2. Punjab	70
3. Bombay and Sindh (Sindh-10, Bombay-30)	40
4. NWFP and Baluchistan:	15
5. Madras	25
6. West Bengal, Bihar and Orissa	70
7. East Bengal & Assam	70
8. Berar, CP and Ajmeer	15
9. Burma	10
10. Others	15

Total: **400**

6: Every ten years after the publication of the census report, the provincial representation and strength of members shall be revised, taking into account the Muslim population, educational, economic and social status of the provinces.

7: Election of Provincial Members:

- i. The members in the provinces laid down in Section 5 shall be elected by the concerned Provincial League. In case of provinces sub-divided into a number of sub-provinces, every Sub-Provincial League shall be considered Provincial League, like West Bengal, Bihar and Orissa in the Province of West Bengal.
- ii. In case of absence of such Provincial League in any province, the affiliated Divisional, District or Town Organizations shall appoint members as per their quota. The filling of the remaining seats will be the

responsibility of the Central Committee by means of inviting members from rest of the parts of the province. If it failed to find such representatives, the Committee itself shall elect such members.

8: Tenure of Election:

Every member shall be appointed for five-year term, but after expiration of this period he shall be eligible for re-election.

9: If on account of any reason, some of the seats remained vacant, matters of the League shall be carried on as usual, provided that the number of members including office-bearers shall be at least 50.

Entrance Fee and Annual Subscription:

10: After election every member shall deposit an entrance fee of 25 rupees as his registration fee and annual subscription of 25 rupees in the League's Fund. The deposited amounts shall not be reimbursable under any circumstances.

11: A candidate after being elected shall not be considered as a member unless he has deposited his registration fee and annual subscription. However, those candidates who were elected on 30th December, 1907, during the League's Session held at Karachi, and have not deposited their entrance fee or the annuals subscription during the meeting, shall be given a time for such payment up to February 15, 1908. In future, the members will be given time of six weeks to deposit their entrance fee and annual subscription. The members who failed to pay the said amount in the office of the League's Secretary within the stipulated time, the election of such defaulters shall be considered null and void.

12: A member shall not be allowed to enjoy his rights and privileges of membership in any League's session unless he has cleared all his fees up to the time of the session.

13: Not less than eight weeks prior to the annual meeting, the Honorary Secretary shall bring in notice of every member, the list

of all enrolled members who have fulfilled the required formalities in accordance with the above rules and regulations.

14: The League's fiscal year shall commence from each 1st January and end on each 31st December. Members elected during the annual meetings in December shall be bound to pay entrance fees and subscriptions for the next fiscal year.

Quorum Required for Various Meetings:

15: During the annual sessions at least one-fifth and in other meetings of the League one-eighth of the registered members shall form the quorum.

16: In case of relief granted for appointment of members under Article 7 and 8, no votes sent in writing or proxy shall be regarded as valid in any of the meetings of the League.

The Central Committee:

17: For furtherance of the League's mission, implementation of its programs and performing other executive functions, a Central Committee of 30 to 40 members including the office-bearers shall be appointed from among the League's members by a majority of vote. The Committee's members shall be elected as far as possible on the principles of representation to all the provinces.

18: The Committee's members shall be elected by ballot; but the members unable to attend the meeting, shall have right to send their written votes to the Secretary not less than three days before the date of the meeting at which such election is to take place.

19: (a) The members of the Committee shall be elected for three-year term and shall be eligible for re-election.

(b) In case the period of membership of any member of the Central Committee has not completed while his term of the League's membership has expired, he can carry on to be a

member of the League till the completion of his membership of the Committee provided that he continue to pay his annual fee.

20: The League's Office-Bearers (appointed under Article 25) shall be ex-officio members and office-bearers of the Central Committee.

21: The Central Committee shall be fully authorized to perform all duties, responsibilities and powers as laid down in the rules. But until the election of the Committee, the League itself will exercise all such powers.

22: At a meeting of the Central Committee, five members including office-bearers shall form the quorum.

23: The modus operandi in which the Central Committee shall transact its function is to:

- a. Take proposals from the League's members on any matter through correspondence, and to take decisions by majority of vote and to take steps for implementing such decisions.
- b. Postpone for some time any matter for further consideration.
- c. Summon the annual sessions of the League at suitable time and place.
- d. Convene other meetings of the League's members at proper times and places: provided that not less than one-third of the total number of its members shall appeal the Committee's Secretary to arrange such meetings, or at least two-thirds of the total number of the members of the Central Committee shall consider it necessary to convene such meetings, for considering any vital question in connection with the League's policy.
- e. Give permission to visitors for their participation in the League's annual and other meetings.
- f. Decide fee for visitors, or fix their number or impose certain conditions for their participation.
- g. Exempt entrance fee for the press reporters for attending such meetings to report the proceedings of the meetings.

