

# Servant of India

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## Topics of the Week.

### Indo-Burman Financial Adjustment.

THE Assembly doubtless had good cause to censure Government in connection with the personnel and procedure of the tribunal to make a financial settlement between Burma and India. At the first R. T. C., there was unanimous agreement that the task should be remitted to what was explicitly described in the Burma Sub-Committee's Report as an impartial tribunal, preferably to a committee of the Privy Council as suggested by the Government of India in their despatch on the Simon Report. But in this as in countless other matters reactionism has set in since Sir Samuel Hoare's advent at the India office. After the preliminary expert analysis, he chose to appoint a tribunal including Sir Sidney Rowlett of all people in the world to prepare an account of Indo-Burman financial transactions. Looking to the fact that the British Government itself is one of the interested parties, the tribunal can by no stretch of the imagination be regarded as impartial.

BUT if the tribunal suffers from lack of impartiality, there is not even a show of an attempt to assure public opinion that the settlement to result from its labours will be fair and just to both countries. As a means to that end, the association of non-official Indians and Burmans with the inquiry in the capacity of members, as e. g. in the case of the capitation tribunal, was greatly to be desired. At any rate the representatives of the Standing Finance Committees of the Assembly and of the Burma Legislature should have been called into consultation as soon as the preliminary expert analysis was ready, and their association with the tribunal throughout its proceedings should have been

maintained. This course had in fact been suggested by the Government of India themselves and had found unanimous acceptance at the hands of the Burma Sub-Committee. But in his anxiety not to encourage members of the Assembly to play truants, Sir Samuel Hoare decided to throw this unanimous decision of the first R. T. C. to the winds!

THE Government of India has thus been most unfairly and unjustly overruled. We do not know whether they took any steps to impress upon the Secretary of State the storm of public indignation he was raising against himself by his decision to ignore both Indian and Burmese public opinion. But perhaps we are still under the delusion that Indian or Burmese public opinion at all influences his actions. It will be noted that the censure involved in the success of the adjournment motion was directed more against the Secretary of State than the Government of India. The tribunal having already finished its labours, the debate a report of which is going to be forwarded to Sir Samuel Hoare, can have interest only for the historical researcher of the future.

### Mr. Foot's Devastating Logic.

THE London correspondent of the *Hindu* writes :

That fine old Liberal, Mr. Isaac Foot, whose logic can be devastating, found himself in a great quandary when he had to face a practical proposition, and he was restricted in the end to his optimism and a contradiction. Mr. Foot would not be averse to submitting the Bill he endorses to the decision of the Princes. If they reject it, that rejection must be accepted. For British India, however, it is good enough if some number (unstated) of persons display enough public spirit to come forth and say they will work the scheme. Seemingly, it would be sufficient in his judgment for three or four hundred individuals to enter the political arena as their own nominees, give the necessary undertakings to the end he desires, and the whole scheme would be operative "with the consent of the governed." His own words were, following the application of this idea which he described as the simple test, "That will be the measure of consent upon which the Bill depends." Nothing so remarkable, or so painful, has ever been heard from a devout adherent of the doctrine that government must have the consent of the governed.

It is because the Government has all along made so much of the importance of the Princes and has pictured them always as staunch supporters of the scheme that their attitude has perturbed opinion. There might have been, but there was not, realisation of the fatuity of passing so lightly over the protests from British India. Acutely alert public opinion, less impressed by Princely assurances than by declarations of responsible Indian politicians

answerable to electors, might have seen the inconsistency of the Government in conceding attributes to the old Legislative Assembly and denying them to the present one. By this I mean that when the old Legislature formally endorsed everything from Emergency Ordinances to Ottawa Agreement, the Imperial Government never hesitated to proclaim that the voice of India had been heard, but to-day when the new Assembly votes against Government the institution is declared to be irresponsible and its decisions negligible. British public opinion has not, however, noted these things. It has been told in fact to ignore them, but to keep its eyes on the Princes and watch them with confidence. Is it any wonder, then, that there is widespread feeling that all is not well with the official plan, and that confidence begins to ooze out?

#### Take it as a Medicine.

AT a meeting of the Defence of India League Mr. Churchill said :

The whole policy of the Government for Indian Home Rule had broken down. If you go out into the streets of London and search to-morrow and the day after, you will not be able to find anyone or any organisation which wants this Bill. The Bill has been repudiated by representatives of the whole gamut of Indian opinion. The Government have unsettled everything in India and have settled nothing. They say, "We must have the Federal system because of the Princes' offer". "There is no Princes' offer," we answer. "Very well," they say, "then all the more must we have the Federal system." They say, "We must meet the aspirations of Twentieth Century India", but the Indians do not want the Bill. The Government reply, "Very well, then we will forcibly feed it to you. If you don't like it, take it as a medicine" and then tell their followers what great reformers and philanthropists they are. The Bill is dead. Nevertheless, the Government assures us it must be placed on the statute book. The corpse must be carried forward as a trophy".

#### Racialism in excelsis.

UNABASHED racialism continues to inform the Kenya Government's land policy. Not content with reserving the highlands for Europeans, it is now sought to extend the area on the strength of the recommendations of the Land Commission. The reservation used so far to be only administratively brought about. Hereafter it will have legal sanction in that an Order-in-Council authorising such reservation is said to be imminent.

THE acceptance by the British Government of the Land Commission's recommendation will pile up further disabilities upon our countrymen in Kenya. Whereas theoretically at least the Kenya Government is now free to grant land in the highlands to Asiatics, even that theoretical possibility will hereafter be barred! But this is not by any means the worst feature of the Order. It is expected to prohibit the transfer of any land to an Indian, once it is sold to a European. A bar against the re-transfer of land by a Britisher to an Indian, however objectionable in itself, would at least have the apparent justification of British self-interest; but to try to enforce it in the case of all white people without regard to their country of origin hardly seems a justifiable proceeding.

THE European concerned might conceivably be an erstwhile enemy of the British Government and might even succeed in getting a fancy price for the land. But the proposed Order-in-Council will place a ban on such a transaction! It is doubtful if even

the people for whose apparent benefit the ban is intended are united in thanking the British Government for this boon of doubtful value. It was officially stated in the course of the recent debate on the subject in the Assembly that the British Government are prepared to await Indian representations against the proposed action. Past experience encourages the hope that the representations to be made by the Government of India will not lack in force or strength of conviction. But whether they will succeed in creating the desired effect on the powers that be is another matter.

IT goes without saying that public opinion in Kenya and India bitterly resents this new stigma of inferiority proposed to be cast upon Indians. In this connection it may be pointed out that the discrimination now sought to be made to the disadvantage of our countrymen is at variance with the promise in Queen Victoria's proclamation of ensuring equality of treatment to all British subjects and the charter granted to the British East Africa Company. It is in consonance with this policy of equality that the Governor's Instrument of Instructions directs him to withhold his assent to any legislation aiming at the imposition of liabilities or restrictions to which Europeans are not subject, upon non-European residents of the Colony. But what the Governor is specifically debarred from doing, his master, the British Government can obviously perpetrate with impunity!

