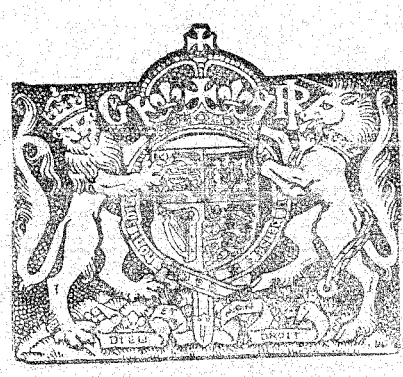


PROPOSALS

FOR

INDIAN CONSTITUTIONAL REFORM

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PROPOSALS FOR INDIAN CONSTITUTIONAL REFORM

INTRODUCTION

The White Paper of December, 1931.

1. In December 1931 both Houses of Parliament adopted a motion expressing approval of the Indian policy of His Majesty's Government, as announced to the Indian Round Table Conference and set out in Command Paper 3972. That policy, stated in the broadest terms, involved the prosecution of further inquiries and discussions with the object of finding a suitable basis for the conversion of the present system of government in India into a responsibly governed Federation of States and Provinces, on the understanding that the responsible Government so established must, during a period of transition, be qualified by limitations in certain directions. These limitations, commonly described by the compendious term "safeguards", have been framed in the common interests of India and the United Kingdom.

2. Having pursued their further inquiries and discussions, including a third session of the Round Table Conference, His Majesty's Government are now in a position to indicate with greater precision and in fuller detail their proposals for an Indian Constitution; and it is their intention, as indicated by the Secretary of State for India to the House of Commons on the 27th June last, to invite both Houses of Parliament to set up a Joint Select Committee to consider these proposals in consultation with Indian representatives, and to report upon them. After this report has been laid it will be the duty of His Majesty's Government to introduce a Bill embodying their own final plans.

The form and purpose of the present document.

3. It should be made plain at the outset that although the proposals are set out below in the interests of clarity in the form of short paragraphs or clauses, the language used in so describing them must not in general be taken as representing the language which would actually be used if they were presented in statutory form. Nor must it be assumed that the present proposals are in all respects so complete and final that a Bill would contain nothing which is not covered by this White Paper. At the same time it is hoped that the Proposals, read in the light of this Introduction, will make clear the principles which His Majesty's Government have followed.

4. One further explanation of the scope of this document should be given. It is unnecessary for the present purpose for His Majesty's Government, in anticipation of the discussions in Parliament, to marshal and elaborate here the general arguments in justification of their Proposals. It is not sought in this document to do more than to explain their exact nature and intended effect.

The Federation of India.

The processes involved in its formation.

5. The conception of a Federation of States and Provinces, and the processes involved in its formation necessitate a complete reconstruction of the existing Indian Constitution; these proposals are accordingly based on the assumption that the existing Government of India Act (which is a consolidation of the series of statutes relating to the government of India, the earliest of which dates from the 18th century) will be repealed *in toto*, and will be replaced by the Act which will ultimately embody the decision of Parliament, and which is in the following pages referred to as 'the Constitution Act'. The problems presented by the legal and constitutional reconstruction are briefly as follows:—

6. Federation elsewhere has usually resulted from a pact entered into by a number of political units, each possessed of sovereignty or at least of autonomy, and each agreeing to surrender to the new central organism which their pact creates an identical range of powers and jurisdiction, to be exercised by it on their behalf to the same extent for each one of them individually and for the Federation as a whole. India, however, has little in common with historical precedents of this kind. In the first place, British India is a unitary State, the administrative control of which is by law centred in the Secretary of State—in some respects in a statutory corporation known as the Secretary of State in Council—in whom are vested powers of control over "all acts, operations and concerns which relate to the government or revenues of India"; and such powers as appertain to the provincial Governments in India are derived by a species of delegation from this central authority and are exercised subject to his control. It follows that the Provinces have no original or independent powers or authority to surrender.

7. The States, on the other hand, though they are under the suzerainty of the King-Emperor, form no part of His Majesty's dominions. Their contact with British India has hitherto been maintained by the conduct of relations with their Rulers through the Governor-General in Council. Moreover, since Parliament cannot legislate directly for their territories, the range of authority to be conferred upon the Federal Government and Legislature in relation to the States must be determined by agreement with their Rulers; and the States have made it plain that they are not prepared to transfer to a Federal Government the same range of authority in their territories as it is expedient and possible to confer upon it in relation to the Provinces. The position will therefore necessarily be that in the Indian Federation the range of powers to be exercised by the Federal Government and Legislature will differ in relation to the two classes of units which compose it.

8. For the purpose, therefore, of meeting these conditions, it is proposed to set up a Federal Legislature, consisting of elected representatives of British India and of representatives of Indian States to be appointed by their Rulers, and a Federal Executive consisting of the Governor-General representing the Crown, aided and advised by a Council of Ministers, who will be responsible (subject to the

qualifications to be explained later) to the Legislature so composed, and to endow these authorities with powers and functions in relation to British India and with such powers and functions in relation to the States as the States-members of the Federation will formally accept as being of full force and effect within their territories. Full liberty will, of course, be reserved to the Crown to refuse to accept the accession of any State to the Federation if it is sought on terms incompatible with the scheme of Federation embodied in the Constitution Act.

9. On repeal of the present Government of India Act, all powers appertaining and incidental to the government of British India will vest in the Crown; and transition from the existing constitutional position briefly indicated above will be effected by making them exercisable on behalf of the Crown by the Governor-General, the Governors and other appropriate authorities established by or under the Constitution Act. The powers vested in the Crown in relation to the States and now exercisable through the Governor-General of India in Council, except in so far as they are requisite for Federal purposes and the Rulers have assented to their transfer to the appropriate Federal authority for those purposes, will be exercised by the Crown's representative in his capacity of Viceroy, and these powers will be outside the scope of the Federal Constitution. (See Butler Report, pp. 34 and 52.)

Simon Report Vol II p. 126 para. 229.

10. The office of Governor-General of the Federation will be constituted by Letters Patent, and that document will set out the powers which the Governor-General will exercise as the King's representative; that is to say, the powers expressly conferred on him by the Constitution Act and such other powers, not inconsistent with that Act, as His Majesty may be pleased to delegate to him. The Governor-General himself will receive a Commission under the Royal Sign Manual appointing him to his office; and he will exercise and perform the powers and duties attaching to his office in such manner as may be directed by the Instrument of Instructions which he will receive from the King. The same arrangements *mutatis mutandis* are contemplated in the case of the Governor of each Province.

It is intended that the Viceroy shall in future be recognised as holding a separate office which will also be constituted by Letters Patent, and the latter will serve as the means of conferring on the Governor-General, in the capacity of Viceroy, the powers of the Crown in relation to the States outside the Federal sphere. With these the Constitution Act will not, of course, be concerned.

11. So far as British India is concerned, the first step requisite in the transfer from a unitary to a federal polity is to define by Statute the jurisdiction and competence of the Federal and Provincial authorities respectively—or, in other words, to create Provinces with an autonomy of their own, and to assign to them a defined and exclusive share of the activities of government. It is accordingly proposed to declare that the executive power and authority in each of the Governors' Provinces is vested in the King and is exercisable by the Governor as the King's representative; to constitute a Council of Ministers to aid and advise the Governor, and a Legislature of elected representatives of the provincial populations to whom the Ministers will be responsible; and to define the competence of this Legislature

See page 45 para 66

(and of the Federal Legislature) in terms of subjects, some of which will be exclusively assigned to the Federal and Provincial Legislatures respectively, while over others both Federal and Provincial Legislatures will exercise a concurrent jurisdiction, with appropriate provisions for resolving conflicts of laws.

The Date and Conditions for the Inauguration of Federation.

12. It will be apparent that the mere passing of the Constitution Act will not of itself suffice to bring the Federation into being. Apart from the preparatory processes required in British India, which cannot be completed until the Constitution Act is on the Statute Book, and which must inevitably occupy some time—the preparation of new and enlarged electoral rolls for the Provincial and Federal Legislatures, and the demarcation of constituencies are matters in point—the final discussions with the States with regard to their Instruments of Accession and the execution of the latter cannot be undertaken until the Act which will be the basis of the Princes' accession has been passed, for until that time arrives the States will not be in possession of complete knowledge of the character and powers of the Federation to which they are asked to accede. So far as the States are concerned, His Majesty's Government propose as the condition to be satisfied before the Federal Constitution is brought into operation that the Rulers of States representing not less than half the aggregate population of the Indian States and entitled to not less than half the seats to be allotted to the States in the Federal Upper Chamber shall have executed Instruments of Accession.

It is the intention of His Majesty's Government that the Federation shall be brought into being by Royal Proclamation, but that the Proclamation shall not be issued until both Houses of Parliament have presented an Address to the Crown with a prayer for its promulgation.

Prerequisites of a financial character to the inauguration of responsible Federal Government are dealt with in paragraph 32.

See page 73, para 202.

13. At the same time His Majesty's Government do not contemplate the introduction of the new autonomous constitutions in the Provinces under conditions which will leave Federation as a mere contingency in the future. It is probable that it will be found convenient, or even necessary, that the new Provincial Governments should be brought into being in advance of the changes in the Central Government and the entry of the States. But the coming into being of the autonomous Provinces will only be the first step towards the complete Federation for which the Constitution Act will provide; and His Majesty's Government have stated that if causes beyond their control should place obstacles in the way of this programme they will take steps to review the whole position in consultation with Indian opinion.

Provision will accordingly be required in the Constitution Act for the period, however short it may be, by which Provincial autonomy may precede the complete establishment of the Federation. The nature of the transitory arrangements contemplated for this purpose is explained in paragraph 202 of the Proposals.

The Federal Executive.

14. The executive power and authority of the Federation will be vested in the King and will be exercised by the Governor-General as his representative, aided and advised by a Council of Ministers* responsible to a legislature containing representatives both of British India and of the States. But whereas in the Provinces the Council of Ministers will be entitled, as will be seen from a later paragraph, to tender advice to the Governor on all matters which fall within the scope of provincial administration, other than the use of powers described by the Constitution Act as being exercisable by the Governor at his discretion, the transfer of responsibility at the Centre will not be coextensive with the range of the Federal Government's activities. Certain Departments, namely, those concerned with Defence, External Affairs and Ecclesiastical administration, are to be entrusted to the Governor-General personally, and these matters he will control in responsibility to His Majesty's Government and Parliament. For example, the rights and conditions of service of the personnel of the defence forces will continue generally to be regulated as at present. In the exercise, moreover, of certain specific powers to be conferred by the Constitution on the Governor-General, and to be expressed as being exercisable at his discretion, the Governor-General will be entitled to act without seeking advice from his Ministers. On other matters, Ministers will tender advice to the Governor-General and the Governor-General will be guided by that advice, unless so to be guided would in his judgment be inconsistent with the fulfilment of any of the purposes for which he will be declared by the Constitution Act to be charged with a "special responsibility", in which case the Governor-General will act, notwithstanding the advice tendered to him, in such manner as he deems requisite for the discharge of those "special responsibilities".

15. For the purpose of assisting him in the administration of the Reserved Departments the Governor-General will be empowered to appoint at his discretion not more than three Counsellors whose salaries and conditions of service will be prescribed by His Majesty in Council. The Governor-General will not be restricted in any way in his choice of these Counsellors; the sole consideration will be to select the individual best suited, in the Governor-General's opinion, for the office, wherever he may be found. The Counsellors will be *ex officio* members of both Chambers of the Legislature though without the right to vote; they are not therefore included in the numbers mentioned in the following paragraphs.

The Federal Legislature.

16. The Federal Legislature will be bicameral, the two Chambers possessing identical powers, except that Money Bills and Votes of Supply will be initiated in the Lower Chamber, and that the range of the functions of the Upper Chamber in relation to Supply will be less extensive than

* For the method of appointing to the Council of Ministers see Proposals, paragraph 14.

those of the Lower Chamber (see paragraph 48 of the Proposals). Equality of powers necessitates arrangements for the solution of deadlocks ; the arrangements proposed are set out in paragraph 41 of the Proposals.

17. The Lower Chamber, or House of Assembly, of the Federal Legislature will consist of a maximum of 375 members, of whom 125 will be appointed by the Rulers of States-members of the Federation. The remaining 250 members will be representatives of British India and their seats will be allocated to the Provinces and to the several communities and interests in each province in the manner indicated in Appendix II. The British Indian members will be directly elected.

18. The Upper Chamber, or Council of State, will consist of a maximum of 260 members, of whom 100 will be appointed by the Rulers of the States-members of the Federation. The British Indian members, 150 in number, will, for the most part, be elected by the members of each Provincial Legislature by the method of the single transferable vote. An exception will be made in the case of those minorities (Europeans, Anglo-Indians and Indian Christians) whose representatives in the Provincial Legislatures would be insufficiently numerous to provide the necessary quota to secure representation in the Upper Chamber. The arrangements proposed for these minorities and the numbers of seats assigned to each Province are indicated in Appendix I. Except for these three minorities the specific allocation of seats on a communal basis would thus be avoided. It is, however, the intention of His Majesty's Government that Muslims should be able to secure one-third of British Indian seats in the Upper House ; and if it is considered that the adoption of proportional representation in the manner proposed makes insufficient provision for this end they are of opinion that modification of the proposals should be made to meet the object in view.

In addition the Governor-General will be empowered to nominate not more than ten members (not officials) thus providing an opportunity of adding to the Chamber a small group of the elder statesman type.

19. The allocation of the seats among the States-members of the Federation, both for the Federal Assembly and Council of State is at present under discussion with Rulers. His Majesty's Government are accordingly unable at the moment to put forward specific proposals. But their view is that the detailed allocation of seats which will eventually be provided for in the Constitution Act should be based, in the case of the Council of State, on the rank and importance of the State as indicated by the dynastic salute and other factors and that in the case of the Lower Chamber it should be based *in the main* on population.

The franchise for the Federal Legislature.

20. Since the British Indian seats in the Upper Chamber of the Federal Legislature will be filled by indirect election by the Provincial Legislatures, no question of franchise qualifications arises, though certain specific property or other qualifications will be required in members of the Upper House.

21. The franchise of the Lower Chamber of the Federal Legislature will, for practical purposes, be the existing franchise for the present Provincial Legislatures. In Bihar and Orissa the qualifications will be changed, but the character and numerical effect will be substantially as at present. In the Central Provinces, where the existing percentage of enfranchisement is unusually low, an alternative franchise of the same character but on a wider scale has been worked out by the Local Government. The existing franchise in all provinces is essentially based on property. In adopting it (with the modifications referred to above) as the franchise for the Lower Chamber of the Federal Legislature it is proposed to supplement the property qualification by an educational qualification common to men and women, and, where necessary, by a differential franchise such as to produce an electorate of approximately 2 per cent. of the population of the Scheduled Castes* (hitherto known as Depressed Classes) in every province, except in Bihar and Orissa, in which the general percentage of enfranchisement is lower than elsewhere, and in the North-West Frontier Province and Sind, where the numbers of the Scheduled Castes are negligible. The ratio of women to men electors for the Federal Assembly will for practical purposes remain unchanged under the present proposals, although the number of women electors will be substantially increased, and special provision will be made by reservation of seats to secure the presence of women in the Assembly. His Majesty's Government fully appreciate the importance of a large women electorate for the Federal Assembly and their proposal to leave the ratio of electors at the point now suggested is made only after exhaustive discussion with Indian authorities and in view both of the administrative difficulties involved in any further increase and of the objections to a differential franchise based on education, by adoption of which alone any substantial addition to the women electorate could conveniently be made in present conditions. Provision will also be made for an electorate for the seats to be provided for Commerce, Labour and other special interests in the Federal Lower Chamber.

22. The details of the franchise proposed are set out in Appendix IV. It should be emphasised that pending preparation of an electoral roll these qualifications are inevitably to some extent stated in general terms, and that modifications of detail may be found necessary on various points once the preparation of the roll is undertaken. Registration of claimants in respect of an educational qualification will, at any rate for the first two elections, be only on application by the potential voter†. The effect of acceptance of the proposals in question would be to enfranchise as voters for the Federal Legislature between 2 and 3 per cent. of the total population of British India. The gross total electorate would, so far as can be judged, amount to between 7 and 8 millions.

Governor-General's relations with his Ministers.

23. Although the Reserved Departments will be administered by the Governor-General on his sole responsibility, it would be impossible in practice for the Governor-General to conduct the affairs of these

* The Castes in each Province scheduled as requiring special electoral protection are enumerated in Appendix VIII.

† See introductory note to Appendices IV and V, paragraph 3.

Departments in isolation from the other activities of his Government, and undesirable that he should attempt to do so, even if it were in fact possible. A prudent Governor-General would therefore keep his Ministers and the advisers whom he has selected to assist him in the Reserved Departments in the closest contact; and, without blurring the line which will necessarily divide on the one hand his personal responsibility for the Reserved Departments, and, on the other hand, the responsibility of Ministers to the Legislature for the matters entrusted to their charge, he would so arrange the conduct of executive business that he himself, his Counsellors and his responsible Ministers, are given the fullest opportunity of mutual consultation and discussion of all matters—and there will necessarily be many such—which call for co-ordination of policy. His Majesty's Government intend to secure the embodiment of this principle in appropriate terms in the Governor-General's Instrument of Instructions. For example, they contemplate that the Instrument should contain a direction to the following effect: "without derogation from your responsibilities you shall encourage joint deliberations between yourself, your Counsellors, and your Ministers, and in particular you shall make it your endeavour to secure that the views of your Ministers in relation to Defence expenditure shall be ascertained and duly weighed before the appropriations for Defence are laid before the Legislature". The Instrument of Instructions will also formally recognise the fact that the defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone. But at the same time, it will make it clear, without ambiguity, that whatever consultation between the Governor-General and his responsible Ministers may take place upon matters arising in the Reserved Departments, the responsibility for the decisions taken is the Governor-General's and the Governor-General's alone.

24. A different problem presents itself in regard to the Governor-General's relations with his Ministers outside the ambit of the Reserved Departments, *i.e.*, in the Departments which will be entrusted to the charge of Ministers responsible for the conduct of their administration of them to the Legislature. In this sphere Ministers, as already explained, will have a constitutional right to tender advice, and the Governor-General will, except to the extent and in the circumstances explained below, be guided by that advice. The problem is so to define the circumstances in which he will be entitled to act on his own exclusive responsibility. His Majesty's Government consider that the most satisfactory course will be:—

(*a*) the enactment of provisions in the Constitution Act laying down that the Governor-General has a "special responsibility", not for spheres of administration, but for certain clearly indicated general purposes, and that for securing these purposes he is to exercise the powers conferred upon him by the Constitution Act in accordance with directions contained in his Instrument of Instructions; and

(*b*) the insertion in the Instrument of Instructions *inter alia* of a direction to the effect that the Governor-General is to be guided by his Ministers' advice unless so to be guided would,

in his judgment, be inconsistent with a " special responsibility " imposed upon him by the Constitution Act, in which case he is to act, notwithstanding his Ministers' advice, in such manner as he judges requisite for the due fulfilment of his special responsibility.

It will be apparent from what has been said in this and the preceding paragraph that the Instrument of Instructions will assume a position of great importance as an ancillary to the Constitution Act, and His Majesty's Government propose that appropriate arrangements shall be made to secure to both Houses of Parliament opportunity to make to His Majesty representations for amendments or additions to, or omissions from, the Instructions.

25. It remains to indicate the matters or purposes in respect of which the Governor-General should be declared, in accordance with the proposals in the preceding paragraph, to have a special responsibility in relation to the operations of the Federal Government. It is proposed that they should be the following :—

(*i*) the prevention of grave menace to the peace or tranquillity of India or of any part thereof ;

(*ii*) the safeguarding of the financial stability and credit of the Federation ;

(*iii*) the safeguarding of the legitimate interests of minorities ;

(*iv*) the securing to the members of the Public Services of any rights provided for them by the Constitution and the safeguarding of their legitimate interests ;

(*v*) the protection of the rights of any Indian State ;

(*vi*) the prevention of commercial discrimination ;

(*vii*) any matter which affects the administration of the Reserved Departments.