Responsibilities of the Committee:

24: The Committee shall perform the following duties:

- a. To make an effort for setting up provincial leagues in all provinces.
- b. To enforce the resolutions approved during the League's meetings or its Central Committee.
- c. To furnish necessary information in connection with promotion of the League's policy.
- d. To settle problems as much as possible through correspondence as mentioned under Section-23(a).
- e. To draw up and circulate the plan of the annual and other meetings of the party to its members and to decide the date and place of all these meetings.
- f. To appoint the President for the League's Annual Sessions.

Office-Bearers of the Party:

25: The office-bearers of the party shall be elected at a meeting of the League. They shall consist of one President, six Vice-Presidents (from various provinces), one Honorary Secretary and two Joint Secretaries.

26: One member of the League shall propose the names of the candidates for various offices of the League and another member shall second and the list of these candidates shall be sent to the League's Secretary at least six weeks prior to the meeting. The Secretary shall circulate the list of all these proposed candidates among the members along with the names of their proposers and seconders not less than four weeks before the scheduled meeting.

27: The present members in the meeting shall elect the office-bearers by ballot; while the absent members shall send their votes in writing to the Secretary.

28: Every office-bearer shall be elected for a three-year term and shall be allowed for re-election.

Duties of the Honorary Secretary:

29: He shall be responsible for running the affairs related to his office and for maintaining accounts.

30: To make a provisional sub-committee for any particular purpose.

31: To delegate his powers to one of the Joint Secretaries as his agent in the event of his temporary absence, and to inform all members about such temporary appointment.

32: The Joint Secretaries shall work under the command of the Secretary and shall support him in the performance of his duty.

Resignation of Office or Membership:

33: Any member or office bearer of the League shall be allowed to resign.

34: If three-fourths of the total members of the Central Committee believe that presence of a member or office-bearer of the League is likely to jeopardize the policy of the party, the Committee, after giving the concerned person an opportunity to clarify his position, shall be authorized to break all matters with him until the final conclusion of the Central League.

35: When three-fourths of the total members consider that presence of any member or office bearer is harmful to the League's cause, it is authorized to cancel his membership or eliminate him from his office, as the case may be.

The League's Funds:

36: The entire amount received from the League's members and visitors during the annual and other meetings, and all subscriptions, donations and other contributions collected by the League or the Central Committee from time to time, either for the promotion and furtherance of the League's policy or for any specific purpose shall constitute the Funds of the League.

37: This Fund shall be deposited in the name of the party in the Bank of Bengal. In case a branch of the Bank of Bengal is not

available in an area, such Funds may be deposited in any other bank, from where at the direction of the Secretary or the Central Committee or in the absence of the Secretary his assistant may draw on such Funds under his signature.

38: (a) A Finance Committee shall be constituted by the Central Committee annually. It shall consist of the office bearers of the League and three members of the Central Committee.

(b) The Finance Committee shall make the annual budget of income and expenditure which shall be scrutinized and endorsed by the Central Committee after suggesting necessary alternations as it consider necessary and the Secretary shall be authorized to operate the account according to the instructions of the Central Committee.

(c) It shall be the responsibility of the Finance Committee to submit the report of the annual accounts to the Central Committee duly audited by a qualified firm of Auditors.

(d) In case of emergency, the Finance Committee shall have power to suffer expenditure over and above the budgetary provision which shall not go beyond ten percent of the budget grants; but the Central Committee shall be informed of such expenditure at the earliest opportunity.

Procedure of Amendment in the Constitution:

39: (a) - The Constitution of the League shall be modified, amended or rescinded with the help of two-thirds majority of the members present and voting at the League's annual meeting.

(b)- One member shall propose an amendment in written form duly seconded by another member. The proposed amendment shall be forwarded to the Secretary not less than eight weeks before the date of the annual meeting. The Secretary shall circulate it among the members not less than five weeks prior to the meeting.

Bye Laws:

40: In order to make the League a well productive organization and to legalize the affairs about which no certain rules have been available in the League's Rules, the Central Committee shall have power to frame bye-laws, provided that all such bye-laws shall be considered valid if they do not violate any of the fundamental rules of the League.