#### Third Class in Railways.

THE discussion of the Railway budget grants in the Assembly was as usual marked by a ventilation of the grievances of third class passengers, in which many non-official members participated. But their speeches were confined very largely to a general statement of such grievances, Mr. N. M. Joshi alone being able to prove, with the help of some very telling statistics, that the charge about overcrowding in the lowest class was well founded. The correctness of his figures not being officially challenged, they may be regarded as thoroughly reliable. According to him, one first class seat serves 12 passengers, one second class one 90 and one in the third class nearly four times the number served by a seat in the two higher classes put together, 400 to be exact. It is easy to believe that the distance run by a higher class seat is greater than that run by a lower class one. On this point too Mr. Joshi was not speaking without the book. The average lead of a first class seat, he said, is 180 miles, that of the second class one half as much, while the average lead of a third class seat is only 35 miles. Allowing for the longer leads in the case of the higher classes seats, Mr. Joshi had no difficulty in coming to the conclusion that the third class was six times as much overcrowded as the first and twice as much as the second.

HIS other set of figures was also equally enlightening. He pointed out that a third class seat costs the Railway Board Rs. 260, while one first class seat and one and a half second class one together cost Rs. 4,000. The Railway Board makes Rs. 241 per third class seat; while it makes Rs. 550 on every first class and one and a half second class seats together. It is true these figures do not represent the net gains of the Railways; but the moral to be drawn from them is pretty obvious. It is that it is more profitable to increase third class accommodation than that in the upper classes. Instead of following this course dictated by commonsense and business considerations, the Government go about their business in the wrong way and fail to give relief where it is most needed.

## THE OPPORTUNITY WILL NOT RECUR.

**O**VER and over again it is said in Parliament and outside: "This is a unique opportunity for forming an all-India federation. Once lost, it will never recur." This is said to the Princes, to British India and to the British public alike, but the argument used in every case is different.

To the Princes it is said: "You no doubt have to surrender sovereignty; and that is a loss, we admit. But, after all, the loss is more nominal than real. The subjects which you are invited to cede to the federation are mostly subjects over which we as the paramount power have ultimate control. In handing them over to the federation, you will in fact only be narrowing the range of authority of the paramount power and extending that of your own. The real loss will be ours, not yours.

"In politics it is often a question of choosing the lesser of two evils. Even if you regard the formal cession of power which you in fact have already surrendered as an evil, consider what a greater evil you will have to face when British India will get provincial autonomy and central responsibility. British India will then grow powerful and you will remain where you are. What a dangerous position will it be for you to be in at the time, and what opportunities will it give to British India to make inroads upon your powers which the paramount power will not be able to prevent?

"And don't you be under the delusion for one moment that if an all-India federation does not materialise, British India's progress will be permanently held up. We shall have to confer responsibility upon it both in the provinces and at the centre, in spite of anything that we ourselves may be tempted to say to the contrary. If wider powers of self-government must be given to British India, will it not be better for you, upon whom the grant of such powers will react adversely to a large extent, to come into an all-India federation and take a share—and we give you a larger share than is your due—in these powers? For you it is not really a choice of evils; but even if it be, how infinitely greater would be the risk you would run by standing outside the federation? Think well and take your decision."

To British India a different story is told. "You think the Princes will be a reactionary element? Of course they will be. Only we don't use such a harsh word. We call them 'a conservative and stabilising force.' We can quite understand your jibbing at the introduction of the Princes. Your course is set on democratic lines, and you would not like to have your advance impeded by autocrats at every turn. But, frankly, we want to impose some internal check upon any possible tendency towards irresponsibility which you may show. The Princes constitute the most effective safeguard one can imagine. Given this safeguard, we can go a long way to loosen external restrictions which we would otherwise be compelled to lay upon your power.

"If you don't agree to an all-India federation, then there is no hope of your ever getting central

responsibility. Why, you can't have provincial autonomy either. Let there be no mistake about this: no federation, no advance. This is not a question merely of our being unwilling to grant power except under proper safeguards. It appears there is a constitutional obstacle in our way, which is quite insurmountable. We couldn't do it even if we would. Any grant of further power to you would endanger the Princes, and under the pledges which we have given to them—pledges which shall always remain as inviolate and inviolable—it is our sacred duty to protect them from all such danger.

"Would you rather remain then under outside control for all time, or would you prefer to have the control, here and now, in your own hands—not democratic hands it is true, but Indian hands? Well, we really need not ask you what you think about it. For your consent is not required for the formation of an all-India federation. The Princes being willing we are going to form such a federation, and you will have to submit to it willy nilly. But we wish to say in a friendly spirit that, even if your consent was necessary, it should be readily forthcoming. A federation is as much to your advantage as to that of the States."

To the British public yet another story is told. "It has now become necessary to give some further power to Indians. We take care in the Bill to give as little as possible. At every point we have provided safeguards, and more than any other safeguard there are the Princes who will stem the on-rush of democracy even more effectively than we can, and being Indians, their intervention will arouse little comment. Do you fear that the Princes themselves will turn against us? You must remember that they are, and will ever be, subject to our paramountcy. We hope you know all that it means.

"The proposed constitution is therefore quite safe. But even if you think that there is an element of danger in it, consider how much more the danger will be multiplied when, instead of us, the Labour Party will come to draft the constitution. Will there be any of our safeguards in that constitution? Will there be the Princes, the biggest safeguard? Look at the way in which member after member of the Party—not excluding even Major Attlee—goes at the Princes. Where will you be then? You think the Labour Party will not be strong enough to carry such a measure? Possibly, that will be the situation for some time. But one cannot be too confident about such things. The Labour Party may obtain anything between 200 and 250 seats at the next election. They will not be in an absolute majority, it is true; and we may be able to defeat them if they put forward a much more advanced measure. But how long can this go on? The best plan is to devise and enact now while we are top a constitution which, if it concedes a little now will make it impossible for Labour afterwards to concede more. That is our plan. Will you not accept it then?"

How nice it would be for the Government's supporters if their audiences were divided in water-

tight compartments, and if one audience did not listen in to what they had to say to the others! But unfortunately the Hansard publishes reports of their speeches for all to read indiscriminately, and it becomes impossible for them to sustain all the three contradictory positions together. To take but one instance. Mr. Foot said in the Commons Committee on 20th March :

"I think it will be a disastrous day for the Princes if they fail to seize this opportunity (of joining an all-India Federation). We would like them to know that if this proposal for Federation does break down, the claims of India will still have to be met. Then, I should like to know what would be the position of the States . . . in days to come, scattered as they are and representing in some cases areas that are almost like an archipelago in India ; what will be their position when, side by side with these unfederated States, there is growing up a strong self-governing community, with political ideas that no frontiers can keep back, that no State frontiers can keep back."

Lord Eustace Percy, however, said just a little later on the same day :

"Is it agreed that there can be no question of any measure of responsible government, responsible to an Indian electorate at the Centre, except on the conditions laid down in Part II (i. e. all-India Federation)? Is it agreed that those are the minimum and unalterable conditions of the British Parliament? If so, let us lay down those conditions finally and clearly, for the very reason that my right hon. Friend the Member for Epping (Mr. Churchill) urged so forcefully, because there are Lord Lothians who want to start all over again, and because if we leave the whole thing open bright gentlemen like the Members of the Labour Party will introduce another little Bill of 20 Clauses and slide further down the slippery slope. For that very reason, if we are convinced that these are the minimum conditions and the only conditions on which we can create a central government with any measure of Indian responsibility, then lay them down finally and irrevocably and let the people of the Provinces of India know that so, and so alone, can they advance along the road of self-government."