26. Before describing in detail the scope and purpose of the items in this list, it is desirable to explain the precise effect which is contemplated as the result of imposing upon the Governor-General these " special responsibilities ". In the first place, it should be made clear that unless and until the Governor-General feels called upon to differ from his Ministers in the discharge of a " special responsibility ", the responsibility of Ministers for the matters committed to their charge remains complete. To take a concrete instance, it will clearly be the duty of Ministers, rather than of the Governor-General himself, to ensure that the administration of their departments is so conducted that minorities are not subjected to unfair or prejudicial treatment. The intention of attributing to the Governor-General a special responsibility for the protection of minorities is to enable him, in any case where he regards the proposals of the Minister in charge of a department as likely to be unfair or prejudicial to a particular minority, in the last resort to inform the Minister concerned (or the Ministers as a body, if they generally support the proposals of their colleague), that he will be unable to accept the advice tendered to

him. Nor is it contemplated that the Governor-General, having been vested with "special responsibilities" of the kind indicated, will find it necessary, to be constantly overruling his Ministers' advice. The present proposals in general necessarily proceed on the basic assumption that every endeavour will be made by those responsible for working the Constitution to approach the administrative problems which will present themselves in the spirit of partners in a common enterprise. In the great bulk of cases, therefore, in day-to-day administration, where questions might arise affecting the Governor-General's "special responsibilities" mutual consultation should result in agreement, so that no question would arise of bringing the Governor-General's powers in connection with his special responsibilities into play.

27. Reverting now to the list of "special responsibilities" in paragraph 25, the necessity for the items numbered (*i*), (*iii*) and (*iv*) follows as a matter of course from previous statements of His Majesty's Government's policy. With regard to item (*vii*) it is apparent that if, for example, the Governor-General were to be free to follow his own judgment in relation to Defence policy only in regard to matters falling strictly within the ambit of the department of Defence, he might find that proposals made in another department in charge of a responsible Minister are in direct conflict with the line of policy he regards as essential for purposes connected with Defence, and consequently that the discharge of his responsibilities for Defence would be gravely impaired if he accepted the advice of the Minister responsible for the charge of the other department in question. If, therefore, such a situation is to be avoided, it is impossible to secure the object in view otherwise than by expressing the Governor-General's "special responsibility" in some such terms as those indicated in item (*vii*).

28. As regards item (*v*), it should be explained that this is not intended to give the Governor-General any special powers *vis-à-vis* the States in relation to matters arising in the Federal sphere proper; the necessary powers having been transferred by the States in their Instruments of Accession, such matters will be regulated in accordance with the normal provisions of the Constitution Act. Nor is it intended that the inclusion of this item should be regarded as having any bearing on the direct relations between the Crown and the States. These will be matters for which the Constitution will make no provision and which will fall to be dealt with by the Viceroy, who will be the Governor-General in a capacity independent of the Federal organisation. It may be, however, that measures are proposed by the Federal Government, acting within its constitutional rights in relation to a Federal subject, or in relation to a subject not directly affecting the States at all, which, if pursued to a conclusion, would affect prejudicially rights of a State in relation to which that State had transferred no jurisdiction. Or, again, policies might be proposed or events arise in a Province which would tend to prejudice the rights of a neighbouring State. In such cases it is evident that it must be open to the Crown, through the Governor-General or the Governor, as the case may be, to ensure that the particular course of action is so modified as to maintain the integrity of rights secured to the State by Treaty or otherwise.

29. Item (*vi*) is intended to enable the Governor-General to deal with proposals which he regards as likely to have discriminatory effects. As regards legislative discrimination detailed proposals will be found in paragraphs 122—124 of the Proposals. Any legislative measure, Federal or Provincial, which was inconsistent with these proposals would be invalid and could be challenged as such in the Courts; and the Governor-General or the Governor, as the case may be, would be entitled to act otherwise than in accordance with his Ministers' advice, if he considered that such advice involved discriminatory action in the administrative sphere. The Governor-General's powers will enable him to reserve any Bill on which he had doubts.

30. The second item in the list of special responsibilities deserves to be noticed at rather greater length since it involves the whole question of what have become known as "financial safeguards". Subject to the powers conferred upon the Governor-General by this responsibility and subject to what is stated below as regards the Reserve Bank, it is intended that the Finance of the Federation should, like all other subjects except those included in the Reserved Departments, be entrusted to the Minister. Unless occasion arises for the exercise of the Governor-General's special powers, it will therefore be for the Minister, and the Minister alone, to take decisions on all such matters as the means to be used for raising the necessary revenues, for allocating expenditure in the responsible field, and for the programme of external and internal borrowing.

The service of certain obligations, *e.g.*, the service of the Debt, the salary of the Governor-General, the salaries and pensions of Judges of the Federal Court, will be a "charge" on the revenues of the Federation; other expenditure will be appropriated annually but certain Heads* of it, in particular the expenditure on the Reserved Departments, will not require a vote of the Legislature.

31. The object of the Governor-General's special responsibility for "the safeguarding of the financial stability and credit of the Federation" is to confer on him powers to step in, if the need should arise, in the event of the policy of his Minister in respect, for example, of budgeting or borrowing being such as to be likely in the Governor-General's opinion to endanger seriously the provision of resources to meet the requirements of his Reserved Departments or any of the obligations of the Federation, whether directly, or indirectly by prejudicing India's credit in the money-markets of the world. The definition of this special responsibility is drawn in somewhat wide terms not in order to diminish the field of responsibility of the Minister, but owing to the difficulty of giving a detailed specification of financial operations or measures which might on occasion endanger stability and call for the use of the Governor-General's powers. In order that assistance may be available to him in the discharge of this special responsibility, the Governor-General will be empowered to appoint a Financial Adviser (without executive powers), whose services would also be available to the Minister.

It will be seen that provision is made in paragraph 147 of the Proposals that the trustee status of the existing India sterling loans will be maintained and will be extended to the future sterling federal loans.

* See paragraph 49 of the Proposals for full list.

32. The proposals relating to responsibility for the Finance of the Federation are based on the assumption that before the first Federal Ministry comes into being, a Reserve Bank, free from political influence, will have been set up by Indian legislation and be already successfully operating. The Bank would be entrusted with the management of currency and exchange.

His Majesty's Government and the Government of India are taking every step in their power to facilitate and expedite the establishment of a Reserve Bank on sound principles. Some, however, of the conditions necessary for the successful establishment and operation of such a bank, depending as they do on world economic conditions, are not altogether within their control. The report of the committee of the Third Round Table Conference on Financial Safeguards mentions the following as conditions to be fulfilled—"that the Indian budgetary position should be assured, that the existing short-term debt both in London and in India should be substantially reduced, that adequate reserves should have been accumulated, and that India's normal export surplus should have been restored."

If a situation should arise in which all other requirements for the inauguration of the Federation having been satisfied, it had so far proved impossible successfully to start the Reserve Bank, or if financial, economic or political conditions were such as to render it impracticable to start the new Federal and Provincial Governments on a stable basis, it would inevitably be necessary to reconsider the position and determine in the light of the then circumstances what course should be pursued. If, unfortunately, such reconsideration became necessary, His Majesty's Government are pledged to call into conference representatives of Indian opinion.

33. Apart from the (i) Reserved Departments, and the specified "special responsibilities" of the Governor-General outside the sphere of those Departments, there is a third category of matters in which the Governor-General will not be under any constitutional obligation to seek, or, having sought, to be guided by, ministerial advice. For this purpose certain specified powers will be conferred by the Constitution on the Governor-General and will be expressed as being exercisable "at his discretion". In this category of "discretionary powers," the precise range of which it will be impossible exhaustively to foresee until the drafting of the Constitution Act has reached completion, His Majesty's Government anticipate that the following matters will be included :—

(*a*) The power to dissolve, prorogue, and summon the Legislature;

(*b*) The power to assent to, or withhold assent from, Bills, or to reserve them for the signification of His Majesty's pleasure;

(*c*) The grant of previous sanction to the introduction of certain classes of legislative measures;

(*d*) The power to summon forthwith a Joint Session of the Legislature in cases of emergency, where postponement till the expiration of the period to be prescribed by the Constitution Act might have serious consequences.

Governor-General's Relations with the Legislature.

34. It is also a necessary corollary of what has already been said that the special powers to be conferred on the Governor-General for the purpose of enabling him to discharge his responsibilities must be similarly exercisable in his discretion. To the foregoing must, therefore, be added—

(*e*) The power to take action, notwithstanding an adverse vote in the Legislature—to be dealt with more fully below ;

(*f*) The power to arrest the course of discussion of measures in the Legislature—also dealt with below ;

(*g*) The power to make rules of legislative business in so far as these are required to provide for the due exercise of his own powers and responsibilities.

35. It is not, in fact, sufficient merely to regulate the Governor-General's relations with his responsible Ministers, *i.e.*, to regulate matters arising in discussion amongst the members of the executive Government. It follows from previous declarations by His Majesty's Government, upon which these Proposals are based, that the Governor-General must be given powers which will enable him effectively to discharge the responsibilities entrusted to him, whether for the Reserved Departments or the " special responsibilities " indicated above, if their discharge involves action normally lying within the functions of the Legislature to which the Legislature will not agree. The general scheme underlying the Proposals is that, wherever the Governor-General's responsibilities for the Reserved Departments, or his special responsibilities, are involved, he should be empowered not only to act without, or, as the case may be, contrary to, the advice of his Ministers, but also to take action notwithstanding an adverse vote of the Legislature whether such a vote relates to the passage of legislation or to the appropriation of funds.

36. But it will clearly be of importance to the fostering of the sense of responsibility in Ministers and Legislature alike that room should not be left for doubt whether in any given case the responsibility for the decision is, or is not, that of the Ministers or of the Legislature, as the case may be—in other words, it is of importance that the special powers of the Governor-General should be so framed as to make it plain that the responsibility for the results of their exercise lies upon him. The necessity for the use of the Governor-General's legislative power may arise through the refusal of Ministers to be parties to a Bill, or to provisions in a Bill, which the Governor-General regards as essential to the discharge of his responsibilities, or where the Legislature rejects or fails to pass a Bill for which Ministers have accepted responsibility and which the Governor-General regards as essential ; or the Legislature may alter the Bill to a form which would fail to secure the object which the Ministers and the Governor-General have in view.

37. The essential point to be secured, in both contingencies, is, as already indicated, that when the Governor-General decides that the discharge of his responsibilities necessitates a course of action to which

he is unable to obtain the consent either of his Ministers or of the Legislature—or perhaps of both—the resulting enactment should not purport to be an enactment of the Legislature (as is the case with Acts which the Governor-General "certifies" under the existing Government of India Act), and further that its presentation to the Legislature should be brought about by the personal intervention of the Governor-General, that his responsibility for it should be manifest, and that Ministers should be in no way compromised by his action either with their supporters in the Legislature or their constituencies in the country. On the other hand, it would be undesirable to carry this principle to the logical extreme of placing all measures for which the Governor-General has himself to assume responsibility on the footing of Ordinances, the enactment of which involves no reference to the Legislature at all. The Governor-General's powers in this regard should therefore be such as to enable him to test opinion in the Legislature; if he finds a majority there in support of his policy no question arises of using his special powers. If he finds only a minority in the Legislature in favour of his policy, he would at all events secure that measure of moral support, but he would carry out his policy on his own responsibility without compromising either the Ministers with their supporters in the Legislature, or the latter with their constituencies. It is accordingly proposed that measures enacted by the Governor-General without the consent of the Legislature should be described as "Governor-General's Acts", and that a special form of enacting words should be employed to distinguish them from Acts "enacted by the Governor-General by and with the consent of both Chambers of the Legislature".

38. The corresponding powers proposed for the Governor-General in the matter of supply are based upon the same principles. The Budget will be framed by the Finance Minister in consultation with his colleagues and with the Governor-General. The decision as to the appropriations required for the Reserved Departments and for the discharge of the functions of the Crown in relation to the Indian States will of course be taken by the Governor-General on his own responsibility, though he will be enjoined by his Instrument of Instructions to consult his Ministers before reaching any decision on appropriations for the Department of Defence. Appropriations required for the non-reserved Departments will be the responsibility of Ministers. But the proposals for raising revenue and for appropriation of those revenues will be subject to the common constitutional rule (see paragraph 45 of the Proposals) that as laid before the Legislature they carry a recommendation from the representative of the Crown. If the Governor-General regards his Ministers' proposals for appropriations as insufficient to enable him adequately to fulfil any of his "special responsibilities", he will be entitled to append to the Budget statement, when laid before the Legislature, additional proposals for appropriation under any head in respect to which he regards his Ministers' proposals as inadequate. These additional proposals (if any) of the Governor-General will be distinguished as such in the Budget Statement and whether they relate to non-votable or to votable Heads of expenditure the Legislature will not be invited to vote upon them: in other words the appropriations on which the Legislature will be invited to vote will be those proposed by the Ministry.

39. After the Legislature has discussed the Budget as a whole and has voted upon those proposals for appropriations which are submitted to the vote, the Governor-General will be called upon to authenticate by his own signature the appropriations. In authenticating those under the non-votable heads he will be entitled to include in his authentication the sums additional to those proposed by his Ministers under those Heads which he originally included in the Budget Statement or, if he thinks fit, reduced sums. He will be similarly required to authenticate the Grants as voted by the Legislature and in so doing he will be entitled, if he regards this as necessary for the fulfilment of any of his " special responsibilities ", to include in his authentication any sums not in excess of those by which the Legislature may have reduced the Grant submitted to it. By this procedure the Ministry on the one hand, and the Legislature on the other, will be left free to exercise their respective responsibilities in the matter of supply—the Ministers, by accepting responsibility for proposals for appropriations so far as and no further than they are prepared to hold themselves responsible to the Legislature, and the Legislature, by recording their agreement or disagreement with Ministers' proposals : at the same time, the Governor-General, if he is unable to accept the proposals of his Ministers, or the decision of the Legislature, as consistent with the discharge of any of his special responsibilities, will be enabled to bring the resulting appropriations into accord with his own estimates of the requirements and, if necessary, through his special legislative powers to secure that the Annual Finance Act provides him with resources which will cover the appropriations which he finally authenticates.

The procedure of authentication by the Governor-General is proposed for a double purpose :

(1) to secure that audit authorities should be concerned only with a single document as authority for all appropriations of revenue, by whatever legal procedure such appropriations have been made ; and

(2) to secure that the Governor-General does not make any appropriations under his special powers without the Legislature being made cognisant thereof.

40. It will, in addition, be necessary to arm the Governor-General with a legislative power which is capable of immediate employment in emergencies, either when the Legislature is not in session or, if it is in session, to meet circumstances which necessitate immediate action. It is, therefore, proposed to vest in him a power analogous to the existing Ordinance-making power. Indeed, in addition to such a power to be placed at the disposal of the Governor-General in his discretion for the express purpose of discharging his responsibilities for a Reserved Department, or for carrying out a " special responsibility ", His Majesty's Government are of opinion that a similar power must necessarily be placed at the disposal of the Governor-General acting with his Ministers, *i.e.*, at the disposal of the Federal Government, to meet cases of emergency when the Legislature is not in session, the

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Ordinances resulting therefrom being limited in duration to a specified period, unless previously revoked by the Legislature after its reassembly.

41. Finally, it is proposed that the Constitution should contain provision requiring the previous sanction of the Governor-General acting in his discretion to the introduction of any Bill affecting a Reserved Department and certain other matters set out in paragraph 119 of the Proposals.

42. It is perhaps desirable to summarise very briefly the effect of these proposals. The intention is that the special powers of the Governor-General properly so described, namely, his power to obtain legislation and supply without the assent of the Legislature, will flow from the responsibilities specifically imposed upon him and be exercisable only for the purpose of enabling those responsibilities to be implemented. The responsibilities to be imposed on the Governor-General by the Constitution will be of two kinds—an exclusive responsibility for the administration of the Reserved Departments, and a "special responsibility" for certain defined purposes outside the range of the Reserved Departments. On the administration of the Reserved Departments, Ministers will have no constitutional right to tender advice; nor will they have any such right to tender advice on the exercise of any powers conferred upon the Governor-General for use in his discretion. On all other matters Ministers will be constitutionally entitled to tender advice, and unless that advice is felt by the Governor-General to be in conflict with one of his special responsibilities he will be guided by it. If, in discharge of his responsibility for a Reserved Department, or of a special responsibility, the Governor-General decides that a legislative measure or a vote of supply to which the Legislature has not assented is essential, his special powers will enable him to secure the enactment of the measure or the provision of the supply in question, but Ministers will not have any constitutional responsibility for his decision.*

43. It remains only to explain that in so far as the Governor-General or a Governor is not advised by Ministers, the general requirements of constitutional theory necessitate that he should be responsible to His Majesty's Government and Parliament for any action he may take, and that the Constitution should make this position clear. In the case of a Governor the chain of responsibility must necessarily include the Governor-General.

44. The proposals indicated above have no reference to situations where a complete breakdown of the constitutional machinery has occurred. It is the intention of His Majesty's Government that the Constitution should contain separate provision to meet such situations, should they unfortunately occur either in a Province or in the Federation as a whole, whereby the Governor-General or the Governor, as the case may be, will be given plenary authority to assume all powers that he deems necessary for the purpose of carrying on the King's Government.

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*See footnote to the Proposals, paragraph 6.

The Governors' Provinces.

The Executive.

45. The eleven provinces* named in the margin will become autonomous units, the government of each being administered by a Governor representing the King, aided and advised by a Council of Ministers responsible to the Legislature of the Province. The Council of Ministers will be entitled to tender advice to the Governor on all matters which fall within the provincial sphere, other than the use of powers described by the Constitution Act as exercisable by the Governor at his discretion. The Governor will be guided by the advice tendered to him by Ministers, unless so to be guided would be, in his judgment, inconsistent with the fulfilment of any of the purposes for the fulfilment of which he will be declared by the Constitution Act to be charged with a "special responsibility"; in which case the Governor will be entitled, and enjoined, to act, notwithstanding the advice tendered to him, in such manner as he deems requisite for the discharge of his special responsibilities.

Madras,
Bombay,
Bengal,
The United Provinces,
The Punjab,
Bihar,
†The Central Provinces,
Assam,
The North-West Frontier Province,
Sind,
Orissa,

Governors' special powers and responsibilities.

46. As indicated above, the scheme for the Governor-General's responsibilities and powers will be applicable in all respects to the Governor in relation to his Ministers and Legislature, with the following modifications: In the provinces there will be no category exactly corresponding to the Reserved Departments of the Governor-General, though analogous arrangements are intended in order to provide for the administration of frontier areas in certain Provinces which, from the primitive nature of their populations and their general characteristics, will have to be excluded from the normal operation of the Constitution. With this exception, the Governor's special powers will flow from, and be expressed as being required in order to enable him to discharge his "special responsibilities" only.

47. As regards the "special responsibilities" of the Governors, these will be identical with those indicated in the case of the Governor-General, save that the first item on the list will necessarily be confined in scope to the Province, or any part thereof, and not extend, as in the case of the Governor-General, to India as a whole. Special responsibility for the financial stability of the Provinces will not be imposed on the Governors. On the other hand, in the case of the Governors, it will be necessary to add to the list of "special responsibilities" an item relating to the execution of orders passed by the Governor-General. As the

* It has not been possible to include in the proposals any relating to Burma, as Burma has, as yet, made no choice between the alternatives of separation from India, with a constitution as outlined in Command Paper 4004/32, or inclusion as a Governor's Province in the Federation of India.

† With Berar, subject to the approval of conditions which are under discussion with His Exalted Highness the Nizam's Government.

Governor-General is to be charged with the general superintendence of the actions of Governors in exercise of their "special responsibilities", and if, as has already been proposed, he is himself to have imposed upon him a "special responsibility" for the prevention of grave menace to peace and tranquillity throughout the country, it follows that he must be in a position to ensure that his instructions to a Governor are acted upon; and consequently that the Governor must be in a position to act otherwise than on his Ministers' advice, if such advice conflicts with the Governor-General's instructions*. Finally, it will be necessary to impose upon the Governor a "special responsibility" for the administration of certain excluded areas, if, as seems probable, the arrangements for the administration of excluded areas involve their classification into two categories, one of which would be placed under the exclusive control of the Governor, while the other is made subject to Ministerial control, but with an over-riding power in the Governor obtained in the manner explained in earlier paragraphs through his "special responsibility".