Amendments Made in the Rules up to 1943

The Constitution of the League was an incomplete document. It had many drawbacks which were corrected over the course of time. It did not specify the nature of the authority of the parent League over its provincial and other branches. It even did not indicate whether the central constitution was to be used as a model for the constitutions of the provincial Leagues. Thus, all the provincial Leagues were free to frame their own rules according to their needs and local circumstances. (Rahman, 1970, p. 53). It did not make clear the composition of the party and when to convene the meetings of the Central Committee. The most important omission in the Rules was the absence of any clause about the distribution of seats of the Central Committee over the different provinces. This issue was resolved during the League's annual meeting on March 18, 1908 when forty seats of the League's Committee were distributed over the provinces: the Punjab had (7), the United Provinces of Agra and Oudh, (7), Bombay and Sindh, (4), Madras, (2), NWFP and Baluchistan, (1), C.P. and Berar, (2), West Bengal, Bihar & Orissa, (7), East Bengal & Assam (7), Burma (1) and the Indian States (2) (Bahadur, n.d., p. 73).

The original constitution, as amended in January 1910, remained operative till March 1913 (Afzal, 2013, p. 27). In December 1908, a Representative Sub-Committee was established to modify the constitution. (Pirzada, 1970, p. 41 and 86). It held its first meeting at Delhi on January 27, 1910 with Sir

Aga Khan as the President. A number of suggestions were made, some, however, were of great significance, as they impacted the League's Rules and its course of action. These amendments were approved during the League's annual session in December, 1910. The number of Vice-Presidents was increased to twenty and that of the League's members to 800. Sir Aga Khan was appointed as the first President of the party for the next two years. Similarly one Honorary Secretary, two Joint Secretaries and 16 Vice-Presidents, were also elected for a period of two years (Pirzada, 1970, pp. 127-29). According to the Constitution these office-bearers were to be elected for three years. This session was an important one because for the first time a complete League executive body was elected. The Central Committee was renamed the Council and the annual subscription was reduced to Rs. 20, payable in four installments of Rs. 5 each (Hasan, 1976, p. 313). The initial Constitution of the League was based on the principles of loyalty towards the British Government. This remained the case until 1911. There was then no valid reason to oppose the British Government. However the decision of the Delhi Durbar held at Delhi on December 12, 1911 to abrogate the decision of 1905 to partition Bengal into two provinces, heralded a momentous change in the Muslim politics. It expressed this by changing its creed from loyalty to a form of self-government suitable for India (Qureshi, 1969, pp. 29-31). Since February 1912, Syed Wazir Hasan (1874-1947), noted lawyer and judge from the United Provinces and one of the Joint Secretaries of the Party, had been officiating as the League's Secretary on the sudden demise of the previous Secretary, Muhammad Aziz Mirza who had served as Secretary for two years from 1910. Hasan proposed a number of amendments in the Constitution and a draft constitution was prepared (Hasan, 1976, p. 314). At that time Mohammad Ali Jinnah, who was not a member of the League, attended its Council meetings for three consecutive years from 1910 to 1912. (Sharif-al-Mujahid, Quaid-i-Azam Jinnah: Studies

in Interpretation, 1981, p. 4). On the invitation of Wazir Hasan (Ahmad, 2006, pp. 10-11), he attended the Council's meeting held at Bankipur on December 31, 1912 and proposed that the creed of League be changed:

- i. To encourage and preserve among the Indians a loyal attitude towards the British Crown.
- ii. To safeguard the political and other rights of the Muslims.
- iii. To foster harmony between the Muslims and other communities of India.
- iv. To attain self-government suitable to India under the auspices of the British Crown. (FMA, Vol. 91, 1912).

At the same time the annual subscription was reduced to five rupees and the age limit to twenty-one. The educational qualification was also relaxed. The ability of 'reading and writing' in any language was replaced with literacy meaning the ability to mark one's name in any language. The number of the Council's members was increased to 150. Any Muslim organization, inside or outside British India, was allowed to be affiliated to the League and the clause restricting the maximum number of the organization to 800 was deleted. The Council was empowered to control the activities of the various units of the party and to affiliate or disaffiliate any of its provincial, district or other units. (Hasan, 1976, p. 325). These modifications entirely altered the complexion of the constitution. The wording of the creed was also slightly changed. These amendments were endorsed in March 1913 (FMA, Vol. 68, 1913).