Thus all through British statesmen have been speaking with different voices. But the burthen of the song is the same in the case of all : "Don't oppose this all-India federation; seize this opportunity; it will not occur again."

Supposing either the Princes or British India or the British Parliament—very foolishly of course—rejected federation now, why do British statesmen say that such an opportunity will not recur? If the federation is to the good of all, all these parties will come to realise its advantage if they do not realize it now. If British India makes an offer of federation now, seeing far into the future, but the Princes take a short-sighted view of the matter, will British India withdraw the offer when the Princes will feel inclined to accept it? Or if the Princes are keen on federation and British India is cool towards it, will the Princes themselves become cool merely because British India becomes keen? If in fact the federal scheme is likely to benefit all the parties concerned, nothing will be lost if some time is required in convincing them of its advantages. It is no use forcing the pace. But force will be required now or later, if really the scheme is such that either one party or the other is certain to reject it. And from what British politicians have been saying we are inclined to believe that they are conscious of the fact that the scheme that they have drawn up will never win the consent of all the parties concerned.

Now they can pretend, with some show of reason, that the scheme, having been drawn up after consultation with British Indian leaders, Princes and British politicians, has behind it the support of all. This of course is patently untrue. But when for one reason or another the scheme is laid aside, it can never be revived in future in its present form with even such a pretence of support. The scheme is so full of anomalies of all kinds and of injustices all round that the more closely it is examined the more unacceptable it will appear to all. There is no doubt therefore that this is the last chance for the scheme. Not to pass it now is to rob it of the possibility of even so favourable reception as it now gets. British statesmen are therefore quite right in saying "Now or Never" both to British India and to the States, and to stampede both into it so as to block all future progress.

## SIR SAMUEL HOARE AND INDIAN STATES.

WHILE there is so much to exasperate the people of the States both in the Government of India Bill and in the policy of placating the Princes followed in relation to that Bill by its promoters the Committee debates of the Commons have something to offer for which we may well be grateful. As anticipated, the Members of the Labour Party have been making good use of their opportunities to advance the ideals of national freedom and democracy; and not less gratifying are the efforts of Independents like Miss Rathbone to remind the Parliament of the existence of such a Party as the States' people to be distinguished from the Indian Princes. But what is more noteworthy is that even the Conservative Sir Austen Chamberlain felt it necessary to take public notice of the existence of that generally forgotten Party, though in an oblique way. He made it clear that he "did not suppose that there was any one in the House who thought the Princes were the only people to be considered" and that he was "unwilling

to allow the House to be driven from what it thought right to enter a Dutch auction for the sport of the Princes." So we may now feel assured that the British Government has after all set a limit to the concessions which it may be expected to make to the Princes. This limit apparently was reached when the Princes sought to use the invitation to federate as an opportunity to bargain for a radical revision of the content and scope of Paramountcy. It is satisfactory to the people of the States that Sir Samuel Hoare has spoken unambiguously and conclusively on this matter which they regard as their final shield against tyranny and misrule. He placed three points beyond all doubt :

- (1) That Paramountcy stands apart from the Federal Constitution,
- (2) That the exercise of Paramountcy must vest in the discretion of the Viceroy as the Crown's Representative, and

(3) That, in certain spheres, it would be possible to exchange for Paramountcy the control of the Federal Government if the Princes so choose it.

It is the second of these points that is of immediate interest to the people of a great many among the Indian States. By way of elaborating it, Sir Samuel Hoare observed as follows :

"Ultimately the Crown's relationship is not merely one of contract. There must remain in the hands of the Viceroy the elements of discretion in his dealings with the States. No successful attempt could be made at defining exactly the Crown's right of intervention."

Possibilities of misrule in Indian States are unlimited, and the forms of misrule are of infinite variety. That being so, the Paramount Power would clearly be abdicating a great part of its responsibility if it agreed to confine its services only to certain specified classes of cases. So long as there are no internal constitutional safeguards provided against misrule in States the necessity for the salutary play of an outside hand there cannot be questioned; and if the Princes would remain unquestioned autocrats over their subjects, they cannot rightfully hope to escape the possibility of arbitrary intervention by the external Suzerain.

This re-affirmation of a sound doctrine by the Secretary of State cannot however be taken to have exhausted his duties towards the people of Indian States. The troubles of the States' people have arisen not by reason of the non-enunciation till now of that doctrine, but by reason of the non-implementing of it. The Paramount's right to intervene has been there, declared and acknowledged, for half a century and more; but what has not been there is its practical operation. Paramountcy has not worked. On ninety-nine occasions out of a hundred when intervention should have been its duty, the Paramount Power has seemed to slumber; and on the one occasion when it bestirred itself, it came into action either too late or without a long-range policy. Judging from the numberless instances of maladministration winked at, tolerated, uncensured and unrectified, one would think that the Paramount Power is particular more about keeping than about using its right in regard to the States. One has only to call to mind the long list of States that have become notorious during recent years, to realize how Paramountcy has failed. Practically not a half-year has passed without some State or other coming into public disrepute during the last quarter of a century. Can this be taken as proof of the Paramount's efficiency in the performance of his duty? Sir Samuel Hoare assured the Princes that he was anxious to remove any genuine apprehensions of theirs in respect of Paramountcy; and he added that this is a question for consideration in India. It is devoutly to be wished that the question of implementing the Paramount's theoretically admitted right and duty to intervene for the regeneration of ill-faring States will be taken up side by side with the question of the adjustments necessary to persuade the Princes into the new Constitution. There must be some kind of a constitutional agency set up, firstly to be on the look-out for cases calling for intervention and to advise the Viceroy in good time as to the necessary action, and secondly to scrutinise and guide the action adopted by the Viceroy's Political Department from time to time. Such an agency, representative in the main of the public interests of the States and working under the salutary vigilance of public opinion, is to-day the most urgent necessity of the States; and that necessity will last so long as the Princes will remain unwilling to grant self-governing institutions to their subjects. Sir Samuel Hoare has also clinched a matter that needed to be cleared by re-

asserting the inviolability of the extra-treaty basis of Paramountcy. He said :

"The Crown is bound by engagements of great variety, only some thirty of which are treaties. This contracted relation embodied in the treaties and engagements has, with the growth of the Crown's authority throughout India, been supplemented by the usage and the course of events."

Even if the letter of the treaties is to be meticulously observed, the latest of them leaves no doubt whatever as to the right of the Suzerain to intervene for purposes of correction and reform; and it is an accepted rule that the latest treaty provision is the one most universally to be applied. Sir Samuel Hoare has indicated in his speech how, in a just way, the Princes may lighten for themselves the burden of Paramountcy. So far as intervention is concerned, the way for them is to establish constitutional rule; and so far as external matters are concerned, the way is to merge themselves more and more in the All-Indian polity.