The special responsibilities dealt with in this paragraph have been discussed and reported on by the Round Table Conference at its third session. Apprehension was expressed by some members at the first Round Table Conference that grave danger to the peace and tranquillity of a Province might develop if the internal administration and discipline of the police were not secured; but this matter was not discussed at the third Round Table Conference in relation to the special responsibilities of the Governor. His Majesty's Government propose to deal with it by inserting in the Instrument of Instructions of the Governor a direction that he should bear in mind the close connection between his special responsibility for peace and tranquillity and the internal administration and discipline of the police.

48. The division of legislative powers between Centre and Provinces would no longer make appropriate the concentration in the hands of the Governor-General of the power to legislate in emergency by Ordinance on provincial matters and this power will now be conferred on Governors also, for the double purpose indicated in paragraph 40.

The Provincial Legislature.

49. The Provincial Legislatures will be enlarged to the extent indicated in Appendix III. The allocation of seats and method of election for the Provincial Legislative Assemblies (Lower Houses) is in accordance with the provisions contained in what is generally referred to as His Majesty's Government's Communal Award of the 4th August last (Cmd. 4,147/1932). The only modifications made are the adaptation of the figures necessary in view of the subsequent decision to establish Orissa as a separate Province and an alteration in respect of the representation of the Depressed Classes made in the circumstances explained below. This Award was given by His Majesty's Government in order to remove the obstacle to further progress in the framing of a Constitution which was presented by the failure of communities in India themselves to reach agreement on the subject of the method and quota of representation of communities in the Provincial Legislatures.

* See also paragraph 55 of Introduction.

His Majesty's Government in the Award pledged themselves not to vary their recommendations to Parliament on this subject save with the mutual agreement of the communities affected and themselves to take no part in any negotiations initiated by the communities with a view to revision of their decision. One such variation has been made, namely in respect to the arrangements for the representation of the Depressed Classes which have been modified in accordance with an agreement, now known as the Poona Pact, reached on the 24th September last between representatives of the Depressed Classes and of the rest of the Hindu community.

His Majesty's Government stated in their Award that modification of the communal electoral arrangements might be made after ten years with the assent of the communities affected, for the ascertainment of which suitable means would have to be devised.

The members of the Provincial Legislative Assemblies will be in all cases elected, and no officials will be eligible for election. In three Provinces* the Legislature will be bicameral: in the remainder it will consist of a single Chamber. But provision is made in the Proposals (paragraph 74) whereby, subject to restriction, an Upper Chamber where it exists may be abolished, or created where it does not exist. The powers of Provincial Upper Chambers will not be coextensive with those of the Lower Chamber.

The Provincial Franchise.

50. Details of the franchise proposed in the case of the various Provincial Legislatures are given in Appendix V. Here, as in the case of the franchise for the Federal Legislature, it should be emphasised that pending the preparation of an electoral roll the qualifications proposed are inevitably to some extent stated in general terms and that modifications of detail may be found necessary on various points once the preparation of the roll is undertaken. The franchise in question is essentially based on property, supplemented by an educational qualification common to men and women alike; by a qualification for women in respect of property held by a husband; by provision directed to secure an electorate of approximately 10 per cent. of the population of the Scheduled Castes† (hitherto known as Depressed Classes) in each province, except in Bihar and Orissa where the general percentage of enfranchisement is in the neighbourhood of 9 per cent. only, and in the North-West Frontier Province and Sind, where the numbers of the Scheduled Castes are negligible; and by provision of a special electorate for the seats proposed to be reserved for the representation of Commerce, Labour and other special interests. Registration of claimants in respect of an educational qualification or of a woman qualified in respect of her husband's property will, at any rate for the first two elections, be on application by the potential voter only‡. The ratio of women to men electors will be approximately 1 to 7 as compared with approximately 1 to 21 at the present time.

*Bengal, the United Provinces and Bihar.

†The Castes in each Province scheduled as requiring special electoral protection are enumerated in Appendix VIII.

‡See Introductory Note to Appendices IV and V, paragraph 3.

51. A precise statement of the numerical effect of the electoral qualifications proposed cannot be given pending the preparation of a provisional electoral roll. So far as can be judged, however, these proposals, if accepted, would, in the typical case of Bengal, enfranchise some 7½ millions, or some 15 per cent. of a total population of 50 millions. In the case of Bombay the percentage to be enfranchised would probably be rather higher than in Bengal; in Madras and the United Provinces it would be approximately the same; in all other provinces it would be substantially lower, the lowest figure being reached in the case of Bihar and Orissa, with an electorate of some 3½ millions or about 9 per cent. of the total population. The general effect of acceptance of the proposals in question over all the Governors' Provinces would be an electorate in the neighbourhood of 14 per cent. of the total population, or some 27 per cent. of the adult population.

A separate franchise will be devised for the two new provinces of Sind and Orissa. In the case of Sind the franchise in question will probably be substantially identical in general character (subject to allowance for certain differences in local conditions) with that proposed for Bombay. The new province of Orissa will be formed by accretions from the Central Provinces and Madras, as well as from the present province of Bihar and Orissa, and while the franchise will probably generally resemble that proposed for Bihar and Orissa, modifications of greater or lesser importance may in consequence be necessary in this case.

Relations between the Federation and the Units.

Powers of Federal and Provincial Legislatures.

52. The conception of Federation and of that consequential change in provincial status commonly denoted by the expression "Provincial autonomy" will necessitate a complete departure from the existing system of concurrent jurisdictions, that is to say, there will be a statutory demarcation between the legislative competence of the Federal and Provincial Legislatures respectively, and the assignment to each of an exclusive field of competence which the other will not be permitted, save to the extent indicated below, to invade.

53. Following the practice of other federal constitutions, the respective legislative fields of the Centre and of the Provinces will be defined in terms of subjects which will be scheduled to the Constitution Act. But while it will be possible to assign to the Federation and to the Provinces respectively a number of matters over which they can appropriately be charged with exclusive legislative jurisdiction, examination has shown that this method cannot without inconvenience be so employed as to exhaust the entire field of potential governmental activity and that there are some matters in respect of which, while some measure of uniformity of law may be necessary, variation of detail to meet the local conditions of the Provinces is no less necessary. It will consequently be necessary to schedule certain subjects whereon both Federal and Provincial Legislatures will enjoy concurrent powers, the exact nature and effects of which will be seen from paragraphs 111, 112 and 114 of the Proposals.

Illustrative lists of the exclusively Federal, exclusively Provincial, and "concurrent" subjects, which do not purport to be complete or final, are appended. (Appendix VI.)

54. Certain matters will be placed outside the competence altogether of both Federal and Provincial Legislatures, namely, legislation affecting the Sovereign or the Royal Family, the sovereignty or dominion of the Crown over any part of British India, the law of British nationality, the Army Act, the Air Force Act and the Naval Discipline Act and the Constitution Act itself. As regards the Army, Air Force and Naval Discipline Acts, the Indian Legislatures will be debarred from legislating in such a way as to interfere with the operation of these Acts in so far as they operate in India, while at the same time it is intended to preserve the existing powers* of the Central Legislature in India to extend the provisions of these Acts with or without modification to members of forces raised in India. Apart from a complete exclusion of jurisdiction in regard to these matters it is proposed to place upon the competence of the new Legislatures a limitation taking the form familiarised by the provisions of the existing Act, whereby the Governor-General's—in some cases the Governor's—previous sanction to the introduction of certain specified classes of measures will be required. The proposed classification for this purpose will be found set out in paragraphs 119 and 120 of the Proposals. It will, of course, be made clear (paragraph 121) that the grant by the Governor-General or by a Governor of his prior consent to the introduction of a measure under this Proposal is not to be taken as fettering his judgment, when the time comes, if the measure is passed, for his decision as to the grant or withholding of his assent or the reservation of the measure for the signification of His Majesty's pleasure.

One further specific limitation on the powers of the Legislature which has already been mentioned in paragraph 29 should be referred to again in the present context, namely, the provisions proposed which will render *ultra vires* certain forms of discriminatory legislation.

55. The administrative relations between the Federal Government and the Units are dealt with in paragraphs 125—129 of the Proposals. Provision is made in paragraph 125 of the Proposals for securing not only that due effect is given within the Provinces to Acts of the Federal Legislature which apply to them, but also that the Provincial Governments shall give effect to directions issued by the Federal Government in relation to any matter which affects the administration of a Federal subject in the executive sphere of the Province. The latter provision will cover all classes of Federal subjects including those administered by the Reserved Departments. In the latter class of subjects directions will of course be issued by the Governor-General.

Allocation of revenues between the Federation and the Units.

56. It is intended that the division of resources between the Federation and the Units should be in accordance with the following scheme. The metho of treatment of taxes on income, which is of special

*As provided in section 177 of the Army Act, section 177 of the Air Force Act, and as regards the Naval Discipline Act, in section 66 of the Government of India Act.

importance, is described separately below. The lists that follow are not intended to be exhaustive, but to indicate only the more important heads. (For fuller lists see Legislative Schedules in Appendix VI).

Sources of Revenue.	Powers of legislation.	Allocation of revenue.
Import Duties (except on salt); Contributions from Railways and receipts from other Federal commercial undertakings; Coinage profits and share in profits of Reserve Bank.	Exclusively federal.	Exclusively federal.
Export Duties;* Salt Duties; Tobacco Excise; Other Excise Duties except those on alcoholic liquors, drugs and narcotics.	Exclusively federal.	Federal, with power to assign a share (or the whole) to Units.
Terminal taxes on goods and passengers; Certain stamp duties.	Exclusively federal.	Provincial, with power to the Federation to impose a federal surcharge.
Land Revenue . . . . . Excise duties on Alcohol, Drugs and Narcotics . . . . . Stamps (with certain exceptions) . Forests and other Provincial commercial undertakings . . Miscellaneous sources of revenue at present enjoyed by the Provinces.	Exclusively provincial.	Exclusively provincial.

Sources of taxation not specified in any schedule will be provincial, but the Governor-General will be empowered, after consultation with Federal and Provincial Ministers or their representatives, to declare in his discretion that any unspecified source of taxation should be federal.

57. Taxes on income will be dealt with as follows:

Corporation tax† will be entirely federal. Federating States will contribute under this head after 10 years. All legislation regarding other taxes on income except agricultural income will be federal, (subject to the right mentioned below of Provincial Legislatures to impose Provincial surcharges). Receipts from such taxation on officers in Federal service, and tax attributable to Chief Commissioners' Provinces or other Federal areas will accrue to Federal revenues. The remaining net proceeds other than receipts from the Federal surcharges mentioned below, will be divided between the Federation and the Governors' Provinces, x per cent. being assigned to the former, and the remainder to the latter. Before a final recommendation can be made as to the basis of distribution of the Provincial share between the Provinces (and the basis on which tax will be attributable Chief Commissioners' Provinces) it will be necessary to complete further technical investigation which is now proceeding. It is intended that percentage x should be not less than 25 per cent. and not more than 50 per cent.

* In the case of export duty on jute, at least half the net proceeds must be assigned to the producing units.

†There is at present in force in British India a super-tax on profits of companies which is usually referred to as Corporation tax.

Federal legislation regulating taxes on income which affects Provincial revenues as well as Federal revenues is to be introduced by leave of the Governor-General given in his discretion after consulting the Federal Ministry and Provincial Ministries.

The Federal Legislature will also be empowered to impose surcharges on taxes on income, the proceeds of which will be retained by the Federation. Federating States will contribute to the federal revenues a proportionate amount.

If, however, at the time when the Constitution comes into force any portion of the special surcharges on taxes on income imposed in September 1931 are still in operation, these will be deemed to be Federal surcharges but without liability on federating States to make any equivalent contribution.

The Provincial Legislatures will be empowered to impose, by their own legislation, surcharges on taxes on personal income of residents in the Province, the net proceeds going to the Province. Collection would be carried out by Federal agency. It is intended that an upper limit for such surcharges should be imposed, fixed at 12½ per cent. of the rates of taxes on income in force at any time, exclusive of federal surcharges.

58. It is anticipated that in the early years of the Federation, before there has been time to develop new sources of taxation (in particular Federal excises), the above system of distribution is likely to leave the Federation with inadequate resources. It is accordingly intended to adopt a transitory provision by which the Federation can retain for itself a block amount out of the proceeds of income-tax distributable to the Provinces. This amount would be unchanged for three years, and would diminish annually over the next seven years, so as to be extinguished at the end of ten years. This amount would be fixed after the investigation mentioned below.

Power will be given to the Governor-General in his discretion, but after consultation with the Governments concerned, to suspend the programme of reduction if in his opinion its continuance for the time being would endanger the financial stability and credit of the Federation.

59. It is also anticipated that certain Provinces will be in deficit under the proposed scheme. The North-West Frontier Province will (as now) require a contribution from the Centre in view of its special position. The new provinces of Sind and Orissa will not be able to start as entirely self-supporting units. Some of the existing Provinces, notably Assam, are likely to need assistance at least for a time. It is intended that these Provinces should receive subventions from Federal revenues. These subventions may be either permanent or terminable after a period of years.

60. It will be necessary at as late a stage as possible before the new Constitution actually comes into operation to review in the light of the then financial and economic conditions the probable financial position of both the Federation and the Provinces. The Government of India and the Provincial Governments will of course be closely associated with any enquiry for this purpose. It is only in the light of such review that it will be possible to settle such matters as the amounts and periods of the Provincial subventions, the percentage of taxes on income to be permanently

allocated to the Centre, and the amount to be retained by the Federation temporarily out of the normal Provincial share of taxes on income. It is accordingly proposed that the determination of such matters should be by Orders in Council, the drafts of which would be laid before both Houses of Parliament for approval.

His Majesty's Government attach the highest importance to securing to the Federation adequate resources, without which the Federal Government cannot ensure the due fulfilment of liabilities, upon which must depend the credit of India as a whole.

A possibility which cannot be dismissed from consideration is that economic and financial conditions might on the eve of the inauguration of the new Constitution be such as to render it impracticable to supply the new Federation and the Provincial Governments at the outset of their careers with the necessary resources to ensure their solvency. If after the review contemplated above, the probability of such a situation should be disclosed it would obviously be necessary to reconsider the position and it might, *inter alia*, be necessary to revise the Federal Finance scheme contemplated in these Proposals.

Attention may be drawn in this connection to the observations already made at the end of paragraph 32.

61. The introduction of any scheme for Federal Finance is complicated by the existence of "contributions" paid by certain Indian States to the Crown and by "immunities" which many of the States enjoy in respect of certain heads of prospective Federal revenue as for example, sea customs, salt, posts and telegraphs. A full description of the very complex position will be found in the Report of the Indian States Enquiry Committee (Financial) Cmd. 4103/32. It is proposed that the Crown should transfer the "contributions", so long as these are received, to Federal Revenues. The intention is that these "contributions" should be abolished by a process of gradual reduction *pari passu* with the gradual reduction of the block amount retained by the Federation out of the share of Provincial Income Tax described in paragraph 58 above. Abolition cannot however be effected by a uniform process. The position of each State requires separate treatment depending on the existence of "immunities", since it is not intended to remit "contributions" save in so far as they are in excess of a still existing "immunity". Provision for the treatment of "contributions" on these lines will be made in the States' Instruments of Accession. It is further proposed, as more fully explained in the Indian States Enquiry Committee's Report, that as a counterpart to the remission of "contributions", credit should be given to certain States which ceded territory to the Crown under circumstances somewhat analogous to those in which other States agreed to pay "contributions", the basis for determining the amount of such credits being the net revenues of the territories at the time of cession. Provision for such credits will have to be made in the Constitution Act. It may be necessary to establish a Tribunal or other machinery for the purpose of determining the value of immunities (especially those subject to considerable fluctuations) where these have to be assessed from time to time for the purpose of setting them off against "contributions", or against any payments accruing from the Federation.

The Judicature.

The Federal Court.

62. In a Constitution created by the federation of a number of separate political units and providing for the distribution of powers between a Central Legislature and Executive on the one hand and the Legislatures and Executives of the federal units on the other, a Federal Court has always been recognised as an essential element. Such a Court is, in particular, needed to interpret authoritatively the Federal Constitution itself. The ultimate decision on questions concerning the respective spheres of the Federal, Provincial and State authorities is also most conveniently entrusted to a Tribunal independent of Federal, Provincial and State Governments, and such a Tribunal will, in any event, be required in order to prevent the mischief which might otherwise arise if the various High Courts and State Courts interpreted the Constitution in different senses, and thus made the law uncertain and ambiguous.

63. It is proposed that the Federal Court should have both an original and an appellate jurisdiction. Its original jurisdiction will be to determine justiciable disputes between the Federation and any Federal unit or between any two or more Federal units, involving the interpretation of the Constitution Act or any rights or obligations arising thereunder. Its appellate jurisdiction will extend to the determination of appeals from any High Court or State Court on questions, between whomsoever they may arise, involving the interpretation of the Constitution Act or any rights or obligations arising thereunder. In order to guard against frivolous and vexatious appeals, it is proposed that, unless the value of the subject matter in dispute exceeds a specified sum, an appeal will only lie with the leave of the Federal Court or of the High Court or State Court concerned. It is proposed that an appeal shall lie without leave to the Judicial Committee of the Privy Council from a decision of the Federal Court in any matter involving the interpretation of the Constitution, and in any other case only by leave of the Federal Court, unless His Majesty in Council grants special leave to appeal. As a corollary no appeal will be allowed against any decision of a High Court direct to the King in Council in any case where under the Constitution an appeal lies to the Federal Court.

64. On the analogy of the jurisdiction conferred on the Judicial Committee of the Privy Council, by Section 4 of the Judicial Committee Act, 1833, the Governor-General will be empowered in his discretion to refer to the Federal Court any justiciable matter on which it is, in his opinion, expedient to obtain the opinion of the Court.

65. The Federal Court will consist of a Chief Justice and a specified number of Judges, who will be appointed by the Crown and will hold office during good behaviour. But power will be taken to increase this number if both Houses of the Legislature present an address to the Governor-General praying that His Majesty may be pleased to do so.

The Supreme Court.

66. But though a Federal Court, with power and jurisdiction such as those indicated, is a necessary and integral part of the Constitution envisaged by these proposals, Indian opinion is far from unanimous as to the necessity—or at all events as to the immediate necessity—for a Supreme Court of Appeal. The jurisdiction of such a Court, were it established, would necessarily be limited to British India, and its functions would be, within the limits assigned to it, to act as a final Court of Appeal in India from the decisions of the Provincial High Courts on matters other than those—mainly constitutional—which will fall within the jurisdiction of the Federal Court. With such a Court in existence, there would be good reason for limiting the right of appeal from Indian High Courts to the Judicial Committee of the Privy Council and thereby mitigating some of the grounds for dissatisfaction which arise from the delays, expense and inconveniences necessarily involved in the prosecution of appeals before so distant a tribunal. On the other hand, there is strong support for the view that a Supreme Court for India would be an unnecessary and unjustifiable expense, and that it would be difficult to find, in addition to the Judges required for the Federal Court and the Provincial High Courts, a body of judicial talent of the calibre essential if it is to justify its existence: there is moreover, difference of opinion as to whether such a Court, if established, should be separate from the Federal Court or should be constituted as a Division of that Court. In these circumstances His Majesty's Government are of opinion that the right course is to empower the Federal Legislature to set up such a Court if and when there is sufficient unanimity of view on these and other questions to enable legislation for this purpose to be promoted, but that the powers and jurisdiction of the Court should none the less be laid down by the Constitution Act on the lines indicated in paragraphs 163—167 of the Proposals.

THE SECRETARY OF STATE'S ADVISERS.

67. His Majesty's Government do not regard a Council of the kind which has been associated with the Secretary of State for India since the Crown took over the affairs of the East India Company in 1858 as any longer necessary in, or appropriate to, the conditions of the new Constitution. They are satisfied, however, that the responsibilities of the Secretary of State will remain such as to make it imperative that he should have at his disposal a small body of carefully selected advisers to supplement the assistance which in common with other Ministers he will derive from the permanent staff of his Department.