The new creed of the League paved the way for compromise with the Indian National Congress and both the parties signed the famous accord at Lucknow in December 1916. A year later on December 30, 1917, a Constitution Committee was formed (FMA, Vol. 117, 1918). It was scheduled to meet on February 24, 1918 but for want of a quorum it was adjourned as only two of its members namely Munshi Mazhar Ali and Munshi Ishaq Ali were present (FMA, Vol. 123, 1918-20). It finally met

some three weeks later on March 17, 1918, where several amendments were proposed. The draft constitution was approved in a meeting of the League's Council convened on June 9, 1918 at Lucknow (FMA, Vol. 123, 1918-20) and was circulated among the League members presented again at the League's session of December 1918. However it was not considered as the session was adjourned before it could be taken up for discussion. No progress was made until December 1919. At this time a number of *Ulema* (Muslim scholars) were also participating in the League's meetings. One of them, Maulana Azad Subhani who preached that socialism and Islam were one and the same, suggested an Arabic name for the League to be given as a translation of or in addition to the original name. It should be *Jamiat-ul-Siyasat-ul-Islamia-tul-Hind*. Similarly it was proposed that the creed of the League should be brought in consonance with religious tenets of Islam (FMA, Vol. 86, 1919). The League's constitution was altered in December 1919 when the word 'religious' was added after the word 'political' in Section 2(b). In Section 3(a), it was laid down that only Muslim residents of British India, or of any of its feudatory states, or of any other territory falling under British suzerainty, shall be eligible to become League's members provided that in the last case he has not been out of India successively for five years. It was provided that the Honorary Secretary shall give a notice of payment to a member if his subscription was in arrears for over a year, and if he declined to pay his dues within a month, his name shall be eliminated from the League's list of its members through a resolution passed by the League's Council in this regard. The Council members were increased to 300 and its annual membership fee was reduced to twelve rupees. Office bearers were debarred from occupying any office of the League for more than two successive terms. The number of the Vice-Presidents was also raised to fifty. (Pirzada, 1970, p. 539).

The Government of India Act of 1919, non-violence and the Indian National Congress's non cooperation movement of 1920 radically changed the political atmosphere of India. *Swaraj* (self-government) became the slogan of the day (Aleeg, 1945, pp. 405-6). As a result, the League during its Nagpur Session (December 1920), determined the attainment of *Swaraj*, as the main slogan of the League by bringing a major amendment in Section 2(a) of its constitution (Pirzada, 1970, p. 554). Urdu poet Maulana Hasrat Mohani (1875-1951), proposed to bring about even more radical changes in the League's objectives by demanding complete independence but no more changes were made. The League split in 1927 when it was factionalized into a Shafi Group and a Jinnah Group. Jinnah's term of office as the League's President had come to an end and he could not be elected for a third term because according to an amendment made in the Constitution in 1919. However, the party removed the bar on his re-election and elected him President for a third term. However no further action was taken in altering the League's rules till December 1927. (Afzal, 2013, p. 36). A session of what came to be called the Jinnah League was called at Calcutta on December 30, 1927 and a subcommittee of four members was appointed to upgrade the League's Constitution. (Pirzada S. S., 1970, p. 124).

This committee failed to accomplish anything concrete due to the absence of two important members Jinnah himself and Muhammad Ali, as they were engaged elsewhere (Honorary Secretary Report For the Year 1928, FMA, Vol. 146). Another committee was appointed in December 1930 (Pirzada S. S., 1970, p. 175). On the basis of its recommendations, the League's creed was revised at the Delhi Session of December 1931 and 'attainment of *Swaraj* for India' was changed to 'attainment of full responsible government.' The yearly subscription was decreased from Rs. 6 to Re. 1 and the entrance fee was completely eliminated. A new member would have to pledge in

writing that he would adhere to the policy of the League. The annual subscription would be renewed after its expiration on the 31st December every year, regardless of the joining date and a member would lose his membership unless he paid his subscription for the following year. The Council would appoint the Party's President annually and he would continue to occupy the office till the next annual session. The other office bearers would be appointed during the League's annual meeting and they would continue in office for a period of three years and would have the right to be re-elected. The Council's membership was increased to 310. Similarly ex-officio membership of the League's Council was also allotted to all the members of the Central Legislature provided they pledged to follow the League's policy and to pay the annual subscription. The powers and responsibilities of the Council were increased. A Working Committee consisting of at least 21 members (in addition to the President and the Secretary as its ex-officio members and office bearers) to be elected by the Council was proposed. Its functions were also defined. The required quorum for the League's annual sessions would be 50 members and 30 for other meetings. Similarly at least 5 and 10 members were required for the meetings of the League's Working Committee and the Council respectively (The League's Constitution and Rules as amended upto date 1932, accession No. 197, 1932).