"These latter matters", meaning Railways, Telegraphs and other services of Imperial character, said Sir Samuel Hoare, "will now come within the Federal purview; and if the State accedes to the Federation, Paramountcy will not be applicable to that extent."

In other words, so far as the external affairs of a State are concerned, they will be adjusted between Federation and Paramountcy according to a sliding arrangement. If the Princes would have the most of Federation, they will be under the least pressure of Paramountcy. In other words, the fuller the Federation of India, the greater the displacement of Paramountcy.

This takes us to the question of the incompatibility of Dominionhood and Paramountcy. The only justification for India's adopting the federal plan is her aspiration to grow to the stature of a Dominion; and Dominion Status clearly means the withdrawal of the outside hand. The accepted definition of a Dominion is that it is a fully autonomous community, equal in status and authority to other similar autonomous units of the British Commonwealth. Such autonomy does not tolerate the presence of a foreign body within its body politic. But so long as the Princes necessitate the continuance of British Paramountcy in India, they ensure in that very circumstance the presence of an officious outsider. When our Federation is thus being pursued at its elbow by an external Suzerain desiderated for their special protection by a special class of its own units, it cannot hope to grow to the height of a Dominion. This is the plain meaning of the antithesis pointed out by publicists like the Rt. Hon. Srinivasa Sastri, as between the type of Federation looked for by the Princes and the Status of a Dominion looked for by the rest of India. Will the Princes help to eliminate the outside hand? That is the crucial question. That the elimination will take time and will have to take place gradually everybody admits. But do the Princes accept it as the goal? And if they do, why do they ask for measures calculated further to strengthen their autocracy and thereby further to perpetuate the intrusion of Paramountcy?

British statesmen have always realised the value of Paramountcy as a hurdle to be placed on the road that India intends to take. They saw clearly that the choice for them lay, if imperialist strategy is avoided, between declaring with brutal outspokenness that India must always remain a Dependency on the one side and on the other letting her evolve into the most independent type of Dominion that there can be within the British Commonwealth. Decency would not let them do the first. Imperialism would not let them

do the second. They therefore had, at one and the same time, both to respect their promises and to prevent their fulfilment. Hence the necessity to put India into a car of so-called Federation deftly fitted with a set of automatic brakes in the form of Paramountcy-desiderating Princes. England could then be thanked for the gift of an imposing chariot and India herself blamed for its ignominious break-down on the way. This subtle strategy explains the unprecedented degree of sovereign capacity nowadays attributed to the Indian Princes. Never before in history did the British Government make a pretence of respecting the wishes of Indian Princes in regard to the developments of their mutual relations. Now that the Princes are so necessary to serve as obstacles to the progress of their motherland, their sovereign attributes are brought into unprecedented prominence and they are being told that nothing could be done to give India a good constitution unless they agree and allow. Sir Samuel Hoare seems to hold that Paramountcy is beyond the purview of the British Parliament. Is that his considered view? Is that the decided view of constitutional lawyers? Paramountcy is the special authority of the British Crown with respect to the Indian States; and the British Crown can never act except through its Ministers; and these Ministers in their turn are responsible to Parliament. How then can Paramountcy be placed beyond the jurisdiction of Parliament? It is of course open to Parliament, out of prudential considerations, to desist from setting its hands to the affairs of Indian States; but the legal competence of Parliament in this respect seems scarcely open to doubt. Some twenty years ago, Prof. Westlake (I think) warned British statesmen against the danger of using the language of hyperbole in speaking about the rights and status of the Indian Princes from a diplomatic consideration to flatter and keep them in good humour. But the polite phrase of today, he said, may be made the basis for a seriously-urged and formidable claim tomorrow. That warning has come true in our day; and it therefore seems most necessary now to take away any room that there may be for doubt in anyone's mind as to the supremacy of Parliament in all those fields of remedial and helpful action that are open to the Paramount, if only

the Paramount has the will and the care to be active. Sir Samuel Hoare queered the pitch for India when in his White Paper he enunciated the pathetic principle that the British Government was helpless unless the Princes came forward to help it. He is reported to have quoted Lord Canning's words of 1860 to the effect that the British Crown stands forth as the unquestioned Ruler and Paramount Power in all India. Did Lord Canning consult the Princes before making this first authoritative declaration of Paramountcy? Did the British Government consult the Princes when, by the Royal Titles Act of 1876, His Britannic Majesty was declared the Emperor of India? Were the Princes again consulted when the Interpretation Act of 1889 was passed providing a statutory basis for suzerainty? It is official declarations and Acts of Parliament like these that have really formed and exhibited the true nature of the relation of the British Crown with the Indian Princes. A right and a liberty that was not available to the Princes then is now being held out to them on account of the exigencies of imperialistic policy. If the demands of justice are to be heeded, one must ask whether the people of the States, apart from the Princes, are not interested in Paramountcy. This question has been answered above. If nothing can properly be done to the States without the consent of the Princes, equally legitimate is it to contend that nothing should be done without the approval of their subjects either. Has Sir Samuel Hoare paused to enquire what the people of the Indian States think about the form and the conditions of an All-Indian Federation? Why will he not think of that part of Paramountcy whose *raison d'être* is in the fiduciary obligations of the British Crown towards the people of the States? But let us be thankful that now at last we are enabled to realise that even this game of sovereignty-baiting before the Princes may come to an end. May we hope that now at least our Princes will see the realities of the situation in their bareness and their fulness, and think of making themselves acceptable first of all to their own fellow-countrymen?

D. V. GUNDAPPA

## SPARKS FROM THE COMMONS' ANVIL.

20th March.

### TWO VOICES.

THE supporters of the India Bill speak with two voices. They say to Indians: "It is very stupid of you to think that, if the Bill is now withdrawn or defeated, the stage will be cleared for the Labour Party, when it comes into office, to introduce a wider measure of self-government. The Party will not for a long time come into office; when it does it will not introduce the kind of measure you want; and if it introduces such a measure it will not be able to carry it. This is the best measure that you can get for many a long day. Don't imperil its future in the hope of securing a better." To the Conservative Opposition, however, they say: "You think this Bill gives far too much power? Possibly, but have you considered this, that when the Labour Party comes into power, it will get passed a Bill which will give still more power. Isn't the part of wisdom, while we hold the reins, to give a little now so as to prevent much more being given in future? So

the supporters of Government say both to Indian progressives and British die-hards: "Accept this—lest worse befall."

Unfortunately for the Government, these two voices, one meant for one set of people and the other for the other, are heard by both. The result is that the Indian progressives say to Government: "Withdraw your Bill. We may get a better one from the Labour Party. This Party is not quite so helpless if what you tell the British diehards be true. At any rate we will take our chance. Even if the Labour Party fails, as it may, we cannot stand your Bill. We hate it." And the die-hards say: "From what you have been telling Indians there is no serious danger of the Labour Party being able to get away with a larger measure. You have then no excuse whatever for going on with this Bill which we think is fraught with peril to the Empire and which Indians themselves loathe. Withdraw it at once."