68. "The Secretary of State in Council of India" as a statutory corporation which alone can be plaintiff or defendant in any litigation instituted by, or against, any Governmental authority in India, and in whose name alone can be executed any contract or assurance entered into by any Government in India, is a conception which is manifestly incompatible alike with Provincial self-government and with a responsible Federal Government: and the present power of veto possessed by the Council of India over all expenditure from the revenues of India is no less incompatible with the constitutional arrangements outlined in paragraphs 5 to 11 of this Introduction. The Proposals, therefore,

contemplate the vesting in the Crown on behalf of the Federal Executive and the Provincial Executives respectively of all property now held in the name of the Crown which is required for their respective purposes, and these authorities will be endowed with the right to enter into all contracts and assurances necessary for the performance of their functions, with the right to sue and the liability to be sued in respect of any claims arising in their several spheres of authority. It will at the same time be necessary to preserve the existing rights of suit against the Secretary of State in this country in respect of any claims arising out of obligations undertaken by the Secretary of State in Council before, and subsisting at the date of, the inauguration of the Federation, and to place upon the Federal Government an obligation to implement any judgment or award arising therefrom, whether by the provision of funds or otherwise.

69. As regards the Secretary of State's Council, it is proposed to enable him to appoint not less than three nor more than six advisers (at least two of whom must have served the Crown in India for not less than 10 years) to hold office for five years. The Secretary of State will be free to consult these advisers, either individually or collectively, as he may think fit. But he will be required not only to consult them, but to obtain the concurrence of a majority of them on the draft of any Rules regulating the Public Services in India, and in the disposal of any appeal to him permitted by the Constitution from any member of those Services (see paragraph 179 of Proposals).

The Public Services.

70. The main divisions of the Public Services in India are :—

(1) The All-India Services ;

(2) The Provincial Services ; and

(3) The Central Services, Classes I and II.

Officers of the All-India Services serve chiefly in the Provinces, but they are liable to serve anywhere in India, and a number of the higher posts under the Government of India are held by them. These All-India Services include the following :—

(i) The Indian Civil Service ;

(ii) The Indian Police ;

(iii) The Indian Forest Service ; and

(iv) The Indian Service of Engineers.

On the transfer of their fields of service to Ministerial control on the inauguration of the new Constitution, recruitment will cease for Nos. (iii) and (iv).

The Provincial Services cover the whole field of civil administration of the Provinces in the middle and lower grades. Members of these services are appointed by the Provincial Governments.

Some of the more important of the Central Services are :—

(1) The Railway Services ;

(2) The Indian Posts and Telegraph Traffic Service ;

(3) The Imperial Customs Service.

Persons appointed by the Secretary of State in Council are serving in all these Services.

71. All persons appointed by the Secretary of State in Council have certain important rights. They cannot, for example, be dismissed from the Service by any authority subordinate to the Secretary of State in Council ; their pay is protected from the vote of the Legislatures ; and they have an ultimate right of appeal to the Secretary of State in Council against all important disciplinary measures taken in India and also in respect of their principal conditions of service.

It is intended to safeguard these rights and to extend them to all persons appointed by the Secretary of State after the commencement of the Constitution Act with the exception of the right to retire under the regulations for premature retirement ; this right it is proposed to give only to officers appointed to the Indian Civil Service and Indian Police up to the time when a decision is taken on the result of the enquiry indicated in paragraph 72.

Certain members of the Provincial and Central Services though they may not have been appointed by the Secretary of State in Council have also rights for the preservation of which he is responsible. These, too, will be secured.

72. Provision is made for continued recruitment by the Secretary of State to the Indian Civil Service, the Indian Police, and the Ecclesiastical Department.

Provision is also made for securing that all persons appointed by the Secretary of State in Council or the Secretary of State are employed in India on work of the kind for which their recruitment has been considered essential.

At the expiry of five years from the commencement of the Constitution Act a statutory enquiry will be held into the question of future recruitment for the Indian Civil Service and the Indian Police, and the Governments in India will be associated with the enquiry. The decision on the results of the enquiry will rest with His Majesty's Government and will be subject to the approval of both Houses of Parliament. Pending the decision on this enquiry the present ratio of British to Indian recruitment will remain unaltered.

The question of continued recruitment by the Secretary of State to the superior Medical and Railway services is under examination. His Majesty's Government hope to submit their recommendations on this matter later to the Joint Select Committee.

73. As regards Family Pension Funds to which serving officers now contribute, His Majesty's Government consider that it must be recognised that assets constitute in all cases a definite debt liability of the Government of India and are the property of the subscribers. In these circumstances they are examining a proposal for the adoption of a new

financial procedure in relation to these funds, with a view to building up gradually separate sterling funds. If such a scheme should prove to be practicable, it will, of course, be necessary to consult members of the Services regarding it before any decision is reached. The adoption of any such scheme would probably necessitate certain statutory provisions not covered by the present Proposals. His Majesty's Government hope to be in a position to submit their recommendations on this subject later to the Joint Select Committee.

The Statutory Railway Board.

74. There is one matter of importance which these Proposals do not cover, namely, the arrangements to be made for the administration of the Railways under the Federal Government. His Majesty's Government consider that it will be essential that, while the Federal Government and Legislature will necessarily exercise a general control over railway policy, the actual control of the administration of the State Railways in India (including those worked by Companies) should be placed by the Constitution Act in the hands of a Statutory Body so composed and with such powers as will ensure that it is in a position to perform its duties upon business principles and without being subject to political interference. With such a Statutory Body in existence it would be necessary to preserve such existing rights as the Indian Railway Companies possess under the terms of their contracts to have access to the Secretary of State in regard to disputed points and, if they desire, to proceed to arbitration. His Majesty's Government are in consultation with the Government of India on the questions of principle and detail which require settlement before a satisfactory scheme can be devised to carry out these purposes.

Fundamental Rights.

75. The question of including in the Constitution Act a series of declarations commonly described as a statement of "Fundamental Rights" which would be designed to secure either to the community in general or to specified sections of it, rights or immunities to which importance is attached, has been much discussed during the proceedings of the Round Table Conference. His Majesty's Government see serious objections to giving statutory expression to any large range of declarations of this character, but they are satisfied that certain provisions of this kind such, for instance, as respect due to personal liberty and rights of property and the eligibility of all for public office, regardless of differences of caste, religion, etc., can appropriately, and should, find a place in the Constitution Act.

His Majesty's Government think it probable that occasion may be found in connection with the inauguration of the new Constitution for a pronouncement by the Sovereign, and in that event, they think it may well be found expedient humbly to submit for His Majesty's consideration that such a pronouncement might advantageously give expression to some of the propositions suggested to them in this connection which prove unsuitable for statutory enactment.

Conclusion.

76. His Majesty's Government are fully aware that the actual drafting of the Constitution Bill and the consequent repeal of the existing Government of India Act, will raise a number of other questions—some of importance—which these Proposals do not cover, for instance, provision will be required for an Auditor-General, for the establishment of the Secretary of State, and for various other matters which the existing Act at present embraces and which may, or may not, require perpetuation in the Act which takes its place.

March 15, 1933.

THE PROPOSALS.

1. The general principle underlying all these proposals is that all powers appertaining or incidental to the government of India and all rights, authority and jurisdiction possessed in that country—whether flowing from His Majesty's sovereignty over the territories of British India, or derived from treaty, grant, usage, sufferance or otherwise in relation to other territories—are vested in the Crown and are exercisable by and in the name of the King Emperor.

[See paragraph 9 of Introduction.]

PART I.

THE FEDERATION.

General.

2. The Federation of India will be a union between the Governors' Provinces and those Indian States whose Rulers signify their desire to accede to the Federation by a formal Instrument of Accession. By this Instrument the Ruler will transfer to the Crown for the purposes of the Federation his powers and jurisdiction in respect of those matters which he is willing to recognise as federal matters; and the powers and jurisdiction so transferred will thereafter be exercised on behalf of the Federation and in accordance with the provisions of the Constitution Act by the Governor-General, the Federal Legislature, the Federal Court (with an appeal therefrom to His Majesty in Council) and such other Federal organs as the Constitution Act may create. But in the case of every State which accedes, the powers and jurisdiction of the Federation in relation to that State and the subjects of its Ruler will be strictly co-terminous with the powers and jurisdiction transferred to the Crown by the Ruler himself and defined in his Instrument of Accession.

3. Except to the extent to which the Ruler of a State has transferred powers and jurisdiction, whether by his Instrument of Accession or otherwise—and, in the case of a State which has not acceded to the Federation, in all respects—the relations of the State will be with the Crown represented by the Viceroy, and not with the Crown represented by the Governor-General as executive head of the Federal Government. Accordingly, all powers of the Crown in relation to the States which are at present exercised by the Governor-General in Council, other than those which fall within the Federal sphere, will after Federation be exercised by the Viceroy as the Crown's representative.

4. The Federation will be brought into existence by the issue of a Proclamation by His Majesty declaring that on a date to be appointed in the Proclamation the existing nine "Governors' Provinces", with Sind and Orissa (which will be constituted as new and separate Governors' Provinces), are to be united in a Federation of India with such Indian States as have acceded or may accede to the Federation; but the Proclamation will not be issued until—

(*a*) His Majesty has received intimation that the Rulers of States representing not less than half the aggregate population of the Indian States and entitled to not less than half the seats to be allotted to the States in the Federal Upper Chamber, have signified their desire to accede to the Federation ; and

(*b*) Both Houses of Parliament have presented an Address to His Majesty praying that such a Proclamation may be issued.

5. The authority of the Federation will, without prejudice to the extra-territorial powers of the Federal Legislature (see paragraph 111), extend to the Governors' Provinces, to the acceding States, (subject to the limitations mentioned in paragraph 3), and to those areas in British India which are administered by Chief Commissioners—namely, the Provinces of Delhi, Ajmer-Merwara, Coorg, British Baluchistan and the Andaman and Nicobar Islands. These Provinces (with one exception) will be directly subject to the jurisdiction of the Federal Government and Legislature.

In the case of British Baluchistan special provision will be made whereby the Governor-General will himself direct and control the administration of this Province (see paragraphs 57—58). Expenditure required for British Baluchistan will not be subject to the vote of the Federal Legislature, but will be open to discussion in both Chambers.

The Settlement of Aden is at present a Chief Commissioner's Province. The future arrangements for the Settlement are, however, under consideration and accordingly no proposals in respect of it are included in this document.

The Federal Executive.

6. The executive authority of the Federation, including the supreme command of the Military, Naval and Air Forces in India will be exercisable on the King's behalf by a Governor-General holding office during His Majesty's pleasure, but His Majesty may appoint a Commander-in-Chief to exercise in relation to those Forces such powers and functions as may be assigned to him.

All executive acts will run in the name of the Governor-General.*

7. The executive authority of the Federation will extend in relation to a State-member of the Federation only to such powers and jurisdiction falling within the Federal sphere as the Ruler has transferred to the King.

8. The Governor-General will exercise the powers conferred upon him by the Constitution Act as executive head of the Federation and such powers of His Majesty (not being powers inconsistent with the provisions of the Constitution Act) as His Majesty may be pleased by Letters Patent constituting the office of Governor-General to assign to him. In exercising all these powers the Governor-General will act in accordance with an Instrument of Instructions to be issued to him by the King.

*It follows from this that broadly speaking where the words "Governor-General" are used without the added words "in his discretion" or "at his discretion", the Federal Government is meant, in the case of the Reserved Departments, however, the Governor-General being himself the responsible executive. A corresponding meaning attaches to the word "Governor" in the case of the provincial executive.

9. The draft of the Governor-General's Instrument of Instructions (including the drafts of any amendments thereto) will be laid before both Houses of Parliament, and opportunity will be provided for each House of Parliament to make to His Majesty representations for an amendment of, or addition to, or omission from, the Instructions.

10. The Governor-General's salary will be fixed by the Constitution Act, and all other payments in respect of his personal allowances, or of salaries and allowances of his personal and secretarial staff, will be fixed by Order in Council; none of these payments will be subject to the vote of the Legislature.

The Working of the Federal Executive.

11. The Governor-General will himself direct and control the administration of certain Departments of State—namely, Defence, External Affairs and Ecclesiastical Affairs.

12. In the administration of these Reserved Departments, the Governor-General will be assisted by not more than three Counsellors who will be appointed by the Governor-General, and whose salaries and conditions of service will be prescribed by Order in Council.

13. For the purpose of aiding and advising the Governor-General in the exercise of powers conferred upon him by the Constitution Act for the government of the Federation, other than powers connected with the matters mentioned in paragraph 11, and matters left by law to his discretion, there will be a Council of Ministers. The Ministers will be chosen and summoned by the Governor-General and sworn as Members of the Council and will hold office during his pleasure. The persons appointed Ministers must be, or become within a stated period, members of one or other Chamber of the Federal Legislature.

14. In his Instrument of Instructions the Governor-General will be enjoined *inter alia* to use his best endeavours to select his Ministers in the following manner, that is, in consultation with the person who, in his judgment, is likely to command the largest following in the Legislature, to appoint those persons (including so far as possible members of important minority communities and representatives of the States-members of the Federation) who will best be in a position collectively to command the confidence of the Legislature.

15. The number of Ministers and the amounts of their respective salaries will be regulated by Act of the Federal Legislature, but, until the Federal Legislature otherwise determines, their number and their salaries will be such as the Governor-General determines, subject to limits to be laid down in the Constitution Act.

The salary of a Minister will not be subject to variation during his term of office.

16. The Governor-General will whenever he thinks fit preside at meetings of his Council of Ministers. He will also be authorised, after consultation with his Ministers, to make in his discretion any rules which he regards as requisite to regulate the disposal of Government business, and the procedure to be observed in its conduct,

and for the transmission to himself and to his Counsellors in the Reserved Departments, and to the Financial Adviser, of all such information as he may direct.

17. The Governor-General will be empowered, in his discretion, but after consultation with his Ministers, to appoint a Financial Adviser to assist him in the discharge of his "special responsibility" for financial matters—see next paragraph—and also to advise Ministers on matters regarding which they may seek his advice. The Financial Adviser will be responsible to the Governor-General and will hold office during his pleasure; his salary will be fixed by the Governor-General and will not be subject to the vote of the Legislature.

18. Apart from his exclusive responsibility for the Reserved Departments (paragraph 11) the Governor-General in administering the government of the Federation will be declared to have a "special responsibility" in respect of—

(*a*) the prevention of any grave menace to the peace or tranquillity of India or any part thereof;

(*b*) the safeguarding of the financial stability and credit of the Federation;

(*c*) the safeguarding of the legitimate interests of minorities;

(*d*) the securing to the members of the Public Services of any rights provided for them by the Constitution Act and the safeguarding of their legitimate interests;

(*e*) the prevention of commercial discrimination;

(*f*) the protection of the rights of any Indian State;

(*g*) any matter which affects the administration of any Department under the direction and control of the Governor-General.

It will be for the Governor-General to determine in his discretion whether any of the "special responsibilities" here described are involved by any given circumstances.

19. If in any case in which, in the opinion of the Governor-General, a special responsibility is imposed upon him it appears to him, after considering such advice as has been given him by his Ministers, that the due discharge of his responsibility so requires, he will have full discretion to act as he thinks fit but in so acting he will be guided by any directions which may be contained in his Instrument of Instructions.

20. The Governor-General, in administering the Departments under his own direction and control, in taking action for the discharge of any special responsibility, and in exercising any discretion vested in him by the Constitution Act, will act in accordance with such directions, if any, not being directions inconsistent with anything in his Instructions, as may be given to him by a principal Secretary of State.

21. The Governor-General's Instrument of Instructions will accordingly contain *inter alia* provision on the following lines:—

"In matters arising in the Departments which you direct and control on your own responsibility, or in matters the determination of which is by law committed to your discretion,

it is Our will and pleasure that you should act in exercise of the powers by law conferred upon you in such manner as you may judge right and expedient for the good government of the Federation, subject, however, to such directions as you may from time to time receive from one of Our principal Secretaries of State.

In matters arising out of the exercise of powers conferred upon you for the purposes of the government of the Federation other than those specified in the preceding paragraph it is Our will and pleasure that you should, in the exercise of the powers by law conferred upon you, be guided by the advice of your Ministers, unless so to be guided would, in your judgment, be inconsistent with the fulfilment of your special responsibility for any of the matters in respect of which a special responsibility is by law committed to you; in which case it is Our will and pleasure that you should, notwithstanding your Ministers' advice, act in exercise of the powers by law conferred upon you in such manner as you judge requisite for the fulfilment of your special responsibilities, subject, however, to such directions as you may from time to time receive from one of Our principal Secretaries of State".*

The Federal Legislature.

General.

22. The Federal Legislature will consist of the King represented by the Governor-General, and two Chambers, to be styled the Council of State and the House of Assembly, and will be summoned to meet for the first time not later than a date to be specified in the Proclamation establishing the Federation.

Every Act of the Federal Legislature will be expressed as having been enacted by the Governor-General, by and with the consent of both Chambers.

23. Power to summon, and appoint places for the meeting of, the Chambers, to prorogue them, to dissolve them, either separately or simultaneously, will be vested in the Governor-General at his discretion, subject to the requirement that they shall meet at least once in every year and that not more than twelve months shall intervene between the end of one session and the commencement of the next.

The Governor-General will also be empowered to summon the Chambers for the purpose of addressing them.

24. Each Council of State will continue for seven years and each Assembly for five years, unless sooner dissolved.

25. A member of the Council of Ministers will have the right to speak, but not to vote, in the Chamber of which he is not a Member.

A Counsellor will be *ex officio* an additional member of both Chambers for all purposes except the right of voting.

*For other matters to be included in the Instrument of Instructions, see paragraph 14 of the Proposals and paragraph 23 of the Introduction.

The Composition of the Chambers.

26. The Council of State will consist, apart from the Governor-General's Counsellors, of not more than 260 members, of whom 150 will be elected from British India in the manner indicated in Appendix I,* not more than 100 will be appointed by the Rulers of States,† and not more than ten (who shall not be officials) will be nominated by the Governor-General in his discretion.

27. A member of the Council of State will be required to be at least 30 years of age (this age limit not, however, being applicable to the Ruler of a State) and a British subject or a Ruler or subject of an Indian State, and to possess certain prescribed property qualifications, or to have been at some previous date a member of the Indian Legislature or of the Federal Legislature, or to possess qualifications to be prescribed by the Government of the State or Province which he represents with a view to conferring qualification upon persons who have rendered distinguished public service.

28. Casual vacancies in the Council of State will be filled, in the case of a British Indian elected representative, by election (so long as communal representation is retained as a feature of the Constitution) by those members of the body by which he was elected who are members of the community to which the vacating member belongs, and in the case of an appointed or nominated member, by a fresh appointment or nomination.

29. The Assembly will consist, apart from the Governor-General's Counsellors, of not more than 375 members, of whom 250 will be elected to represent constituencies in British India in the manner indicated in Appendix II, and not more than 125† will be appointed by the Rulers of States.

30. A member of the Assembly will be required to be not less than 25 years of age and a British subject or a subject of an Indian State.

31. Casual vacancies in the Assembly will be filled, in the case of an elected member, by the same method as that prescribed in Appendix II for the election of the vacating member, and, in the case of an appointed member, by a fresh appointment by the person by whom the vacating member was appointed.

32. Only the Ruler of a State who has acceded to the Federation will be entitled to appoint, or take part in appointing, a member of either Chamber of the Federal Legislature, and any vacancies arising out of the operation of this restriction will for the time being remain unfilled.‡

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*See paragraph 18 of Introduction.

†See paragraph 19 of Introduction.

‡This paragraph has reference to the allotment to States by paragraphs 26 and 29 of "not more than 100" and "not more than 125" seats in the Council of State and the House of Assembly respectively. The figures just quoted represent the total number of seats which will be available to the States when they have all acceded to the Federation and the intention is that a seat allotted to an individual State will remain unfilled unless and until that State has entered the Federation. States under "minority administration" will necessarily be treated as non-acceding States for this and other purposes.