Mohammad Ali Jinnah lived in England for four years between 1930 and 1934 and this dramatically affected the League's organization and solidarity. It was a critical period in the history of the League. Its provincial branches and financial position declined. In order to maintain the integrity of the League and to strengthen the control of its branches, an amendment to the constitution was once again felt to be extremely urgent. For this purpose the League's Council in its meeting held at Delhi in March 1934, appointed a nine-member committee with instructions to reconsider and amend the constitution and to

submit its report at the next annual session (Pirzada S. S., 1970, p. 232). However no concrete steps were taken in 1935 due to a severe earthquake which jolted Quetta and its surroundings, and passing of a new constitution for India, the Government of India Act 1935. In addition, the annual session scheduled to be held at Lahore was delayed due to Jinnah's schedule which prevented his participation, and Hafiz Hidayat Husain (1881-1935), one of the members of the committee, passed away that year. As a result, another committee with Maulvi Muhammad Yaqub (1879-1942) as convener was formed in April 1936. The committee was authorized to reconsider the constitution in order to bring it in line with the new Indian constitution and present its report at the next meeting of the Council (Pirzada S. S., 1970, p. 260). The committee submitted its report on April 26, 1936 in the Council's meeting and it was resolved to circulate it among the members before the following meeting of the Council (Ahmad W. , 1992, p. 601). The committee, whose numbers had been increased on March 21, 1937, reported on April 15, 1937, and proposed important changes to the Constitution. It suggested that the League should be made a more popular and democratic organization by opening its membership to every Muslim irrespective of his financial status. The whole executive authority and all members of the Council, as well as of the Working Committee, should be annually elected with no bar on their eligibility for re-election. The annual subscription should not exceed Rs. 4/ per annum. For election as President, nomination should be invited from different provincial Leagues. The Council would have the authority to appoint one of the nominees as the President. The Council would be empowered to take punitive action and disaffiliate any provincial branch in case of violation of the League's rules. It suggested that the creed of the League should be the achievement of a free and independent state for the people of India. Legal and constitutional means would be used to achieve independence. It proposed to delete Vice-Presidents from

the list of the office bearers. All office bearers would be elected for one year. The Council's strength was raised to 400 members and shall be elected for a period of one year. All the members of the Working Committee would be nominated by the President. They would not be elected by the Council (1937, pp. 102-09).

Most of the recommendations of this special committee were approved at the Lucknow Session of October 1937 (Pirzada S. S., 1970, p. 274). The League announced to change its *raison d'être* in Section 2(a) of the Constitution. It was determined that the creed of the League shall be the achievement of complete independence in India on the model of a federation of such free democratic states where the rights of the Muslims and other minorities are adequately and effectively protected in the constitution. The required minimum age for membership was fixed at eighteen with an annual subscription fee of two *annas*. The office of the Vice President was abolished and a new office of Treasurer was created. The number of members of the Council was raised to 465 and they were to be elected by the provincial Leagues for one year. The names of 'India States' and Burma were deleted from the list of provinces. The annual charges for Council members were reduced to Rs. 6. The Council was empowered to take corrective action against those of its members who defied the League's instructions or challenged its policy. A provincial league could be disaffiliated if it failed to perform its responsibilities or duties. All the members of the Working Committee would be nominated by the President and its meetings would be convened whenever desired by him. To strengthen the financial position of the League, every one of its affiliated provincial branches was bounded to pay 10 percent of its annual income other than donations to the central League (The League's Constitution and Rules 1937, Accession No. 810, 1937). Minor changes were also made in the Patna Session of 1938 (The Constitution and Rules of the All India Muslim League 1940, Accession No. 809, 1940).