The die-hard point of view was forcibly put before the Committee of the House of Commons by the Marquess of Hartington. He said:

We who think it right to oppose this Bill have been told over and over again what fools we are to jeopardise this Bill, which is probably the last chance of securing a permanent settlement of the Indian question on sound Conservative lines, when we know that a Government of a very different complexion would bring in a Measure far more radical. I do not admit the validity of that argument for a moment. The present Government, enjoying a majority such as no Government has ever had before, is finding considerable, and, I think, increasing difficulty in passing this Measure.

I do not think that another Government of a different complexion cumbered up, as it would be, with pledges of every kind, could contemplate the introduction of a Bill which would prevent us very seriously from getting on with its task of nationalising the railways, banks and all the rest. They would be far too busy with the first-class financial crisis which they have promised, to contemplate the introduction of a Government of India Bill. I do not believe that any Government could carry through a Bill of the kind with which we are threatened if we do not pass this Bill.

#### WHERE IS BRITISH INDIA'S AGREEMENT?

THE question at issue on Lord Hartington's motion was whether the Princes were willing to come into the federation or not. The Labour Party was not very much concerned at the uncertainty in regard to the Princes: its spokesmen took this opportunity, however, of emphasising the need of securing the agreement of the British Indian people. Rather their point was that Government should draft a federal constitution on right lines and not distort it in order to please the Princes, leaving the States free either to join or not, as they please. Major Attlee said:

We have taken the line that responsibility in India should not be at the whim of the Indian States. We believe that you should form your Federation and let the Indian States adhere or not, as they please. I certainly agree with the right hon. Member for Epping in that, that we want a degree of certainty, and I think that if he was not endeavouring so constantly to mobilise the Indian States as elephants in his battle, he would have a greater degree of definiteness. The whole question is whether there is to be responsible government or not at the Centre. It always surprises me, considering how little responsibility there is under this Bill, that the right hon. Gentleman (Sir Samuel Hoare) takes such a lot of trouble about it. We think that there should be no more yielding to the States. If you want to get agreement, why not bring in all the political parties in India? It is not much good going forward with a Bill that is not going to be accepted even by a percentage of States if it is not going to be accepted by the bulk of political opinion in India.

I would like to have more satisfaction than we have had from the Secretary of State, a vague and pious hope that some people may work this Bill. I see no sign of it at all, and for these reasons I am inclined to support the Noble Lord (the Marquess of Hartington) in his Motion. The Secretary of State says in this White Paper that a Federation can be brought into existence only one way. I do not agree. He says that they have framed a constitution and have embodied it in a Bill which they have invited Parliament to pass into law: "The Government of India Bill, if it becomes an Act, will be binding upon British India, because British India is subject to the

authority of Parliament. The Act would not as such be binding upon the Indian States..." That is the difference and we do not see any reason why a Bill should be imposed on the Indian people, whereas, on the other hand, at every possible point there is to be concession after concession to the Indian States, which are, we think, already given far too preponderating a place in the constitution.

#### FREEDOM—CONTRARY TO LIBERAL PRINCIPLES!

LORD HUGH CECIL's weighty plea for the submission of the Bill to the vote of the elected members of the Legislative Assembly was acceptable to Labourites and Conservatives, but to Liberals the idea was hateful. Mr. Foot could not bear the thought of the British Parliament abdicating its function—of passing legislation for the Empire in the teeth of universal opposition. Latterly coercion seems to be "The Liberal Way," not freedom. In Gladstone's time it was slightly different. When he put forward his Home Rule Bill—and a broad and generous measure it was—he did not propose it with the "take it or leave it" air of Mr. Foot, but put it forward cautiously, thinking all the time, as to how Irishmen would view it. He said: "We have no right to say that Ireland through her constitutionally-chosen representatives will accept the plan I offer. Whether it will be so I do not know—I have no title to assume it—but if Ireland does not cheerfully accept it, it is impossible for us to force upon her what is intended to be a boon." Mr. Foot, on the contrary, says in effect: "India's constitutionally-chosen representatives go to blazes." Viscount Wolmer's sarcastic remark was literally true if Mr. Foot represents the latest development in Liberals' political philosophy. "We listened," he said, "to my hon. Friend the Member for Bodmin explaining to us in a very eloquent speech how it was contrary to all Liberal principles to consult a democracy as to whether a constitution should be given it or not." Liberals consult only autocrats, not the rabble.

#### PARAMOUNTCY MUST BE PRESERVED.

MR. FOOT has developed a high regard for the Indian Princes. One thing he cannot stand is consulting the legislature in British India, and the other thing is traducing the Princes. Well, yes, ... there is personal rule in the States. But don't call it autocracy, despotism. It is just another form of government, and perhaps equally good—for Indians. Anyhow, the rule is benevolent—in many States; well, in most States—and what more can one want? Perhaps there may be—possibly there are—some black sheep among them; no, not black, a little grey. But on the whole quite exemplary rulers, these Indian Princes.

It is a mercy that Mr. Foot does not advise the surrender of paramountcy to the Princes as being utterly superfluous. He says:

Paramountcy means, in the end, the protection of the States against misrule. That misrule may not arise, I am happy to recognise that in many of the States of India there is a very high standard set, and we should be doing grievous injustice to those who have

set a high standard if we allowed this talk of tyranny, autocracy, hardship and wrongs to be indulged in as if it applied generally to the States. In many of the States the highest possible standard has been fixed. It may be said that that is so in most of the States, but I am not qualified to speak fully on that. I have, however, read that in some of the States women have been given the right to vote on terms of equality with men, and that in some States education is on a very much higher standard. It is true that in some States there is some backwardness. This House must never surrender, whatever may be the inducement, whatever may be the trouble with which we are faced, the principle of paramountcy which in the end, gives the right to the people in the States of India to look to this country or at least to look to the Crown for protection against misrule and wrongdoing. The suggestion that is made in this controversy that paramountcy is now to be brought into consideration will raise questions which, I think, the Princes might just as well leave alone.

#### THE NEW LINE-UP.

PARAMOUNTCY may be kept outside the federal purview; but it will still affect the day-to-day administration in the federal government. Speaking on this point Viscount Wolmer said:

The Secretary of State said that paramountcy does not come into the Bill. How can the Government contend that for a minute? Paramountcy will come into the working of the Bill at very turn. You are transforming the Viceroy from an autocratic monarch into a Parliamentary leader. Instead of being a ruler he will be dependent on a Parliamentary majority, he will have to square his Ministers and carry his Parliament with him. Do you think that if these Ministers want something done in one of the States of the Princes that they will hesitate to go to the Viceroy and say, "Use your powers of paramountcy to get this or that done and we will support you in what you want in the Central Legislature?" Every one who has thought about the matter must realise that this is the first thing which will happen; and it will happen every time.

But this is an entirely wrong reading of the situation. What will, on the contrary, happen is this: Whenever the Viceroy wants anything done the Political Department will go to the Princes and say—in fact the Department need not say it; the Princes will understand (without a word being broached—"While voting on this question you will of course remember that the Viceroy has the power of intervention in your affairs. Whether he will use the power or not will depend upon how you vote." Paramountcy may thus remain on paper as a safeguard against misrule. But in fact it may wholly disappear. Miss Eleanor Rathbone has been referring to this aspect of the question in order to show how the federation will make the people in the States worse off than before.