33. Every member of either Chamber will be required to make and subscribe an oath or affirmation in the following form before taking his seat :—

In the case of a representative of a State—

"I, *A.B.*, having been appointed a member of this Council, Assembly, do solemnly swear (*or* affirm) that, saving the faith and allegiance I owe to *C.D.*, I will be faithful and bear true allegiance in my capacity as Member of this Council Assembly to His Majesty the King Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter ".

In the case of a representative of British India—

"I, *A.B.*, having been elected nominated a member of this Council, Assembly, do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter ".

34. The following disqualifications will be prescribed for membership of either Chamber :—

(*a*) in the case of elected members or of members nominated by the Governor-General, the holding of any office of profit under the Crown other than that of Minister ;

(*b*) a declaration of unsoundness of mind by a competent Court ;

(*c*) being an undischarged bankrupt ;

(*d*) conviction of the offence of corrupt practices or other election offences ;

(*e*) in the case of a legal practitioner, suspension from practice by order of a competent Court ;

but provision will be made that the last two disqualifications may be removed by order of the Governor-General at his discretion ;

(*f*) having an undisclosed interest in any contract with the Federal Government : provided that the mere holding of shares in a company will not by itself involve this disqualification.

35. A person sitting or voting as a member of either Chamber when he is not qualified for, or is disqualified from, membership will be made liable to a penalty of in respect of each day on which he so sits or votes, to be recovered in the High Court of the Province or State which the person in respect of whom the complaint is made represents by suit instituted with the consent of a Principal Law Officer of the Federation.

36. Subject to the Rules and Standing Orders affecting the Chamber there will be freedom of speech in both Chambers of the Federal Legislature. No person will be liable to any proceedings in any Court by reason of his speech or vote in either Chamber, or by reason of anything contained in any official report of the proceedings in either Chamber.

37. The following matters connected with elections and electoral procedure, in so far as provision is not made by the Act, will be regulated by Order in Council :—

(*a*) The qualifications of electors ;

(*b*) The delimitation of constituencies ;

(*c*) The method of election of representatives of communal and other interests ;

(*d*) The filling of casual vacancies ; and

(*e*) Other matters ancillary to the above ;

with provision that Orders in Council framed for these purposes shall be laid in draft for a stated period before each House of Parliament.

For matters other than the above connected with the conduct of elections the Federal Legislature will be empowered to make provision by Act. But until the Federal Legislature otherwise determines, existing laws or rules, including the law or rules providing for the prohibition and punishment of corrupt practices or election offences and for determining the decision of disputed elections, will remain in force, subject, however, to such modifications or adaptations to be made by Order in Council as may be required in order to adapt their provisions to the requirements of the new Constitution.

Legislative Procedure.

38. Bills (other than Money Bills, which will be initiated in the Assembly) will be introduced in either Chamber.

39. The Governor-General will be empowered at his discretion, but subject to the provisions of the Constitution Act and to his Instrument of Instructions, to assent in His Majesty's name to a Bill which has been passed by both Chambers, or to withhold his assent, or to reserve the Bill for the signification of the King's pleasure. But before taking any of these courses, it will be open to the Governor-General to remit a Bill to the Chambers with a Message requesting its reconsideration in whole or in part, together with such amendments, if any, as he may recommend.

No Bill will become law until it has been agreed to by both Chambers either without amendment or with such amendments only as are agreed to by both Chambers, and has been assented to by the Governor-General, or, in the case of a reserved Bill, until His Majesty in Council has signified his assent.

40. Any Bill assented to by the Governor-General will within twelve months be subject to disallowance by His Majesty in Council.

41. In the case of disagreement between the Chambers, the Governor-General will be empowered, in any case in which a Bill passed by one Chamber has not, within three months thereafter, been passed by the other, either without amendments or with agreed amendments, to summon the two Chambers to meet in a joint sitting for the purpose of reaching a decision on the Bill. The members present at a Joint Session will deliberate and vote together upon the Bill in the form in which it

finally left the Chamber in which it was introduced and upon amendments, if any, made therein by one Chamber and not agreed to by the other. Any such amendments which are affirmed by a majority of the total number of members voting at the Joint Session will be deemed to have been carried, and if the Bill, with the amendments, if any, so carried, is affirmed by a majority of the members voting at the Joint Session, it shall be taken to have been duly passed by both Chambers.

In the case of a money bill or in cases where in the Governor-General's opinion the decision on a Bill cannot consistently with fulfilment of his responsibilities for a Reserved Department or of any of his "special responsibilities" be deferred, the Governor-General will be empowered in his discretion to summon a Joint Session forthwith.

42. In order to enable the Governor-General to fulfil the responsibilities imposed upon him personally for the administration of the Reserved Departments and his "special responsibilities", he will be empowered at his discretion—

(*a*) to present, or cause to be presented, a Bill to either Chamber, and to declare by Message to both Chambers that it is essential, having regard to his responsibilities for a Reserved Department or, as the case may be, to any of his "special responsibilities", that the Bill so presented should become law before a date specified in the Message; and

(*b*) to declare by Message in respect of any Bill already introduced in either Chamber that it should for similar reasons become law before a stated date in a form specified in the Message.

A Bill which is the subject of such a Message will then be considered or reconsidered by the Chambers, as the case may require, and if, before the date specified, it is not passed by the two Chambers, or is not passed by the two Chambers in the form specified, the Governor-General will be empowered at his discretion to enact it as a Governor-General's Act, either with or without any amendments made by either Chamber after receipt of his Message.

A Governor-General's Act so enacted will have the same force and effect as an Act of the Legislature, and will be subject to disallowance in the same manner, but the Governor-General's competence to legislate under this provision will not extend beyond the competence of the Federal Legislature as defined by the Constitution.

43. It will be made clear, by means of the enacting words of a Governor-General's Act, which will be distinguished from the enacting words of an ordinary Act (see paragraph 22) that Acts of the former description are enacted on the Governor-General's own responsibility.

44. Provision will also be made empowering the Governor-General in his discretion, in any case in which he considers that a Bill introduced, or proposed for introduction, or any clause thereof, or any amendment to a Bill moved or proposed, would affect the discharge of his "special responsibility" for the prevention of any grave menace to the peace or tranquillity of India, to direct that the Bill, clause or amendment shall not be further proceeded with.

Procedure with regard to Financial Proposals.

45. A recommendation of the Governor-General will be required for any proposal in either Chamber of the Federal Legislature for the imposition of taxation, for the appropriation of public revenues, or any proposal affecting the public debt, or affecting or imposing any charge upon, public revenues.*

46. The Governor-General will cause a statement of the estimated revenue and expenditure of the Federation, together with a statement of all proposals for the appropriation of those revenues, to be laid, in respect of every financial year, before both Chambers of the Legislature.

The statement of proposals for appropriation will be so arranged as—

(*a*) to distinguish between those proposals which will, and those which will not (*see paragraph* 49) be submitted to the vote of the Legislature and among the latter to distinguish those which are in the nature of standing charges (for example, items in the list in paragraph 49 marked with an asterisk); and

(*b*) to specify separately those additional proposals (if any), whether under the votable or non-votable Heads, which the Governor-General regards as necessary for the discharge of any of his "special responsibilities".

47. The proposals for the appropriation of revenues, other than proposals relating to the Heads of Expenditure enumerated in paragraph 49, and proposals (if any) made by the Governor-General in discharge of his special responsibilities, will be submitted in the form of Demands for Grants to the vote of the Assembly. The Assembly will be empowered to assent or refuse assent to any Demand or to reduce the amount specified therein, whether by way of a general reduction of the total amount of the Demand or of the reduction or omission of any specific item or items included in it.

48. The Demands as laid before the Assembly will thereafter be laid before the Council of State which will be empowered to require, if a motion to that effect is moved on behalf of Government and accepted, that any Demand which had been reduced or rejected by the Assembly shall be brought before a joint session of both Chambers for final determination.

49. Proposals for appropriation of Revenues, if they relate to the Heads of Expenditure enumerated in this paragraph, will not be submitted to the vote of either Chamber of Legislature, but will be open to discussion in both Chambers, except in the case of the salary and

* This paragraph represents the constitutional principle embodied in Standing Order 66 of the House of Commons, which finds a place in practically every Constitution Act throughout the British Empire :—

"This House will receive no petition for any sum relating to public service or proceed upon any motion for any grant or charge upon the public revenue, whether payable out of the consolidated fund or out of money to be provided by Parliament, unless recommended from the Crown".

allowances of the Governor-General and of expenditure required for the discharge of the functions of the Crown in, and arising out of, its relation with the Rulers of Indian States.

The Heads of Expenditure referred to above are :—

(*i*) Interest, Sinking Fund charges and other expenditure relating to the raising, service, and management of loans *, expenditure fixed by or under the Constitution Act *; expenditure required to satisfy a decree of any Court or an arbitral award ;

(*ii*) The salary and allowances of the Governor-General * ; of Ministers * ; of the Governor-General's Counsellors * ; of the Financial Adviser * ; of Chief Commissioners * ; of the Governor-General's personal and secretarial staff and of the staff of the Financial Adviser ;

(*iii*) Expenditure required for the Reserved Departments,† for the discharge of the functions of the Crown in and arising out of its relation with Rulers of Indian States ; or for the discharge of duties imposed by the Constitution Act on a principal Secretary of State.

(*iv*) The salaries and pensions (including pensions payable to their dependants) of Judges of the Federal or Supreme Court or of Judicial Commissioners under the Federal Government * ; and expenditure certified by the Governor-General after consultation with his Ministers as required for the expenses of those Courts ;

(*v*) Expenditure required for Excluded Areas and British Baluchistan ;

(*vi*) Salaries and pensions payable to, or to dependants of, certain members of Public Services, and certain other sums payable to such persons (see Appendix VII, Part III).

The Governor-General will be empowered to decide finally, and conclusively, for all purposes, any question whether a particular item of expenditure does or does not fall under any of the Heads of Expenditure referred to in this paragraph.

50.† At the conclusion of the budget proceedings the Governor-General will authenticate by his signature all appropriations, whether voted or those relating to matters enumerated in paragraph 49 ; the appropriations so authenticated will be laid before both Chambers of the Legislature but will not be open to discussion.

In the appropriations so authenticated the Governor-General will be empowered to include any additional amounts which he regards as necessary for the discharge of any of his special responsibilities, so however that the total amount authenticated under any Head is not in excess of the amount originally laid before the Legislature under that Head in the Statement of proposals for appropriation.

The authentication of the Governor-General will be sufficient authority for the due application of the sums involved.

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* See as regards Defence expenditure, paragraph 23 of Introduction.

† See paragraph 39 of Introduction.

51. The provisions of paragraphs 45 to 50 inclusive will apply with the necessary modifications to proposals for the appropriation of revenues to meet expenditure not included in the Annual Estimates which it may become necessary to incur during the course of the financial year.

Procedure in the Federal Legislature.

52. The procedure and conduct of business in each Chamber of the Legislature will be regulated by rules to be made, subject to the provisions of the Constitution Act, by each Chamber; but the Governor-General will be empowered at his discretion, after consultation with the President, or Speaker, as the case may be, to make rules—

(*a*) regulating the procedure of, and the conduct of business in; the Chamber in relation to matters arising out of, or affecting the administration of the Reserved Departments or any other special responsibilities with which he is charged; and

(*b*) prohibiting, save with the prior consent of the Governor-General, given at his discretion, the discussion of, or the asking of, questions on—

(i) matters connected with any Indian State other than matters accepted by the Ruler of the State in his Instrument of Accession as being Federal subjects; or

(ii) any action of the Governor-General taken in his discretion in his relationship with a Governor; or

(iii) any matter affecting relations between His Majesty or the Governor-General and any foreign Prince or State.

In the event of conflict between a rule so made by the Governor-General and any rule made by the Chamber, the former will prevail and the latter will, to the extent of the inconsistency, be void.

Emergency Powers of the Governor-General in relation to Legislation.

53. The Governor-General will be empowered at his discretion, if at any time he is satisfied that the requirements of the Reserved Departments, or any of the "special responsibilities" with which he is charged by the Constitution Act render it necessary, to make and promulgate such Ordinances as, in his opinion, the circumstances of the case require, containing such provisions as it would have been competent, under the provisions of the Constitution Act, for the Federal Legislature to enact.

An Ordinance promulgated under the proposals contained in this paragraph will continue in operation for such period, not exceeding six months, as may be specified therein; the Governor-General will, however, have power to renew any Ordinance for a second period not exceeding six months, but in that event it will be laid before both Houses of Parliament.

An Ordinance will have the same force and effect, whilst in operation, as an Act of the Federal Legislature; but every such Ordinance will be subject to the provisions of the Constitution Act relating to disallowance of Acts, and will be subject to withdrawal at any time by the Governor-General.

54. In addition to the powers to be conferred upon the Governor-General at his discretion in the preceding paragraph, the Governor-General will further be empowered, if his Ministers are satisfied, at a time when the Federal Legislature is not in session, that an emergency exists which renders such a course necessary to make and promulgate any such Ordinances for the good government of British India, or any part thereof, as the circumstances of the case require, containing such provisions as, under the Constitution Act, it would have been competent for the Legislature to enact.

An Ordinance promulgated under the proposals contained in this paragraph will have, while in operation, the same force and effect as an Act of the Federal Legislature, but every such Ordinance—

(*a*) will be required to be laid before the Federal Legislature and will cease to operate at the expiry of six weeks from the date of the reassembly of the legislature, unless both Chambers have in the meantime disapproved it by Resolution, in which case it will cease to operate forthwith; and

(*b*) will be subject to the provisions of the Constitution Act relating to disallowance as if it were an Act of the Federal Legislature; it will also be subject to withdrawal at any time by the Governor-General.

Provisions in the event of a breakdown of the Constitution.

55. The Governor-General will be empowered at his discretion, if at any time he is satisfied that a situation has arisen which renders it for the time being impossible for the government of the Federation to be carried on in accordance with the provisions of the Constitution Act, by Proclamation to assume to himself all such powers vested by law in any Federal authority as appear to him to be necessary for the purpose of securing that the government of the Federation shall be carried on effectively.

A Proclamation so issued will have the same force and effect as an Act of Parliament; will be communicated forthwith to a Secretary of State and laid before Parliament; will cease to operate at the expiry of six months unless, before the expiry of that period, it has been approved by Resolutions of both Houses of Parliament; and may at any time be revoked by Resolutions by both Houses of Parliament.

CHIEF COMMISSIONERS' PROVINCES.

56. Each of the Provinces known as British Baluchistan, Delhi, Ajmer-Merwara, Coorg and the Andaman and Nicobar Islands will be administered, subject to the provisions of the Constitution Act, by a Chief Commissioner who will be appointed by the Governor-General in his discretion to hold office during his pleasure.

57. Special provision will be made for British Baluchistan, whereby the Governor-General will himself direct and control the administration of that province, acting through the agency of the Chief Commissioner.

58. Legislation required for British Baluchistan will be obtained in the following manner :—

No Act of the Federal Legislature will apply to the Province unless the Governor-General in his discretion so directs, and in giving such a direction the Governor-General will be empowered to direct that the Act, in its application to the Province, or any part thereof, is to have effect subject to such exceptions or modifications as he thinks fit.

The Governor-General will also be empowered at his discretion to make Regulations for the peace and good government of British Baluchistan and will be competent by any Regulations so made to repeal or amend any Act of the Federal Legislature which is for the time being applicable to the Province. Any such Regulation, on promulgation by the Governor-General in the official Gazette will have the same force and effect in relation to British Baluchistan as an Act of the Federal Legislature, and will, like such Acts, be subject to disallowance by His Majesty in Council.

The provisions of the preceding sub-paragraph will apply also to the Andaman and Nicobar Islands.

59. In the Chief Commissioners' Provinces the Chief Commissioner will have all such executive power and authority as may be necessary for the administration of the Province, and in the exercise of this power and authority he will (save in the case of British Baluchistan) be directly subordinate to the Federal Government.

60. The composition of the Coorg Legislative Council, as existing immediately before the establishment of the Federation, will continue unchanged, and special provisions will be made with regard to its legislative powers.

PART II.

THE GOVERNORS' PROVINCES.

The Provincial Executive.

61. A "Governor's Province" will be defined as meaning the Presidencies of Bengal, Madras and Bombay, and the Provinces known as the United Provinces, the Punjab, Bihar, the Central Provinces,* Assam, the North-West Frontier Province, Sind, and Orissa.†

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*As regards Berar, see paragraph 45 of the Introduction.

† The boundaries of the new Province of Orissa will be in accordance with the recommendations of the Orissa Committee of 1932 (following the Chairman's recommendation where this differs from that of the two Members) except that the Vizagapatam Agency and the Parlakimedi and Jalantra Maliahs in the Ganjam Agency will remain in Madras Presidency.

62. In a Governor's Province the executive authority will be exercisable on the King's behalf by a Governor holding office during His Majesty's pleasure.

All executive acts will run in the name of the Governor.

63. The Governor will exercise the powers conferred upon him by the Constitution Act as executive head of the Provincial Government, and such powers of His Majesty (not being powers inconsistent with the provisions of the Act) as His Majesty may be pleased by Letters Patent constituting the office of Governor to assign to him. In exercising all these powers the Governor will act in accordance with an Instrument of Instructions to be issued to him by the King.

64. The draft of the Governor's Instrument of Instructions (including the drafts of any amendments thereto) will be laid before both Houses of Parliament, and opportunity will be provided for each House of Parliament to make to His Majesty any representation which that House may desire for any amendment or addition to, or omission from, the Instructions.

65. The Governor's salary will be fixed by the Constitution Act, and all other payments in respect of his personal allowances, or the salaries and allowances of his personal and secretarial staff, will be fixed by Order in Council; none of these payments will be subject to the vote of the Legislature.

Working of the Provincial Executive.

66. For the purpose of aiding and advising the Governor in the exercise of powers conferred on him by the Constitution Act for the government of the Province, except as regards matters left by law to his discretion and the administration of Excluded Areas, there will be a Council of Ministers. The Ministers will be chosen and summoned by the Governor and sworn as Members of the Council, and will hold office during his pleasure. Persons appointed Ministers must be, or become within a stated period, members of the Provincial Legislature.

67. In his Instrument of Instructions the Governor will be enjoined *inter alia* to use his best endeavours to select his Ministers in the following manner, that is in consultation with the person who, in his judgment, is likely to command the largest following in the Legislature, to appoint those persons (including so far as possible members of important minority communities) who will best be in a position collectively to command the confidence of the Legislature.

68. The number of Ministers and the amounts of their respective salaries will be regulated by Act of the Provincial Legislature, but until the Provincial Legislature otherwise determines, their number and salaries will be such as the Governor determines, subject to limits to be laid down in the Constitution Act.

The salary of a Minister will not be subject to variation during his term of office.

69. The Governor will whenever he thinks fit preside at meetings of his Council of Ministers. He will also be authorised, after consultation with his Ministers, to make at his discretion any rules which he regards

as requisite to regulate the disposal of Government business, and the procedure to be observed in its conduct and for the transmission to himself of all such information as he may direct.

70.* In the administration of the government of a Province the Governor will be declared to have a special responsibility in respect of—

(*a*) the prevention of any grave menace to the peace or tranquillity of the Province or any part thereof ;

(*b*) the safeguarding of the legitimate interests of minorities ;

(*c*) the securing to the members of the Public Services of any rights provided for them by the Constitution and the safeguarding of their legitimate interests ;

(*d*) the prevention of commercial discrimination ;

(*e*) the protection of the rights of any Indian State ;

(*f*) the administration of areas declared, in accordance with provisions in that behalf, to be partially excluded areas ;

(*g*) securing the execution of orders lawfully issued by the Governor-General ;

and the Governors of the North-West Frontier Province and of Sind will in addition be respectively declared to have a special responsibility in respect of—

(*h*) any matter affecting the Governor's responsibilities as Agent to the Governor-General in the Tribal and other trans-border Areas ; and

(*i*) the administration of the Sukkur Barrage.

It will be for the Governor to determine in his discretion whether any of the "special responsibilities" here described are involved by any given circumstances.

71. If in any case in which, in the opinion of the Governor, a special responsibility is imposed upon him, it appears to him, after considering such advice as has been given to him by his Ministers, that the due discharge of his responsibility so requires, he will have full discretion to act as he thinks fit but in so acting he will be guided by any directions which may be contained in his Instrument of Instructions.