During the famous Lahore Session of March 1940, two new sections 28A and 40A were added to the Constitution on the motion of the League General Secretary Liaquat Ali Khan (1895-1951). These amendments were made in the constitution for the purpose of preventing the League from disintegrating into splinter parties (Pirzada S. S., 1970, p. 348). According to Section 28A the Working Committee of the League shall regulate and control all the proceedings of the different provincial leagues strictly in accordance with the League's creed and constitution. It shall be authorised to deal with disciplinary measures against those Council's members who go against the League's decisions or resist its aims and objects. It could also dissolve or abolish the affiliation of any provincial organ which did not live up to responsibilities, violated or ignored the decisions and instructions of the League or halts its progress in any manner whatsoever. However such disciplinary actions of the Working Committee shall be subjected to right of appeal to the League's Council. According to section 40-A every member of the League parties in the provincial assemblies would be considered ex-officio delegate to the League's annual or special meetings on payment of a delegate's fee (The League's Constitution and Rules 1940, Accession No. 809, 1940) .

After the passing of the famous Pakistan or Lahore Resolution, the Muslim politics took a new and significant turn towards self determination and Muslim independence. The idea of establishing Pakistan was properly adopted by the League. But the simple adoption of a resolution did not make the quest of this ideal an indispensable part of the League's creed. Therefore, at its Madras session of April 1941 this omission was rectified and the Lahore Resolution was made part of the League's creed wherein the foundation of independent Muslim states in the Muslim majority areas of North-Western and Eastern zones of India was pledged.

Section 22 of the 1940 Constitution was deleted and on the proposal of Liaquat Ali Khan all the Sections were renumbered (Pirzada S. S., 1970, p. 373). The Working Committee was given more powers to keep watch over members, office bearers and provincial branches. (The League's Constitution and Rules 1941, QAF, F-109, 1941).

Some minor amendments were made in April 1942 and April 1943 (Pirzada S. S., 1970, p. 392 & 439). The last and major amendments in the constitution were made in December 1943 at the occasion of the last Karachi Session of the League. The League's Council was enlarged by increasing the number of its membership to 475. The President and the Honorary General Secretary were required to participate in and address the meetings of the provincial councils and the provincial working committees. The Central Working Committee was given authority to annually create a Central Parliamentary Board, and to frame, revise and amend the rules and regulations of the Central and Provincial Parliamentary Boards. It was furthered empowered to entrust any or more of its powers to the President or any of its committees or to the League's General Secretary subjected to certain conditions. The Central Parliamentary Board was made a part of the Constitution under section 29 and its functions were also defined. For the first time the President of the Party was declared to be the head of the whole organization and he was authorized to use all the powers vested in his office. He was empowered to appoint any member of the Council to perform his duty for him during his absence due to poor health or for any other reason (The League's Constitution and Rules 1944, Accession No. 300, 1944).

Conclusion

If the 1907 Constitution of the All-India Muslim League and various modifications and amendments made in it until 1943 are thoroughly evaluated, we come to the conclusion that the initial constitution was not a complete and finished document. It

had many shortcomings and unnecessary clauses which were later eliminated completely. It restricted the number of its members which characterized its nature as an elite party. The restrictive qualifications for membership seemed to confine the party to the Muslim aristocracy and the upper reaches of the middle class. It excluded the working classes and the masses as well as the young educated section of the community from becoming members of the party. As the constitution was flexible, therefore, it was gradually rectified by making corrections and modifications. The main slogan of the League was changed according to the requirements of the Indian Muslims at that time. This made it possible for them to demand an independent state for the preservation of their cultural, religious and political rights: Pakistan. The doors of its membership were opened to the Muslim masses completely converting the nature of the League into a democratic and mass organization. The admission fee was abolished and its annual subscription was reduced to two *annas*.

The minimum age for membership was reduced to eighteen. Old sections replaced the new ones which completely changed the character of the constitution. The League's Council was enlarged with more powers assigned to it. A Working Committee was created with its charter to expand the All-India Muslim League's authority over provincial and local League parties. The office of the vice-president was abolished and the powers of the President were augmented so that after 1936 Mohammad Ali Jinnah became the "sole spokesman" of the party. He and he alone claimed to be the political voice of Muslim India. He was able to do this through the organization and the cohesion of the League being maintained by keeping a close check on the provincial branches and strict observance of the members of the League parties at national level, the provincial level, and the local level. This was done by the creation of national organization headed by a universally recognized leader and supported by dedicated supporters, a

national newspaper, and a well-funded support network overseen by a new office of Treasurer. The constitution of the League proved to be a flexible document able to meet the needs of the times and able to accommodate the change in the party from being a gentleman's debating club meeting once a year to a fully functioning political party able to demand and to achieve the creation of new state: Pakistan.

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