#### A NATIONAL OPPOSITION.

"WHETHER we have a National Government or not," said Mr. Churchill, "is arguable, but evidently there is a National Opposition" so far as the India Bill is concerned. He opened his speech on Lord Hartington's motion as follows:

This Debate has been remarkable for the unanimity of the criticism and condemnation which have been directed at this stage upon this Government of India Bill as it now presents it self to us. The speeches from every quarter of

the Committee have converged and concentrated their fire upon the position now occupied by my right hon. Friend the Secretary of State and those who have been associated with him in the long task of promoting this Bill. We have had a notable speech from the Noble Lord the Member for Oxford University (Lord Hugh Cecil)—a very rare pleasure to us in this House. He brings to us the fruits of profound reflection and of absolute disinterested sincerity. Then we have had the speech delivered by the hon. Member for Caerphilly (Mr. M. Jones) representing His Majesty's Opposition, who has given proofs of his sincerity and is known to be a very strong supporter of what is called advance in India. That speech certainly requires an answer from the Treasury Bench. Certain facts which he adduced and which have been brought forward from every quarter ought to be answered if we are to continue to be a reasonable and reasoning debating assembly.

#### NONSENSE AND HYPOCRISY.

LORD EUSTACE PERCY attempted an answer to Lord Hugh Cecil's proposal for submitting the reforms scheme to the vote of the elected members of the Legislative Assembly. "This won't do at all," he said in effect. "The first result of their accepting the scheme would be to abolish the Assembly itself. Can any Assembly be expected to vote in favour of a proposal which would have that result? Every Assembly naturally tries to perpetuate itself." Does the noble Lord really think that if the scheme were good the Assembly would have turned it down only in order to keep itself in being? This would mean that no legislature would ever agree to a radical amendment of the constitution. Why then did Government submit the question of the separation of Burma to the vote of the Burma Legislative Council? Did they not know that if the Council voted for separation and a new constitution came into force, the change would be signalled by the abolition of the very Council on whose verdict they were to act?

But another objection of Lord Eustace Percy to Lord Hugh Cecil's proposal was that in the Legislative Assembly "a very large number of our declared enemies" had got themselves elected. It is very unfortunate for Lord Eustace Percy, but will he consult the Assembly only when it is filled with the friends and allies of the British Government? To this Lord Hugh Cecil gave an effective answer. He said: "You either believe in self-government or you do not. If you do, you ask the elected representatives of the people if they want this particular plan. If you do not believe in self-government your plan is nonsense and hypocrisy."

#### CONFESSION OF FAITH.

MR. MORGAN JONES made a confession of faith on Lord Hartington's motion for the adjournment of the Committee thus: "The more I study this matter (of all-India federation) the more unhappy do I get. I started quite honestly in the belief that some sort of federation was possible in India, and I still entertain that hope... (But) I say, candidly, that I tend more and more to lose any desire for the form of federation which we are called upon to discuss just now."



## MR. BHULABHAI DESAI AND THE INDIAN STATES

WORKERS for democracy in Indian States have always had a distrust of the lawyer-politician of British India; for generally the lawyer in him has always superseded the politician and patriot whenever the Prince of a State sought his advice. The more eminent the lawyer, the greater the temptation held out to him by the Prince: and when the Prince offers him a brief the patriot recedes and the professionalist takes precedence. This is not a special characteristic of the Moderate either; when the opportunity occurs, the Congressite is seen to be not of a different breed. They are all alike,—the Saprus and the Desais. They may have differences so far as the goal and the policy for their compatriots of British India are concerned; but where it is a question of rendering service to the Ruler of an Indian State, neither allows his democratic ardour to come in the way of his professional practice.

But there is one difference in the public significance of what they do as professional advisers to an Indian Prince. When Sir Tej Bahadur Sapru or Sir C. P. Ramaswami Aiyar provides legal arguments to support the claims of a princely autocrat, the public does not experience any shock; for are not the Moderates well known for their conservatism and coolness towards democracy and also for their love of the material goods of this world? But when a chief of the National Congress, flaming with zeal for democracy and nationalism and sworn to austere ideals of self-sacrifice, consents to serve as a prop to the Princes, the public is amazed and puzzled by this supersession of the nationalist by the professionalist. The cause of the Princes, when supported by a Congress leader, can pretend to possess greater moral sanction and command wider national approval. This is the mischief which the professionalism of a distinguished lawyer in public life can do to the neglected cause of the people of the States; and it therefore deserves all the more to be unceremoniously exposed.

In this view it becomes our duty to examine with some particularity the advice tendered by Mr. Bhulabhai Desai to the Indian Princes on the question of their accession to Federation (see page 9 of *The Hindu*, March 25). The tenor of this advice is to strengthen the hands of the Princes against the jurisdiction of the Paramount Power, to stiffen up their attitude against the claims of All-India Federation and to bolster up their truncated sovereignty including all their traditional "pomp and pageantry."

First of all he would give the name of Treaty to the document now called an Instrument of Accession. Sir Samuel Hoare has taken note of this sentimental suggestion only to pass it by and proceed to show how the use of the term Treaty would be a misnomer in the context. The British Parliament will pass a Constitution Act of which the Indian Prince is free to avail himself or not. If he enters the Federation, that will be entirely of his own accord and not as part of a contract which His Majesty is anxious to

enter into with him. As a matter of fact, even the existing Treaties are treaties only so-called. The documents are called treaties for the same reasons of diplomatic courtesy for which the principalities themselves are called States. The sovereignties of Indian Princes are fractional and subordinate entities. Their States are accordingly semi-States in strict law: and therefore their existing Treaties with the Suzerain can be regarded as no more than provisional memoranda of the conditions with which the parties started, and only started, their mutual relations, leaving further developments and modifications to take place according to the exigencies of time and circumstance. A Treaty properly so-called is an international contract, enforceable according to the accepted Law of Nations. It is well-known that Indian States are beyond the pale of International Law; and therefore any Treaty made by them is, in practice, meaningless. It is therefore astonishing that a lawyer of the eminence of the ex-Advocate-General of Bombay should be insisting upon the contracting of "Treaties" by the Indian Princes with the British Crown.

Next, Mr. Bhulabhai Desai advises the Princes to insist on the deletion of the words "usage, sufferance or otherwise" wherever these words are used to describe the origin of the authority of the British Crown with reference to the Indian States. On this point also, Sir Samuel Hoare has met him with better knowledge and logic. According to the Butler Committee, there are only 40 States, and according to Sir Samuel Hoare, there are only 30 States which can boast of having Treaties with the British Crown. Even if we suppose that in the case of these 30 or 40 States the Treaty is the exhaustive source and evidence of the rights and obligations of the two parties where are we to derive rights and obligations from with respect to the remaining 530 or 540 States? In point of fact, in the relations of the Paramount Power with the Indian States, usage, sufferance, convention and *force majeure* have always played a much greater and more real part than the written Treaty or Agreement. This is a well-known and well-established fact of history. Now then can this stupendous fact be abolished or assumed to have been abolished for purposes of the Constitution Bill? And if they are abolished, the sufferers will be the people of the Indian States. Any shrinkage of Paramountcy must clearly be to the detriment of their interests so long as they are kept nobodies in their States. Being helpless themselves to secure their own well-being, they must look for help to some one stronger outside their State. The Treaties modified as they are by conventions and usage can at present be taken to provide guarantees on only two points: (1) the territorial and political integrity of the States and (2) the maximum of internal-autonomy for them consistent with the suzerain's right and duty of preventing misrule. More than these, the Treaties do not guarantee and they need not. On the contrary, anything granted in addition to these two would be a boon to the autocrat and an aggravation to his subjects.