72. The Governor, in taking action for the discharge of any special responsibility or in the exercise of any discretion vested in him by the Constitution Act, will act in accordance with such directions, if any, not being directions inconsistent with anything in his Instructions, as may be given to him by the Governor-General or by a principal Secretary of State.

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* See also the end of paragraph 47 of the Introduction.

73. The Governor's Instrument of Instructions will accordingly contain *inter alia* provision on the following lines :—

"In matters, the determination of which is by law committed to your discretion, and in matters relating to the administration of Excluded Areas, it is Our will and pleasure that you should act in exercise of the powers by law conferred upon you in such manner as you may judge right and expedient for the good government of the Province, subject, however, to such directions as you may from time to time receive from Our Governor-General or from one of Our principal Secretaries of State.

In matters arising out of the exercise of powers conferred upon you for the purposes of the government of the Province other than those specified in the preceding paragraph it is Our will and pleasure that you should in the exercise of the powers by law conferred upon you be guided by the advice of your Ministers, unless so to be guided would, in your judgment, be inconsistent with the fulfilment of your special responsibility for any of the matters in respect of which a special responsibility is by law committed to you ; in which case it is Our will and pleasure that you should, notwithstanding your Ministers' advice, act in exercise of the powers by law conferred upon you in such manner as you judge requisite for the fulfilment of your special responsibilities, subject, however, to such directions as you may from time to time receive from Our Governor-General or from one of Our principal Secretaries of State".

The Provincial Legislature.

General.

74. For every Governor's Province there will be a Provincial Legislature, consisting, except in the Provinces of Bengal, the United Provinces and Bihar, of the King, represented by the Governor, and of one Chamber, to be known as the Legislative Assembly.

In the Provinces just named the Legislature will consist of His Majesty, represented by the Governor, and of two Chambers, to be known respectively as the Legislative Council and the Legislative Assembly.

But provision will be made enabling the Provincial Legislature at any time not less than ten years after the commencement of the Constitution Act—

(*a*) where the Legislature consists of two Chambers, to provide by Act, which both Chambers separately have passed, and have confirmed by a subsequent Act passed not less than two years later, that it shall consist of one Chamber instead of two Chambers ; and

(*b*) where the Legislature consists of one Chamber, to present an Address to His Majesty praying that the Legislature may be reconstituted with two Chambers, and that the composition of, and method of election to, the Upper Chamber may be determined by Order in Council.

The Provincial Legislatures will be summoned to meet for the first time on dates to be specified by Proclamation.

Every Act of a Provincial Legislature will be expressed as having been enacted by the Governor, by and with the consent of the Legislative Assembly, or, where there are two Chambers, of both Chambers of the Legislature.

75. Power to summon and appoint places for the meeting of the Provincial Legislature, to prorogue it and to dissolve it, will be vested in the Governor at his discretion, subject to the requirement that it shall meet at least once in every year, and that not more than twelve months shall intervene between the end of one session and the commencement of the next. Where the Legislature consists of two Chambers power to dissolve the Chambers will be exercisable in relation to either Chamber separately or to both simultaneously.

The Governor will also be empowered to summon the Legislature for the purpose of addressing it.

76. Each Legislative Assembly will continue for five years, and each Legislative Council, where such a Council exists, for seven years, unless sooner dissolved.

77. In the case of a Province having a Legislative Council a Member of the Council of Ministers will have the right to speak, but not to vote, in the Chamber of which he is not a member.

The Composition of the Provincial Legislature.

78. The Legislative Assembly of each Governor's Province will consist of the number of members indicated against that Province in Appendix III, Part I, who will be elected in the manner indicated in the same Appendix.

79. A member of a Provincial Legislative Assembly shall be at least 25 years of age and a British subject or a subject of an Indian State.

80. The Legislative Councils of Governors' Provinces will consist of the number of members indicated in Appendix III, Part II, who will be elected, or nominated by the Governor, as the case may be, in the manner indicated in the same Appendix.

81. A member of a Provincial Legislative Council will be required to be at least 30 years of age and a British subject or a subject of an Indian State.

82. Appropriate provision will be made for the filling of vacancies in a Provincial Legislature on the lines proposed for the Federal Legislature (*see paragraphs* 28 *and* 31.)

83. Every member of a Provincial Legislature will be required to make and subscribe an oath or affirmation in the following form before taking his seat :—

"I, *A.B.*, having been $\frac{\text{elected}}{\text{nominated}}$ a member of this $\frac{\text{Council}}{\text{Assembly}}$, do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King Emperor of India, His heirs and successors, and that I will faithfully discharge the duty upon which I am about to enter ".

84. The following disqualifications will be prescribed for membership of a Provincial Legislature :—

(*a*) the holding of any office of profit under the Crown other than that of Minister ;

(*b*) a declaration of unsoundness of mind by a competent Court ;

(*c*) being an undischarged bankrupt ;

(*d*) conviction of the offence of corrupt practices or other election offences ;

(*e*) in the case of a legal practitioner, suspension from practice by order of a competent Court ;

but provision will be made that this and the last preceding disqualification may be removed by order of the Governor in his discretion ;

(*f*) having an undisclosed interest in any contract with the Provincial Government ; provided that the mere holding of shares in a company will not by itself involve this disqualification.

85. A person sitting or voting as a member of the Provincial Legislature, when he is not qualified for, or is disqualified from, membership, will be made liable to a penalty of in respect of each day on which he so sits or votes, to be recovered in the High Court of the Province by suit initiated with the consent of a principal Law Officer of the Provincial Government.

86. Subject to the rules and Standing Orders of the Legislature there will be freedom of speech in the Provincial Legislature. No person will be liable to any proceedings in any Court by reason of his speech or vote, or by reason of anything contained in any official Report of the proceedings.

87. In so far as provision is not made by the Act itself for the following matters connected with elections and electoral procedure, they will be prescribed by Order in Council under the Act :—

(*a*) the qualifications of electors ;
(*b*) the delimitation of constituencies ;
(*c*) the method of election of representatives of communal and other interests ;
(*d*) the filling of casual vacancies ; and
(*e*) other matters ancillary to the above :

with provision that Orders in Council framed for these purposes shall be laid in draft for a stated period before each House of Parliament.

For matters connected with the conduct of elections for the provincial legislature other than the above each Provincial Legislature will be empowered to make provision by Act. But until the Provincial Legislature otherwise determines, existing laws or rules, including the law or rules providing for the prohibition and punishment of corrupt practices or election offences and for determining the decision of disputed elections, will remain in force ; subject however, to such modifications or adaptations to be made by Order in Council as may be required in order to adapt their provisions to the requirements of the new Constitution.

Legislative Procedure.

NOTE.—The following paragraphs relating to legislative procedure are, with the exception of paragraph 91, framed, for the sake of brevity, to apply to unicameral Provincial Legislatures. Suitable modification of these provisions, for the purpose of adapting them to Legislatures which are bicameral would, of course, be made. In particular, provision would be made that in a bicameral Legislature Bills (other than Money Bills, which will be initiated in the Legislative Assembly) will be introduced in either Chamber.

88. The Governor will be empowered at his discretion, but subject to the provisions of the Constitution Act and to his Instrument of Instructions, to assent in His Majesty's name to a Bill which has been passed by the Provincial Legislature, or to withhold his assent, or to reserve the Bill for the consideration of the Governor-General. But before taking any of these courses, it will be open to the Governor to remit a Bill to the Legislature, with a Message requesting its reconsideration in whole or in part, together with such amendments, if any, as he may recommend.

No Bill will become law unless it has been passed by the Legislative Assembly with or without amendment, and has been assented to by the Governor, or in cases where the Constitution Act so provides, by the Governor-General ; in the case of a Bill reserved for the consideration of the Governor-General, the Bill will not become law until the Governor-General (or, if the Governor-General reserves the Bill, His Majesty in Council) has signified his assent.

89. When a Bill is reserved by a Governor for the consideration of the Governor-General, the Governor-General will be empowered at his discretion, but subject to the provisions of the Constitution Act and to his Instrument of Instructions to assent in His Majesty's name to the Bill, or to withhold his assent, or to reserve the Bill for the signification of the King's pleasure. He will also be empowered, if he thinks fit before taking any of these courses, to return the Bill to the Governor with directions that it shall be remitted to the Legislature with a Message to the effect indicated in the preceding paragraph. The Legislature will then reconsider the Bill and if it is again passed with or without amendment it will be presented again to the Governor-General for his consideration.

If at the end of six months from the date on which a Bill is presented to the Governor-General, the Governor-General neither assents to it nor reserves it for the signification of the King's pleasure, nor returns it to the Governor, the Bill will lapse.

90. Any Act assented to by the Governor or by the Governor-General will within twelve months be subject to disallowance by His Majesty in Council.

91. In the case of a province having a Legislative Council the Governor will be empowered in any case in which a Bill passed by one Chamber has not, within three months thereafter, been passed by the other, either without amendments or with agreed amendments, to summon the two Chambers to meet in a Joint Session for the purpose of reaching a decision on the Bill. The members present at a Joint Session will deliberate and vote together upon the Bill in the form in which it finally left the Chamber in which it was introduced and upon amendments, if any, made therein by one Chamber and not agreed to by the other. Any such amendments which are affirmed by a majority of the total number of the members voting at the Joint Session will be deemed to have been carried, and if the Bill, with the amendments, if any, so carried, is affirmed by a majority of the members voting at the Joint Session, it shall be taken to have been duly passed by both Chambers.

In the case of a Money Bill, or in cases where, in the Governor's opinion, a decision on the Bill cannot, consistently with the fulfilment of any of his "special responsibilities", be deferred, the Governor will be empowered at his discretion to summon a Joint Session forthwith.

92. In order to enable the Governor to discharge the "special responsibilities" imposed upon him, he will be empowered at his discretion—

(*a*) to present, or cause to be presented, a Bill to the Legislature, with a Message that it is essential, having regard to any of his "special responsibilities" that any Bill so presented should become law before a date specified in the Message; and

(*b*) to declare by Message in respect of any Bill already introduced in the Legislature that it should, for similar reasons, become law before a stated date in a form specified in the Message.

If, before the date specified, a Bill which is the subject of such a Message is not passed, or is not passed in the form specified, as the case may be, the Governor will be empowered at his discretion to enact it as a Governor's Act, either with or without any amendments made by the Legislature after receipt of his Message.

A Governor's Act so enacted will have the same force and effect as an Act of the Provincial Legislature and will be subject to the same requirements in respect of the Governor-General's assent and to disallowance in the same manner as an Act of the Provincial Legislature, but the Governor's competence to legislate under this provision will not extend beyond the competence of the Provincial Legislature as defined by the Constitution.

93. It will be made clear, by the enacting words of a Governor's Act which will be distinguished from the enacting words of an ordinary Act (see paragraph 74), that Acts of the former description are enacted on the Governor's own responsibility.

94. Provision will also be made empowering the Governor, in any case in which he considers that a Bill introduced or proposed for introduction, or any clause thereof, or any amendment to a Bill moved or proposed, would affect the discharge of his "special responsibility" for the prevention of any grave menace to the peace or tranquillity of the Province, to direct that the Bill, clause or amendment shall not be further proceeded with.

Procedure with regard to Financial Proposals.

95. A recommendation of the Governor will be required for any proposal in the Provincial Legislature for the imposition of taxation, for the appropriation of public revenues, or any proposal affecting the public debt of the Province or affecting or imposing any charge upon public revenues.*

96. The Governor will cause a statement of the estimated revenues and expenditure of the Province, together with a statement of proposals for the appropriation of those revenues, to be laid in respect of every financial year before the Provincial Legislature, and, where the Legislature consists of two Chambers, before both Chambers.

The statement of proposals for appropriation will be so arranged as—

(*a*) to distinguish between those proposals which will, and those which will not (*see paragraph* 98), be submitted to the vote of the Legislature and amongst the latter to distinguish those which are in the nature of standing charges (for example, the items in the list in paragraph 98 marked with an asterisk); and

(*b*) to specify separately those additional proposals (if any), whether under the votable or non-votable Heads, which the Governor regards as necessary for the fulfilment of any of his "special responsibilities".

97. The proposals for the appropriation of revenues, other than proposals relating to the Heads of Expenditure enumerated in paragraph 98 and proposals (if any) made by the Governor in discharge of his special responsibilities, will be submitted, in the form of Demands for Grants, to the vote of the Legislative Assembly. The Assembly will be empowered to assent, or refuse assent, to any Demand or to reduce the amount specified therein, whether by way of a general reduction of the total amount of the Demand or of the reduction or omission of any specific item or items included in it.

98. Proposals for appropriations of revenues, if they relate to Heads of Expenditure enumerated in this paragraph will not be submitted to the vote of the Legislative Assembly but except in the case of the Governor's salary and allowances will be open to discussion in the Assembly.

*Compare paragraph 45 and the footnote thereto.

The Heads of Expenditure referred to above are—

(*i*) Interest, Sinking Fund charges and other expenditure relating to the raising, service and management of loans* ; expenditure fixed by or under the Constitution Act* ; expenditure required to satisfy a decree of any court, or an arbitral award

(*ii*) The salary and allowances of Governors* ; of Ministers* ; and of the Governor's personal or Secretarial staff ;

(*iii*) The salaries and pensions (including pensions payable to their dependants) of Judges of the High Court or the Chief Court or Judicial Commissioners* ; and expenditure certified by the Governor after consulting with his Ministers as required for the expenses of those Courts ;

(*iv*) Expenditure debitable to Provincial Revenues, required for the discharge of duties imposed by the Constitution Act on a principal Secretary of State ;

(*v*) The salaries and pensions payable to, or to dependants of, certain members of the Public Services and certain other sums payable to such persons (see Appendix VII, Part III).

The Governor will be empowered to decide finally and conclusively for all purposes any question whether a particular item of expenditure does, or does not, fall under any of the Heads of Expenditure referred to in this paragraph.

99. At the conclusion of the budget proceedings the Governor will authenticate by his signature all appropriations, whether voted or those relating to matters enumerated in paragraph 98 ; the appropriation so authenticated will be laid before the Legislature but will not be open to discussion.

In the appropriations so authenticated the Governor will be empowered to include any additional amounts which he regards as necessary for the discharge of any of his special responsibilities, so, however, that the total amount authenticated under any head is not in excess of the amount originally laid before the Legislature under that head in the statement of proposals for appropriation.

The authentication of the Governor will be sufficient authority for the due application for the sums involved.*

100. The provisions of paragraphs 95 to 99 inclusive will apply with the necessary modifications to proposals for the appropriation of revenue to meet expenditure not included in the Annual Estimates which it may become necessary to incur during the course of the financial year.

101. Provision will be made that until the Provincial Legislature otherwise determines by a decision in support of which at least three-fourths of the members have voted, no proposal for the reduction in any Province (other than a reduction *pro-rata* with the general educational grant-in-aid) of an existing grant-in-aid on account of the education of the Anglo-Indian and domiciled European community will be deemed to have received the consent of the Legislature unless at least three-fourths of the members have voted in favour of the proposal.

*See paragraph 39 of Introduction.

Procedure in the Legislature.

102. The procedure and conduct of business in the Provincial Legislature will be regulated by rules to be made, subject to the provisions of the Constitution Act, by the Legislature. But the Governor will be empowered at his discretion, after consultation with the President or Speaker, as the case may be, to make rules regulating the procedure of and the conduct of business in, the Chamber or Chambers in relation to matters arising out of, or affecting, any "special responsibility" with which he is charged by the Constitution Act.

In the event of conflict between a rule so made by the Governor and any rule made by a Chamber of the Legislature, the former will prevail and the latter will, to the extent of the inconsistency, be void.

Emergency Powers of the Governor in relation to Legislation.

103. The Governor will be empowered at his discretion, if at any time he is satisfied that the requirements of any of the "special responsibilities" with which he is charged by the Constitution Act render it necessary, to make and promulgate such Ordinances as, in his opinion, the circumstances of the case require, containing such provisions as it would have been competent, under the provisions of the Constitution Act, for the Provincial Legislature to enact.

An Ordinance promulgated under the proposals contained in this paragraph will continue in operation for such period, not exceeding six months, as may be specified therein; the Governor will, however, have the power to renew any Ordinance for a second period not exceeding six months, but in that event it will be laid before both Houses of Parliament.

An Ordinance will have the same force and effect, whilst in operation as an Act of the Provincial Legislature; but every such Ordinance will be subject to the provisions of the Constitution Act relating to disallowance of Acts and will be subject to withdrawal at any time by the Governor.

104. In addition to the powers to be conferred upon the Governor at his discretion in the preceding paragraph, the Governor will further be empowered, if his Ministers are satisfied, at any time when the Legislature is not in session, that an emergency exists which renders such a course necessary, to make and promulgate any such Ordinances for the good government of the Province or any part thereof as the circumstances of the case require, containing such provisions as, under the Constitution Act, it would have been competent for the Legislature to enact.

An Ordinance promulgated under the proposals contained in this paragraph will have, while in operation, the same force and effect as an Act of the Provincial Legislature, but every such Ordinance—

(*a*) will be required to be laid before the Provincial Legislature and will cease to operate at the expiry of six weeks from the date of the reassembly of the Legislature unless in the meantime the Legislature (or both Chambers, where two Chambers exist) has disapproved it by Resolution, in which case it will cease to operate forthwith; and

(*b*) will be subject to the provisions of the Constitution Act relating to disallowance as if it were an Act of the Provincial Legislature ; it will also be subject to withdrawal at any time by the Governor.

Provisions in the event of a breakdown of the Constitution.

105. The Governor will be empowered at his discretion, if at any time he is satisfied that a situation has arisen which renders it for the time being impossible for the government of the Province to be carried on in accordance with the provisions of the Constitution Act, by Proclamation to assume to himself all such powers vested by law in any Provincial authority as appear to him to be necessary for the purpose of securing that the government of the Province shall be carried on effectively.

A Proclamation so issued will have the same force and effect as an Act of Parliament ; will be communicated forthwith to the Governor-General and to a Secretary of State and laid before Parliament ; will cease to operate at the expiry of six months unless before the expiry of that period it has been approved by Resolutions of both Houses of Parliament ; and may at any time be revoked by Resolutions of both Houses of Parliament.

Excluded Areas.

106. His Majesty will be empowered to direct by Order in Council that any area within a Province is to be an " Excluded Area " or a " Partially Excluded Area ", and by subsequent Orders in Council to revoke or vary any such Order.

107. In respect of Partially Excluded Areas the Governor will be declared to have a special responsibility (*see paragraph 70*).

The Governor will himself direct and control the administration of any area in a Province for the time being declared to be an Excluded Area.

108. Legislation required, whether for Excluded Areas or Partially Excluded Areas, will be obtained in the following manner :—

No Act of the Federal Legislature or of the Provincial Legislature will apply to such an area unless the Governor in his discretion so directs, and in giving such a direction the Governor will be empowered to direct that the Act, in its application to the area, or to any specified part thereof is to have effect subject to such exceptions or modifications as he thinks fit.

The Governor will also be empowered at his discretion to make Regulations for the peace and good government of any area which is for the time being an Excluded Area or a Partially Excluded Area and will be competent by any Regulation so made to repeal or amend any Act of the Federal Legislature or of the Provincial Legislature which is, for the time being, applicable to the area in question.

Regulations made under this provision will be submitted forthwith to the Governor-General and will not have effect until he has assented to them; but, when assented to by the Governor-General, will have the same force and effect as an Act of the Legislature made applicable to the area by direction of the Governor, and will be subject to disallowance in the same manner as a Provincial Act, but will not be subject to repeal or amendment by any Act of the Provincial or of the Federal Legislature.

109. Rules made by the Governor in connexion with legislative procedure will contain a provision prohibiting the discussion in the Provincial Legislature of, or the asking of questions on, any matter arising out of the administration of an Excluded Area, and enabling the Governor, at his discretion, to disallow any resolution or question regarding the administration of a Partially Excluded Area.

PART III.

RELATIONS BETWEEN THE FEDERATION AND THE FEDERAL UNITS.

POWERS OF THE FEDERAL LEGISLATURE AND OF PROVINCIAL LEGISLATURES.

110. It will be outside the competence of the Federal and of the Provincial Legislatures to make any law affecting the Sovereign or the Royal Family, the sovereignty or dominion of the Crown over any part of British India, the law of British nationality, the Army Act, the Air Force Act, the Naval Discipline Act and the Constitution Act, (except, in the case of the last mentioned Act, in so far as that Act itself provides otherwise).

111. The Federal Legislature will, to the exclusion of any Provincial Legislature, have power to make laws for the peace and good government of the Federation or any part thereof with respect to the matters set out in Appendix VI, List I.*

Laws so made will be operative throughout British India, but, in the States which have acceded to the Federation only in so far as the Ruler of the State has by his Instrument of Accession accepted the subject with which the law is concerned as a Federal subject. Federal laws will be applicable to British subjects and servants of the Crown within any part of India and to all Indian subjects of His Majesty outside India. The Federal Legislature will also be empowered to make laws regulating the discipline of His Majesty's Indian Forces, in so far as they are not subject to the Army Act, the Air Force Act, or the Naval Discipline Act, which will be applicable to those Forces wherever they are serving.

112. A Provincial Legislature will, to the exclusion of the Federal Legislature, have power to make laws for the peace and good government of the Province or any part thereof with respect to the matters set out in Appendix VI, List II.

*NOTE.—The lists contained in this Appendix are illustrative only, and do not purport to be either exhaustive or final in their allocations.

113. Nothing in paragraph 111 or 112 will operate to debar the Federal Legislature, in legislating for an exclusively federal subject, from devolving upon a Provincial Government or upon any officer of that Government, the exercise on behalf of the Federal Government of any functions in relation to that subject.*

114. The Federal Legislature and the Provincial Legislatures will have concurrent powers to make laws with respect to the matters set out in Appendix VI, List III, but laws made by Provincial Legislatures under these powers will be confined in their operation to the territories of the Province. The intention of providing for this concurrent field is to secure, in respect of the subjects entered in the List referred to in this paragraph, the greatest measure of uniformity which may be found practicable, but at the same time to enable Provincial Legislatures to make laws to meet local conditions.

The Federal Legislature will not in respect of the subjects contained in List III be able to legislate in such a way as to impose financial obligations on the Provinces.

In the event of a conflict between a Federal law and a Provincial law in the concurrent field, the Federal law will prevail, unless the Provincial law was reserved for, and has received, the assent of the Governor-General. The Federal Legislature will have no power to repeal or amend a Provincial law to which the Governor-General has thus assented, save with the prior sanction of the Governor-General.

115. It is intended that the three lists of subjects indicated in Appendix VI shall be as exhaustive as is reasonably possible. But it has been found on examination that it is not possible to enumerate every subject of a local and private character with regard to which the legislative power can appropriately rest with the Provinces only. It is accordingly proposed to include in the Provincial List a general power to legislate on any matter of a merely local and private nature in the Province not specifically included in that List and not falling within List I or List III; but in order to provide for the possibility that a subject which is in its inception of a merely local or private character may subsequently become of all-India interest, it is proposed to make that power subject to a right of the Governor-General in his discretion to sanction general legislation by the Federal Legislature on the same subject-matter.

Provision will also be made enabling either the Federal Legislature or any Provincial Legislature to make a law with respect to a residual subject, if any, not falling within the scope of any of the three lists, by means of an Act to the introduction of which the previous sanction of the Governor-General, given at his discretion, has been obtained, and to which (in the case of a Provincial Act) the assent of the Governor-General has been declared.

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* NOTE.—Any cost which falls in virtue of this provision on any Provincial Government, and which that Government would not otherwise have incurred, will be borne by the Federal Government. In the event of disagreement as to the amount or incidence of any charges so involved the question will be referred for decision (which will be final) of an arbitrator to be appointed by the Chief Justice of the Federal Court.

116. The Federal Legislature will be empowered, at the request of two or more Provinces, to pass a law which will be operative in those Provinces and in any other Province which may subsequently adopt it on a subject which would otherwise fall within the legislative competence of a Province only. Such a Federal Act will be subject, as regards any Province to which it applies, to subsequent amendment or repeal by the Legislature of that Province.

117. If any provision of a law of a State is in conflict with an Act of the Federal Legislature regulating any subject which the Ruler of that State has by his Instrument of Accession accepted as a Federal subject, the Act of the Federal Legislature, whether passed before or after the making of the law of the State, will prevail.

118. In order to minimise uncertainty of law and opportunities for litigation as to the validity of Acts, provision will be made limiting the period within which an Act may be called into question on the ground that exclusive powers to pass such legislation were vested in a Legislature in India other than that which enacted it; and enabling a subordinate Court before which the validity of an Act is called in question on that ground within the time limit to refer the question to the High Court of a Province or State for its decision; and also enabling the High Court of a Province or State to require a subordinate Court to make such a reference.

119. The consent of the Governor-General, given at his discretion, will be required to the introduction in the Federal Legislature of legislation which repeals or amends or is repugnant to any Act of Parliament extending to British India, or any Governor-General's or Governor's Act or Ordinance,* or which affects any Department reserved for the control of the Governor-General, or the coinage and currency of the Federation, or the powers and duties of the Federal Reserve Bank in relation to the management of currency and exchange, or religion or religious rites and usages, or the procedure regulating criminal proceedings against European British subjects.

120. The consent of the Governor-General, given in his discretion, will be required to the introduction in a Provincial Legislature of legislation on such of the matters enumerated in the preceding paragraph, as are within the competence of a Provincial Legislature, other than legislation which repeals, amends or is repugnant to a Governor's Act or Ordinance†; or which affects religion or religious rites and usages. The introduction in a Provincial Legislature of legislation on these latter subjects will require the consent of the Governor of the Province given in his discretion.

121. The giving of consent by the Governor-General or any Governor to the introduction of a Bill will be without prejudice to his power of withholding his assent to, or of reserving, the Bill when passed; but an Act will not be invalid by reason only that prior consent to its introduction was not given, provided that it was duly assented to either by His Majesty, or by the Governor-General or Governor, as the case may be.

*A Governor-General's or Governor's Ordinance for the purpose of this paragraph means an Ordinance as described in paragraphs 53 and 103.

†This relates only to an Ordinance of the kind described in paragraph 103.

122. The Federal Legislature and the Provincial Legislatures will have no power to make laws subjecting in British India any British subject (including companies, partnerships or associations constituted by or under any Federal or Provincial law), in respect of taxation, the holding of property of any kind, the carrying on of any profession, trade, business or occupation, or the employment of any servants or agents, or in respect of residence or travel within the boundaries of the Federation, to any disability or discrimination based upon his religion, descent, caste, colour or place of birth ; but no law will be deemed to be discriminatory for this purpose on the ground only that it prohibits either absolutely or with exceptions the sale or mortgage of agricultural land in any area to any person not belonging to some class recognised as being a class of persons engaged in, or connected with, agriculture in that area, or which recognises the existence of some right, privilege or disability attaching to the members of a community by virtue of some privilege, law or custom having the force of law.

A Federal or Provincial law, however, which might otherwise be void on the ground of its discriminatory character will be valid if previously declared by the Governor-General or a Governor, as the case may be, in his discretion, to be necessary in the interests of the peace and tranquillity of India or any part thereof.

[Without qualification of this kind, legislation such as, for example, the Indian Criminal Tribes Act, would be invalidated by the provisions of this paragraph.]

123. The Federal Legislature and the Provincial Legislatures will have no power to make laws subjecting any British subject domiciled in the United Kingdom (including companies, etc., incorporated or constituted by or under the laws of the United Kingdom) to any disability or discrimination in the exercise of certain specified rights, if an Indian subject of His Majesty, or a company, etc., constituted by or under a Federal or Provincial law, as the case may be, would not in the exercise in the United Kingdom of the corresponding right be subject in the United Kingdom to any disability or discrimination of the same or a similar character. The rights in question are the right to enter, travel and reside in any part of British India ; to hold property of any kind ; to carry on any trade or business in, or with the inhabitants of, British India ; and to appoint and employ at discretion agents and servants for any of the above purposes.

Provision will be made on the same lines for equal treatment on a reciprocal basis of ships registered respectively in British India and the United Kingdom.

[A question which will require separate consideration arises with regard to the registration in India of medical practitioners registered in the United Kingdom. A Bill which has an important bearing on this question is at present under consideration in the Indian Legislature.]

124. An Act of the Federal or of a Provincial Legislature, however, which, with a view to the encouragement of trade or industry, authorises the payment of grants, bounties or subsidies out of public funds will not be held to fall within the terms of the two preceding paragraphs by reason only of the fact that it is limited to persons or companies resident

or incorporated in India, or that it imposes on companies not trading in India before the Act was passed as a condition of eligibility for any such grant, bounty or subsidy that the company shall be incorporated under laws of British India, or conditions as to the composition of the Board of Directors or as to the facilities to be given for training the Indian subjects of His Majesty.

Administrative Relations between the Federal Government and the Units.

Relations with the Provinces.

125. It will be the duty of a Provincial Government so to exercise its executive power and authority, in so far as it is necessary and applicable for the purpose, as to secure that due effect is given within the Province to every Act of the Federal Legislature which applies to that Province: and the authority of the Federal Government will extend to the giving of directions to a Provincial Government to that end.

The authority of the Federal Government will also extend to the giving of directions to a Provincial Government as to the manner in which the latter's executive power and authority shall be exercised in relation to any matter which affects the administration of a Federal subject.

126. The Governor-General will be empowered at his discretion to issue instructions to the Governor of any Province as to the manner in which the executive power and authority in that Province is to be exercised for the purpose of preventing any grave menace to the peace and tranquillity of India or any part thereof.

Relations with the States-members of the Federation.

127. It will be the duty of the Ruler of a State to secure that due effect is given within the territory of his State to every Act of the Federal Legislature which applies to that territory.

128. The Governor-General will be empowered and, if the terms of any State's Instrument of Accession so provide, will be required to make agreements with the Ruler of any State for the carrying out in that State, through the agency of State authorities, of any Federal purpose. But it will be a condition of every such agreement that the Governor-General shall be entitled, by inspection or otherwise, to satisfy himself that an adequate standard of administration is maintained.

129. The Governor-General will be empowered in his discretion to issue general instructions to the Government of any State-member of the Federation for the purpose of ensuring that the Federal obligations of that State are duly fulfilled.

Financial Powers and Relations.

[See also paragraphs 45—51 and 95—100 for the legislative procedure with regard to Financial Proposals.]

Property, Contracts and Suits.

130. All legal proceedings which may be at present instituted by or against the Secretary of State in Council will, subject to the reservations specified below, be instituted by or against the Federal Government or the Government of a Governor's province as the case may be.

131. All property in India which immediately before the date of the establishment of the Federation was vested in His Majesty for the purposes of the government of India will continue to be vested in His Majesty, but for the respective purposes of the Federal Government and the Governments of Governors' Provinces, and will, subject to any special provisions which may be made in relation to Railways, be allocated between the Federal and the Provincial Governments accordingly. Property vested in His Majesty for purposes of the government of India which are outside the Federal and Provincial spheres will not be affected by this allocation.

Appropriate provision will also be made with regard to property outside India vested in His Majesty for the purposes of the government of India.

132. Existing powers of the Secretary of State in Council in relation to property allocated under the preceding paragraph and in relation to the acquisition of property and the making of contracts for purposes of government which are not outside the Federal and Provincial spheres will be transferred to and become powers of the Governor-General of the Federation and Governors of Provinces respectively. All contracts, etc., made under the powers so transferred will be expressed to be made by the Governor-General or the Governor, as the case may be, and may be executed and made in such manner and by such persons as he may direct, but no personal liability will be incurred by any person making or executing such a contract.

133. The Secretary of State will be substituted for the Secretary of State in Council in any proceedings instituted before the commencement of the Act by or against the Secretary of State in Council.

134. Rights and liabilities arising under any Statute or contract in existence at the commencement of the Act, including existing immunities from Indian income-tax in respect of interest on sterling loans issued or guaranteed by the Secretary of State in Council, will be maintained and any remedies which, but for the passing of the Act would have been enforceable by or against the Secretary of State in Council, will after the commencement of the Act be enforceable by or against the Secretary of State; and all obligations arising under any such statute or contract which imposed a liability on the revenues of India will remain a liability on all the revenues of India whether Federal or Provincial.

135. Money required to meet any judgment or award given against the Secretary of State will, in the first instance, be a charge on the revenues of the Federation with the right of recovery by the Federal Government, where necessary and appropriate, from provincial revenues. The Secretary of State will have power to secure the implementing of any judgment or award obtained against him.

Allocation of Revenues.

Note.—Legislative powers in relation to taxation and raising of revenue will be defined by the legislative schedules in Appendix VI (see in particular items 34—37 and 49—54 of List I, and 66-67, with Annexure, of List II).

136. Revenues derived from sources in respect of which the Legislature of a Governor's Province has exclusive, or concurrent, power to make laws will be allocated as provincial revenues.

Revenues derived from sources in respect of which the Federal Legislature has exclusive power to make laws will be allocated as Federal revenues; but in the cases specified in the following paragraphs the Federation will be empowered or required to make assignments to Provinces or States from Federal revenues.

Salt. Federal Excises. Export Duties.

137. The Federal Legislature will be empowered to assign to Provinces and States in accordance with such schemes of distribution as it may determine the whole or any part of the net revenues derived from any one or more of the sources specified in the margin; in the case, however, of export duties on jute or jute products, an assignment to the producing units will be compulsory, and will amount to at least 50 per cent. of the net revenue from the duty.

138. The net revenues derived from the sources specified in the margin will be assigned to the Governors' Provinces. The Federal Legislature will, in each case, lay down the basis of distribution among the Provinces, but will be empowered to impose and retain a surcharge on such taxes for Federal purposes.

Duties on property passing on death (other than land).

Taxes on mineral rights and on personal capital (other than land).

Terminal taxes on railway, water, or air-borne goods and passengers, and taxes on railway tickets and goods freights.

Stamp duties which are the subject of legislation by the Indian Legislature at the date of federation.

139. A prescribed percentage not being less than 50 per cent. nor more than 75 per cent. of the net revenue derived from the sources specified in the margin (exclusive of any surcharges imposed by the Provinces, and of revenues derived from taxes on the official emoluments of Federal officers or taxes on income attributable to Chief Commissioners' Provinces and other Federal areas) will be assigned on a prescribed basis to the Governors' provinces.

Taxes on income (other than agricultural income) except taxes on the income or capital of companies.

Provision will be made enabling this arrangement, with such modifications as may be found necessary, to be extended to any State-member of the Federation which has agreed to accept Federal legislation regarding the taxes on income referred to in the margin as applying to the State.

For each of the first three years after the commencement of the Constitution Act, however, the Federal Government will be entitled to retain in aid of federal revenues out of the moneys which would otherwise be assigned to the Provinces (the amount distributed to the Provinces being correspondingly reduced) a sum to be prescribed and for each of the next seven years a sum which is in any year less than that retained in the previous year by an amount equal to one-eighth of the sum originally prescribed. But the Governor-General will be empowered in his discretion to suspend these reductions in whole or in part, if after consulting the Federal and Provincial Ministers he is of opinion that their continuance for the time being would endanger the financial stability of the Federation.

140. Legislation concerning any of the forms of taxation mentioned in the three preceding paragraphs which directly affects any revenues assigned to the Provinces under these paragraphs will require the previous consent of the Governor-General given in his discretion after consultation with the Federal and Provincial Ministers.

141. The Federal Legislature will have power to impose surcharges for Federal purposes on taxes on income (other than agricultural income), no part of the proceeds of which will be assigned to Governors' Provinces (or other Units). While such surcharges are in operation, each State-member of the Federation (unless it has agreed to accept Federal legislation regarding taxes on income as applying to the State) will contribute to Federal revenues a sum to be assessed on a prescribed basis. But States will not be required to contribute any counterpart to the special addition to taxes on income imposed in September 1931, if and so long as those additions are still being imposed; though the latter will in other respects be deemed to be Federal surcharges.

142. The powers of the Federal Legislature in respect of the imposition of taxes on income or capital of companies will extend, but not until the expiry of ten years from the commencement of the Constitution Act, to the imposition of taxes on companies in any State-member of the Federation. Any taxes so imposed will, if any State so elects, be collected directly from the State by the Federal Government and not from the company.

143. Any assignment or distribution of revenues from Federal sources to State-members of the Federation will be subject to such conditions as may be laid down by Act of the Federal Legislature for the purpose of effecting adjustments in respect of any special privilege or immunity of a financial character enjoyed by a State.

144. Provision will be made for subventions to certain Governors' Provinces out of Federal revenues of prescribed amounts and for prescribed periods.

145. " Prescribed " in the above paragraphs means prescribed by His Majesty by Order in Council, and the draft of the Orders will be laid before both Houses of Parliament for approval.

Borrowing Powers.

146. The Federal Government will have power to borrow for any purposes of the Federation upon the security of Federal revenues within such limits as may from time to time be fixed by Federal law. [9 and 10 Will. III c. 44, sections 75 and 86, which necessitates the existing East India Loans Acts procedure in relation to Indian sterling borrowing, will cease to have effect.]

147. The trustee status of the existing India sterling loans will be maintained and will be extended to future sterling Federal loans.

148. The Federal Government will be empowered to grant loans to, or to guarantee a loan by, any Governor's province or State-member of the Federation on such terms and under such conditions as it may prescribe.

149. The Government of a Governor's Province will have power to borrow for any provincial purpose on the security of provincial revenues, within such limits as may from time to time be fixed by provincial law, but the consent of the Federal Government will be required if either (*a*) there is still outstanding any part of a loan made or guaranteed by the Federal Government or by the Governor-General in Council before the commencement of the Constitution Act; or (*b*) the loan is to be raised outside India.

General.

150. Provision will be made securing that Federal and Provincial revenues shall be applied for the purposes of the government of India alone.

Part IV.

THE JUDICATURE.

The Federal Court.

151. The Federal Court will consist of a Chief Justice and not less than Judges, together with such further Judges not exceeding as His Majesty may, from time to time, after considering any Address from the Federal Legislature submitted to him by the Governor-General, think fit to appoint.

The Chief Justice and Judges of the Federal Court will be appointed by His Majesty and will hold office during good behaviour. The tenure of office of any Judge will cease on his attaining the age of 62 years; and any Judge may resign his office to the Governor-General.

152. The salaries, pensions, leave and other allowances of Judges of the Federal Court will be fixed by Order in Council. But neither the salary of a Judge nor his rights in respect of leave of absence or pension will be liable to be varied to his disadvantage during his tenure of office.

153. A person will not be qualified for appointment as a Judge of the Federal Court unless he—

(*a*) has been for at least five years a Judge of a Chartered High Court; or

(*b*) has been for at least five years a Judge of a State Court in India and was, at the date of his appointment as such, qualified for appointment as a Judge of a Chartered High Court; or

(*c*) has been for at least five years a Judge of any Court, other than a Chartered High Court, and was, at date of his appointment as such, qualified for appointment as a Judge of a Chartered High Court; or

(*d*) is a Barrister of England or Northern Ireland, or a Member of the Faculty of Advocates in Scotland, of at least 15 years standing; or

(*e*) has been for at least 15 years an Advocate or Pleader of any High Court or of two or more High Courts in succession.

154. The Federal Court will sit at Delhi and at such other place or places, if any, as the Chief Justice, with the approval of the Governor-General, from time to time appoints.

155. The Federal Court will have an exclusive original jurisdiction in—

(*i*) any matter involving the interpretation of the Constitution Act or the determination of any rights or obligations arising thereunder, where the parties to the dispute are—

(*a*) the Federation and either a Province or a State; or

(*b*) two Provinces or two States, or a Province and a State

(*ii*) any matter involving interpretation of, or arising under, any agreement entered into after the commencement of the Constitution Act between the Federation and a Province or a State, or between two Provinces, or a Province and a State, unless the agreement otherwise provides.

A matter brought before the Federal Court under the provisions of this paragraph will be heard in the first instance by one Judge or such number of Judges as may be prescribed by rules of Court, and an appeal will lie to a Full Bench of the Court constituted of such number, not being less than ,of Judges as may be determined in the same manner.