Mr. Bhulabhai Desai is very anxious that the reference to the subjects of the States should be dropped in all contexts throughout the Bill. He does not like to see the Federal Government come into direct relationship with the people in the States. He would not allow any Federal Law to be put into operation in the States unless by previous proclamation the Ruler has sanctioned its application to his State. The absurdity of this proposition has also been pointed out by Sir Samuel Hoare. From the very beginning of the talk about Federation, constitutionalists have pointed out that one of the essential conditions of Federalism is that there should be direct contact in the Federal field between the organs of the Federal Government and the inhabitants of the whole Federal area, whatever be the political peculiarities of the several divisions of that area. When the representatives of the States in the Federal Legislature have themselves had a hand in the shaping of laws, what is the meaning of such laws requiring yet another sanction before they are put into force? If the previous participation of his own accredited representatives cannot commit a Prince to the adoption of a law, why should he be represented at all in the Legislature? To allow a Prince to share in the formulation of a law from which he can himself walk away afterwards if he will, is surely not being just to those on whom that law would be binding; and it is anything but the way of promoting the interests of Federation. If a genuine Federation is not desired, why not advise the Princes frankly to say so?

Mr. Bhulabhai Desai is against that part of Clause 2 which gives the Governor-General power to prevent any menace to peace or tranquillity in the States as parts of India, while he welcomes that part of the very same Clause which gives protection to the rights of the States. Similarly he is against Clause 45 which enables the Governor-General to intervene in cases of the breakdown of the government or its serious failure in any respect. He is also opposed to those parts of Clauses 123, 124 and 127 which empower the Governor-General to interfere in cases of failure or inefficiency in the administration of Federal Laws in any State. Mr. Bhulabhai Desai thinks that these various powers of interference for the Governor-General would constitute a serious attack upon the authority and prestige of the Princes. They may be so; but they are safeguards for the welfare and liberty of their subjects. The people of the States are firmly convinced that the closer their contact with the organs of the Federal Government, and the

more direct the operation and influence of the Federal authorities in their States, the greater would be their well-being and the surer their chances of coming into line with the rest of India. Sir Samuel Hoare must have had this in mind when he pointed out that a Federation is an organic whole and that the purpose of the new Bill is to bring the various communities as fully and as intimately together into a common life as circumstance will make possible. As a matter of fact, at the birth of the Federal idea at the first session of the Round Table Conference, the event announced to India was the creation of a "New States," which should be a State whose authority and influence could pervade directly and freely throughout its territories, without the meddling intercession or mediation of any local Governor or Chief.

Mr. Bhulabhai Desai would like the Princes to obtain guarantees of military protection by means of a Treaty and not by means of a Clause in the Constitution Act empowering the Governor-General to direct the use of military force. But the latter method is of indirect benefit to the people of the States. The action of the Governor-General has a chance of being brought under scrutiny in the Federal Legislature, whereas action taken by him as Viceroy under Treaty obligations would be inaccessible to question or control. Military protection for a Prince can conceivably become necessary only when there is fear of a popular rising in his State; and such a condition would clearly be a symptom of misgovernment. Since that is so, it would be all to the good that protection afforded to an ill-governing Prince against the consequences of that ill-government should be known and discussed in the All-India Legislature. Mr. Bhulabhai Desai's suggestion is here again anti-popular.

On the whole, Mr. Bhulabhai Desai has shown himself a faithful friend of the Princes as against their subjects. Of course this criticism does not take into account those exceedingly few States in which there is no cleavage of interests between the Princes and the people. The unfortunate part of the whole matter is that there is a notorious divergence and even opposition of interests between the people and the Princes in hundreds of our States; and he who as a nationalist leader should have been on the popular side has as a lawyer preferred to stand and speak for the other side. Mr. Bhulabhai Desai's advice to his clients may be lawyer-like; but it is hardly statesman-like and emphatically not democrat-like or nationalist-like.

D. V. GUNDAPPA.

## DON'T FEED INDIA FORCIBLY WITH FEDERATION.

### LORD HUGH CECIL'S SUGGESTION.

*The following is the text of the speech delivered by Lord Hugh Cecil in the Committee of the House of Commons on 20th March on the adjournment motion of the Marquess of Hartington.*

**M**Y position is not entirely the same even as that of the Noble Lord the Member for West Derbyshire (Marquess of Hartington), nor the position so admirably expounded to the Committee by the Secretary of State. I applaud the devotion of

the Secretary of State to the virtue of patience, and I can easily understand that during the last few years he has had to make great draughts upon his ethical resources in order to maintain his exercise of that virtue. But we have got a little beyond patience.

because we are engaged in trying to decide what is to be done. Patience has all sorts of advantages, but it does not enable you to come to a decision about action. Merely adhering perpetually to turning one cheek after another to the right hon. Gentleman the Member for Epping (Mr. Churchill), however edifying—

*Sir S. Hoare*: I did not know that I had done that.

*Lord H. Cecil*: Even to endure all the difficulties of the lack of support in India which the Bill has encountered, you cannot settle the question like that, when we have disagreement as to what the Princes really do want. I am reminded of those criticisms of ancient documents in which various readings are put forward by various eminent authorities. The meeting of the Princes might be one of St. Paul's Epistles. But since we do really want to know—the Government want to know, the Labour party want to know, and my hon. Friends below the Gangway want to know—what the Princes really do mean, surely it would be better to clear that up once and for all?

*Sir S. Hoare*: That is what we are doing now.

*Lord H. Cecil*: Why should not the Viceroy convoke the Chamber of Princes and propound to the Princes in their Chamber the simple question—it should not be amended, but answered yes or no—Do you wish the Government to withdraw their Bill? If they vote that the Government should withdraw their Bill, I think that the Government would be in a position of considerable advantage rather than if the Bill collapsed for any other reason.

*Mr. Morgan Jones*: Would the Noble Lord propose the same procedure for British India?

*Lord H. Cecil*: Yes, I would, as a matter of fact. I would not proceed with the Measure if the elected members of that Assembly similarly voted that the Bill ought to be withdrawn, because if you are going to apply to India the principle of self-government it is a poor way to begin by transgressing this principle altogether. You cannot forcibly feed India with federation. It is no good your saying that it is good for India if India does not think so. If particular bodies of opinion which you have set out to satisfy are not satisfied, what is the use of going on with it? It seems to me a matter of mere common sense. I know that what one is told is that you must not pay attention to the irresponsible judgments, but if the procedure which I recommend is followed, the judgment would not be irresponsible. You make it abundantly clear when you ask the Chamber of Princes and the elected members that the Bill would actually be withdrawn if they said that they wanted it to be withdrawn. That is a responsible decision.

Other people say: "They do not understand. They are not like English people. You cannot calculate on their doing what we can do." I listen to such arguments with sympathy, because it is my own opinion that Indian people are entirely unsuited to our methods of Parliamentary government. But I listen also with surprise. It is strange to come to

this House and say, "We are going to set up self-government in India on English lines," and, if the condition which you would certainly expect from England or any Western European country beforehand, that is, their own consent, were not forthcoming, you say, "After all, they are orientals, and do not understand."

I am persuaded that the Government have acted very honestly and very laboriously, and in a way which deserves the applause of their supporters and of the country. But I am sure that they want to do what would be best in the end both for this country and India, and there really is not the smallest hope for a system of self-government which has not got the approbation of those who are going to exercise it; nor is there the slightest hope for a scheme of federation unless the Indian Princes approve it. Therefore they should carry their Bill forward, with all the Amendments with which they can smooth its path, until they get to the Third Reading. They ought then to hold up the Bill until they have got the feeling—and at that time it must be perfectly clear—of both the elected members of the Assembly and the Chamber of Princes. They should ask them the one question, "Do you want the Bill, or do you want to withdraw it?" If they said they wanted to withdraw it, then you could withdraw it, and you would be in an immensely stronger position than you have ever been in past years in regard to the Government of India. From the point of view of those who dislike these measures you would be in a stronger position, because the risk of not having to disappoint hopes which existed and the like would be at an end. It would not be you who were refusing the Bill, but the mass of Indian opinion. On the other hand, from the point of view of the Labour party opposite who would like to see some measure taken but who are not satisfied with this, they would be in a much better position, because future discussions would not go back to the beginning or where they were when the Round Table Conference first assembled.

There would be this positive, very elaborate, most carefully worked out Bill ready as a basis for further amendment and discussion. The subject can never go back, therefore, to where it was before. To those who want this Bill in rather a more extended form, what could be better than to have the Bill as the basis of further discussion upon India? So that from both points of view, we should be immensely better off than we are now. I suggest to the Government that that is what they should do, and that that is what should be their answer to my Noble Friend below the Gangway (Marquess of Hartington) that they recognise that it must depend upon Indian consent, and that before the Bill is read the Third time they will take means to ascertain, not by putting a particular forced meaning on this word and disagreeing with Members below the Gangway about the interpretation of that word, but by a simple vote taken by the Chamber of Princes and by the elected members of the Assembly, "yes," or "no" to the question as to whether they want the Bill. When

my right hon. Friend (Sir Samuel Hoare) complains that what we know of the Indian Princes' judgment has been indiscreetly revealed after a confidential meeting, I think it weakens and does not strengthen his case by dwelling on the confidential character of the meeting. If there is a dispute about what people really think, and they say something different in public from what they say in private, the usual conclusion is that what they say in private is the more to be trusted. We are not concerned whether we ought to be told what took place at the meeting. We have been told, and what we care about is—is it the truth? If the Government say that it is not the truth, let them put it to the test and have a meeting of the Chamber of Princes called for the purpose.

### "THE TROUBLE WILL NOT END HERE."

#### MR. CHURCHILL'S ATTACK.

*Mr. Churchill made a violent attack on the India Bill when speaking on the motion of the Marquess of Hartington. A few passages from the speech are quoted below. It should be mentioned that Chelsea is Sir Samuel Hoare's constituency.*

I AM glad to see the Prime Minister back. It gives me great satisfaction, and I hope he will not mind my pointing out to him how different the situation is now from what it was in 1931. In those days he had the offer of the Princes; there was an offer then. In those days he had the assent and agreement of British-Indian politicians. In those days he had a large amount of support among Indian Liberals—active support from that great body of central opinion of which we have heard. In those days also he had hopes of obtaining (the support of) the Congress party and Mr. Gandhi—"My Dear Mahatma" we had then. In those days he had the official support of the Conservative party and Liberal support, and he was himself the head of a Socialist Government. In those days four or five years ago he had every expectation, as it seemed at the moment—although I did not share it—of being able to make a great settlement for India with an equally broad basis of public assent here. Every one of those factors has been swept away; not one vestige of that structure remains. You may say that you will continue with the Bill, but every man who has studied the matter knows that the situation has no resemblance in any way to what occurred at that time.

What do the Government say should happen now? They say, "It is quite all right, it makes no difference." The Indian Liberals will not have it. Congress will not have it, the Princes will not have it, and the Labour party will not have it. It is not an agreed Measure here, it is not a Measure which can be said to be, as it were, high and dry above the ebb and flow of party conflict. All that has vanished. Still, the Government say, "It is all right, wait until the Division bell rings, and we will get them through the Lobbies, and it will be all right." Their newspapers—they still have some in

their support—their devoted newspapers will read tomorrow, "The House of Commons decided by an overwhelming majority that there was no substance whatever in those ridiculous and obstructive tactics put forward against the Bill." All this, and a reference to the fine speech of the Secretary of State, in which he depicted himself in action on behalf of a cause which has got into a somewhat ramshackle condition, will be, no doubt, admirably portrayed.

Why press this matter further? It is not any longer a great measure of Indian constitutional reform. The right hon. Gentleman has no doubt to introduce a great many Amendments to meet the objections of the Princes. I suggest that at the same time he should change the title of the Bill. He should no longer call it the Government of India Bill, but the Chelsea Hospital (No. 2) Relief Bill. He should call it by the name which far more accurately delineates its purpose, namely, to enable a number of officials and powerful people to escape from a difficult situation without undue loss and countenance and face. This Bill has nothing whatever to do with India. India will have nothing whatever to do with the Bill. The whole position has now become one of will power, of clash of opinions and wills here at the centre. Why can we not relax this position? The right hon. Gentleman spoke of the temptation of abandoning this Bill in the face of the universal opposition which it has excited among those for whom it was designed. Why can he not yield to that temptation? Temptation which is a natural instinct is not necessarily wrong. You beg the question when you say that all that reason and all that convenience and all that public interest urge is temptation. You ought to yield to these things, and this is the time to yield. This is the time when the Government ought to lay aside every impediment. There is great need of simplifying our policy here and abroad. There is great need of uniting forces which are harmoniously blended and must act together. Surely this is the time to take a reasonable step.

It is little that we ask, and how every little it is now that we have reached the point when, as far as arguments and facts are concerned, it is admitted by all parties in the House that the case has been made out. Surely it is not much to ask that the Federal Clauses should be dropped, that they should not be placed on the Statute Book until or unless the Princes have concurred in them, that they should, as my Noble Friend has suggested, be brought to the Third Reading and then be left out with any other ancillary parts as may be required. Then we could go forward. If that were done, very useful legislation would still rest in the hands of the Government, but, if they persist in the course which they have adopted if they simply go forward using the dull brute force that they command... (*Hon. Member*: "Hear, hear.") The right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) has taken very great responsibility in this matter, and I hope he will not be left high and dry when the subject is concluded. If the Government go forward, using their force, they must not suppose the trouble will end with the passage of the Bill. That is not possible. While this Bill remains on the Statute Book it claims from all those who disapprove of such policies and principles a consistent and persistent effort to establish forces, continuing and organised forces, which will resist the repetition of such Measures in the future, and will endeavour, as far as possible, to repair the mischances of the past.