156. The Federal Court will have an exclusive appellate jurisdiction from any decision given by any High Court or any State Court, so far as it involves the interpretation of the Constitution Act or of any rights or obligations arising thereunder. No appeal will lie under this provision except with the leave of the Federal Court or of the High Court of the Province or the State or Supreme Court in a civil case in which the value of the subject-matter in dispute exceeds Rs.

157. An appeal to the Federal Court will be by way of Special Case on facts stated by the Court from which the appeal is brought. The Federal Court may on application for leave to appeal require a Special Case to be stated, and may return a Special Case so stated for a further statement of facts.

158. An appeal will lie without leave to the King in Council from a decision of the Federal Court in any matter involving the interpretation of the Constitution Act, but, subject always to the grant of special leave by His Majesty, in any other case only by leave of the Federal Court, unless the value of the subject-matter in dispute exceeds Rs.

159. There will be no appeal, whether by special leave or otherwise, direct to the King in Council against any decision of a High Court in cases where, under the Constitution Act, an appeal lies to the Federal Court, either as of right or by leave of the Court.

160. The process of the Federal Court will run throughout the Federation, and within those territories all authorities, civil and judicial, will be bound in any place within their respective jurisdictions to recognize and enforce the process and judgments of the Federal Court; and all other Courts within the Federation will be bound to recognize decisions of the Federal Court as binding upon themselves.

161. The Governor-General will be empowered, in his discretion, to refer to the Federal Court, for hearing and consideration, any justiciable matter which he considers of such a nature and of such public importance that it is expedient to obtain the opinion of the Court upon it.

162. Provision will be made conferring on the Federal Court powers, similar to those enjoyed by High Courts, enabling the Court to grant remedies; and the Court will be empowered, with the approval of the Governor-General, to make rules of Court regulating the practice and procedure of the Court, including the fees to be charged in respect of proceedings in the Court.

The Supreme Court.

163. Provision will be made enabling the Federal Legislature to establish a Supreme Court of Appeal for British India with a jurisdiction not exceeding that indicated in the following paragraphs and to confer on it powers to grant remedies, to regulate procedure and to prescribe fees similar to those enjoyed by a High Court:

But the introduction of any Bill promoted for this purpose will require the previous sanction of the Governor-General given at his discretion.

164. The President and Judges of the Supreme Court will be appointed by His Majesty and will hold office during good behaviour. The tenure of office of any Judge will cease on his attaining the age of 62 years; and any Judge may resign his office to the Governor-General.

The provisions relating to the qualifications for appointment of Judges will be the same as in the case of the Federal Court, and, as in the case of that Court, the salaries, pensions, leave and other allowances of Judges will be regulated by Order in Council.

165. The Supreme Court will be a Court of Appeal from the High Courts in British India, whether established by Letters Patent or otherwise.

166. Appeals to the Supreme Court in civil cases will be subject to the provisions now applicable to appeals to His Majesty in Council, including appeals by special leave, but power will be reserved to the Federal Legislature to limit the right of appeal, so far as it depends on the value of the subject-matter in dispute, to cases in which the value exceeds a specified amount not being less than Rs. 10,000 (the existing limit in the case of appeals to the King in Council).

Appeals in criminal cases will lie only where a sentence of death has been passed or where an acquittal on a criminal charge has been reversed by a High Court, and also where leave to appeal has been given by the Supreme Court on consideration of a certificate by a High Court that the case is a fit one for a further appeal.

167. On the establishment of the Supreme Court, a direct appeal from a High Court to His Majesty in Council in either a civil or a criminal case will be barred. An appeal from the Supreme Court to His Majesty in Council will be allowed in civil cases only by leave of the Supreme Court or by special leave. In criminal cases no appeal will be allowed to His Majesty in Council, whether by special leave or otherwise.

The Provincial High Courts.

168. The existing High Courts established by Letters Patent, usually known as the Chartered High Courts, will be maintained.

169. The Judges of High Courts will continue to be appointed by His Majesty and will hold office during good behaviour. The tenure of office of any Judge will cease on his attaining the age of 62 years, and any Judge may resign his office to the Governor-General.

170. The qualifications for appointment as a Chief Justice or Judge will remain as at present, but the existing provision, which requires that one-third of the Judges of a Court must be barristers or members of the Faculty of Advocates in Scotland and that one-third must be members of the Indian Civil Service will be abrogated.

Any person qualified to be a Judge will be eligible for appointment as Chief Justice.

171. The salaries, pensions, leave and other allowances of Judges of High Courts will be regulated by Order in Council. But neither the salary of a Judge nor his rights in respect of leave of absence or pension will be liable to be varied to his disadvantage during his tenure of office.

172. The power to appoint temporary additional Judges and to fill temporary vacancies in the High Courts will be vested in the Governor-General in his discretion.

173. Subject to any provision which may be made by the Federal Legislature or by any Provincial Legislature within their respective spheres, as determined by the provisions of paragraphs 111, 112 and 114, the High Courts will have the jurisdiction, powers and authority vested in them at the time of the commencement of the Constitution Act.

174. His Majesty will be empowered to establish additional Chartered High Courts as required, and the Governor-General will, as at present, have power to transfer areas from the jurisdiction of one High Court to that of another, and to authorise a High Court to exercise jurisdiction in parts of British India not included within the local limits of its jurisdiction, and in respect of British subjects in parts of India outside British India.

175. The Federal Legislature will have power to regulate the powers of superintendence exercised by High Courts over subordinate Courts in the Province.

PART V.

THE SECRETARY OF STATE'S ADVISERS.

176. After the commencement of the Constitution Act the Council of India as at present constituted will cease to exist. But the Secretary of State will be empowered to appoint not less than three, nor more than six, persons (of whom two at least must have held office for at least ten years under the Crown in India) for the purpose of advising him.

177. Any person so appointed will hold office for a term of five years, will not be eligible for reappointment, and will not be capable, while holding his appointment, of sitting or voting in Parliament.

178. The salary of the Secretary of State's advisers will be £ , a year, to be defrayed from monies provided by Parliament.

179. The Secretary of State will determine the matters upon which he will consult his advisers, and will be at liberty to seek their advice, either individually or collectively, on any matter. But so long as a Secretary of State remains the authority charged by the Constitution Act with the control of any members of the Public Services in India (see paragraph 187) he will be required to lay before his advisers, and to obtain the concurrence of the majority of them to, any draft of rules which he proposes to make under the Constitution Act for the purpose of regulating conditions of service, and any order which he proposes to make upon an appeal admissible to him under the Constitution Act from any such member.

PART VI.

THE PUBLIC SERVICES.

General.

180. Every person employed under the Crown in India will be given a full indemnity against civil and criminal proceedings in respect of all acts before the commencement of the Constitution Act done in good faith and done or purported to be done in the execution of his duty.

181. Every person employed in a civil capacity under the Crown in India will hold office during His Majesty's pleasure, but he will not be liable to dismissal by any authority subordinate to the authority by whom he was appointed; or to dismissal or reduction without being given formal notice of any charge made against him and an opportunity of defending himself, unless he has been convicted in a criminal court or has absconded.

Persons appointed by the Secretary of State in Council before the commencement of the Constitution Act, and persons to be appointed by the Secretary of State thereafter.

182. Every person appointed by the Secretary of State in Council before the commencement of the Constitution Act will continue to enjoy all service rights possessed by him at that date or will receive such compensation for the loss of any of them as the Secretary of State may consider just and equitable. The Secretary of State will also be empowered to award compensation in any other case in which he considers it to be just and equitable that compensation should be awarded.

A summary of the principal existing service rights of persons appointed by the Secretary of State in Council is set out in Appendix VII, Part I.* These rights will be in part embodied in the Constitution Act and in part provided for by rules made by the Secretary of State.

†183. The Secretary of State will after the commencement of the Act make appointments to the Indian Civil Service, the Indian Police and the Ecclesiastical Department.‡ The conditions of all persons so appointed, including conditions as to pay and allowances, pensions, and discipline and conduct, will be regulated by rules made by the Secretary of State. It is intended that these rules shall in substance be the same as those now applicable in the case of persons appointed by the Secretary of State in Council before the commencement of the Act.

184. Every person appointed by the Secretary of State will continue to enjoy all service rights existing as at the date of his appointment, or will receive such compensation for the loss of any of them as the Secretary of State may consider just and equitable. The Secretary of State will also be empowered to award compensation to any such person in any other case in which he considers it to be just and equitable that compensation should be awarded.

185. The Secretary of State will be required to make rules regulating the number and character of civil posts to be held by persons appointed by the Crown, by the Secretary of State in Council or by the Secretary of State, and prohibiting the filling of any post declared to be a reserved post otherwise than by the appointment of one of those persons, or the

*The rights referred to in items 14,15 and 16 of this Appendix will be extended to persons appointed by the Secretary of State in Council before the commencement of the Constitution Act and to persons appointed by the Secretary of State thereafter, serving under the Federal Government, the Governor-General being substituted for the Governor.

† Under existing conditions the personnel required for External Affairs and for conducting relations with the States belong to a common department—the Indian Foreign and Political Department. After the commencement of the Constitution Act, the latter will be under the Viceroy and their recruitment will be controlled by His Majesty's Government. The personnel of the Department of External Affairs will be under the Governor-General, who will himself direct and control that Department. The method of recruitment to it has not yet been determined by His Majesty's Government. For some time at any rate it may, for practical reasons, be found desirable to make the two departments interchangeable.

‡ See also the end of paragraph 72 of the Introduction.

keeping vacant of any reserved post for a period longer than three months without the previous sanction of the Secretary of State or save under conditions prescribed by him.

186. Conditions in regard to pensions and analogous rights will be regulated in accordance with the rules in force at the date of the Constitution Act and the Secretary of State will have no power to make any amending rules varying any of these conditions so as to affect adversely the pensions, etc., of any person appointed before the variation is made. An award of pension less than the maximum pension admissible will require the consent of the Secretary of State.

Claims in respect of pensions will be against the Federal Government only; it will be for the Federal Government to make any necessary adjustments with the Provinces. The pensions of all persons appointed before the commencement of the Constitution Act will be exempt from Indian taxation if the pensioner is residing permanently outside India. The pensions of persons appointed by the Secretary of State or by the Crown after that date will also be exempt from Indian taxation if the pensioner is residing permanently outside India.

187. The existing rule-making powers of the Secretary of State in Council will continue to be exercised by the Secretary of State in respect of persons appointed by the Secretary of State in Council or to be appointed by the Secretary of State until His Majesty by Order in Council made on an Address of both Houses of Parliament designates another authority for the purpose. Any rule made by the Secretary of State will require the approval of the Secretary of State's Advisory Council, unless and until both Houses of Parliament by resolution otherwise determine.

188. Provision will be made whereby any person appointed by the Crown who is or has been serving in India in a civil capacity and any person who, though not appointed by the Secretary of State in Council before the commencement of the Constitution Act, or by the Secretary of State after its commencement, holds or has held a post borne on the cadre of the Indian Civil Service, may be given such of the rights and conditions of service and employment of persons appointed by the Secretary of State in Council or by the Secretary of State, as the Secretary of State may decide to be applicable to his case.

189. A statement of the vacancies in, and the recruitment made to the Services and Departments to which the Secretary of State will appoint after the commencement of the Constitution Act will be laid annually before both Houses of Parliament.

See J.P.C. R. Pt. I Vol. I (1934) pp. 183-84.

At the expiration of five years from the commencement of the Constitution Act, a statutory enquiry will be held into the question of future recruitment for those Services, except the Foreign Department and the Ecclesiastical Department. The decision on the results of this enquiry, with which the Governments in India concerned will be associated, will rest with His Majesty's Government, and be subject to the approval of both Houses of Parliament.

Persons appointed or to be appointed otherwise than by the Secretary of State in Council or the Secretary of State.

190. The Federal and Provincial Governments respectively will appoint and, subject to the following paragraphs, determine the conditions of service of all persons in the Federal and Provincial services other than persons appointed by the Crown, by the Secretary of State in Council, or by the Secretary of State.

191. Every person in those Services at the commencement of the Constitution Act will continue to enjoy all service rights existing as at that date. A summary of the principal existing rights is set out in Appendix VII, Part II.

192. No person appointed by an authority other than the Secretary of State in Council who was serving in India in a civil capacity before the commencement of the Constitution Act will have his conditions of service in respect of pay, allowances, pension or any other matter, adversely affected, save by an authority in India competent to pass such an order on the 8th March 1926, or with the sanction of such authority as the Secretary of State may direct.

193. No rule or order of the Federal or a Provincial Government affecting emoluments, pensions, provident funds, or gratuities, and no order upon a memorial will be made or passed to the disadvantage of an officer appointed to a Central Service, Class I, or to a Provincial Service, before the commencement of the Act, without the personal concurrence of the Governor-General or the Governor, as the case may be. No post in a Central Service, Class I, or any Provincial Service shall be brought under reduction, if such reduction would adversely affect any person who, at the commencement of the Constitution Act, was a member of those services, without the sanction of the Governor-General or the Governor, as the case may be, or, in the case of any person appointed by the Crown or by the Secretary of State in Council, of the Secretary of State.

194. Every person, whether appointed before or after the commencement of the Constitution Act, who is serving in a civil capacity in a whole-time permanent appointment, will be entitled to one appeal against any order of censure or punishment, or against any order affecting adversely any conditions of service, pay, allowances, or pension, or any contract of service, other than an order made by the Federal Government in the case of officers serving under the control of that Government, or an order made by a Provincial Government in the case of officers serving under the control of Provincial Governments.

Public Service Commissions.

195. There will be a Federal Public Service Commission and a Provincial Public Service Commission for each Province; but by agreement the same Provincial Commission will be enabled to serve two or more Provinces jointly.

196. The members of the Federal Public Service Commission will be appointed by the Secretary of State, who will also determine their number, tenure of office, and conditions of service, including pay, allowances, and pensions, if any. The Chairman at the expiration of his term of office will be ineligible for further office under the Crown in India ; the other members will be eligible for appointment as Chairman of the Federal Commission or as Chairman of a Provincial Commission, and their eligibility for other appointments under the Crown in India will be subject to regulations made by the Secretary of State.

197. The members of a Provincial Public Service Commission will be appointed by the Governor, who will also determine at his discretion their number, tenure of office, and conditions of service, including pay, allowances, and pensions, if any. The Chairman at the expiration of his term of office will be ineligible for further office under the Crown in India, save as Chairman or member of the Federal Public Service Commission. The other members will be eligible for appointment as Chairman or members of the Federal Commission or of any Provincial Commission, and their eligibility for other appointments under the Crown in India will be subject to regulations made by the Governor.

198. The emoluments of the members of all Public Service Commissions will not be subject to the vote of the Legislatures.

199. The Federal and Provincial Public Service Commissions will conduct all competitive examinations for appointments to Federal and Provincial Services respectively. The Governments will be required to consult them on all matters relating to methods of recruitment, on appointments by selection, on promotions, and on transfers from one service to another, and the Commissions will advise as to the suitability of candidates for such appointments, promotions or transfers.

200. The Federal and Provincial Governments will also be required, subject to such exceptions (if any) as may be specified in regulations to be made by the Secretary of State or a Governor, as the case may be, to consult the Public Service Commissions in connection with all disciplinary orders (other than an order for suspension) affecting persons in the Public Services in cases which are submitted to the Governments for orders in the exercise of their original or appellate powers ; in connection with any claim by an officer that a Government should bear the costs of his defence in legal proceedings against him in respect of acts done in his official capacity ; and in connection with any other class of case specified by regulations made from time to time by the Secretary of State or a Governor, as the case may be. But no regulations made by a Governor will be able to confer powers on a Provincial Commission in relation to any person appointed by the Secretary of State without the assent of the Secretary of State, or, in relation to any other person who is not a member of one of the Provincial Services, of the Governor General.

201. The Federal and Provincial Governments will be empowered to refer to the appropriate Commission for advice any case, petition, or memorial, if they think fit to do so ; and the Secretary of State will be empowered to refer to the Federal Commission any matter relating to persons appointed by him on which he may desire to have the opinion of the Commission.

PART VII.

TRANSITORY PROVISIONS.

*202. The Constitution Act, though treating the Federation as a whole, will contain provisions enabling the Provincial Constitutions for which it provides to be brought into being if necessary before the Constitution as a whole comes into being. Transitory provisions, also to be included in the Constitution Act, will enable in that event temporary modifications to be made in the provisions of the Constitution Act for the purpose of continuing the existence of the present Indian Legislature, of removing the limit to the number of Counsellors whom the Governor-General may appoint, of placing the administration of all departments of the Central Government under the Governor-General's exclusive control, and of suspending the operation of the provisions relating to the Council of Ministers. Broadly stated, the effect of these transitory provisions will be that the executive of the Central Government, though necessarily deprived of much of its present range of authority in the Provinces, would for the time being be placed in substantially the same position as that occupied by the Governor-General in Council under the existing Act.

* This paragraph should be read in relation to paragraphs 12 and 13 of the Introduction.

APPENDIX I.

Composition of and Method of Election to the British India Side of the Federal Council of State.

(*See paragraph 18 of the Introduction and paragraph 26 of the Proposals.*)

The British India seats in the Council of State will be filled in the following manner: 136 seats will be filled by election by means of the single transferable vote by the members of the Provincial Legislatures, the number of seats elected by each being as follows:—

Madras, Bombay, Bengal, United Provinces, Punjab and Bihar	18 each.
Central Provinces (with Berar)*	8.
Assam, North-West Frontier Province, Sind and Orissa...	5 each.

In Provinces where there is an Upper Chamber, its members will participate jointly with the members of the Provincial Assembly for the purpose of election to the Council of State.

Indian Christian, Anglo-Indian and European members of the Provincial Legislatures will not be entitled to vote in the elections for the above-mentioned seats in the Council of State. Ten non-Provincial communal seats will be reserved in the Council of State, 7 for Europeans, 2 for Indian Christians, 1 for Anglo-Indians, these seats being filled by election by three electoral colleges, consisting respectively of the European, Indian Christian and Anglo-Indian members of the above-mentioned Provincial Legislatures, voting for the European and Indian Christian seats being by the method of the single transferable vote.

One seat each will be provided in the Council of State for Coorg, Ajmer, Delhi and Baluchistan. Members of the Coorg Legislature will elect to the Coorg seat. Special provision will be made for election in the other three of these Chief Commissioners' Provinces. (It may be necessary to resort to nomination in the case of Baluchistan.)

*See paragraph 45 of Introduction.

APPENDIX II.

Federal Assembly: British India Side.

(See paragraph 17 of the Introduction and paragraph 29 of the Proposals.)

The British India side of the Federal Assembly will be composed as shown in the annexed table. The constituencies will all be provincial, except for the four seats shown in the table as non-provincial.

Election to the seats allotted to the Sikh, Muslim, Indian Christian, Anglo-Indian and European constituencies will be by voters voting in separate communal electorates. All qualified voters who are not voters in one of these constituencies will be entitled to vote in a general constituency.

Seats will be "reserved" for the Depressed Classes out of the general seats to the extent indicated in the table. Election to these seats will be by joint electorates in plural-member constituencies, subject to the following procedure: All members of the Depressed Classes registered in the general electoral roll of a constituency will form an electoral college, which will elect a panel of four candidates belonging to the Depressed Classes for each of such reserved seats by the method of the single vote, and the four persons getting the highest number of votes in such primary election will be the only candidates for election by the general electorate qualified for the reserved seat.

Election to the woman's seat in each of the provinces to which one is allocated will be by the members of the Provincial Legislature voting by means of the single transferable vote.

The special seats allotted to Commerce and Industry will be filled by election by Chambers of Commerce and other similar associations.

The special seats allotted to Landholders will be filled by election in special landholders' constituencies.

The special seats allotted to Labour will be filled from non-communal constituencies; the electoral arrangements have still to be determined.

APPENDIX II—(*continued*).

Composition of Federal Assembly (British India side).

ovince (and opulation in Millions).	Total.	General.	Number of General Seats Reserved for Depressed Classes.	Sikh.	Muslim.	Indian Christian.	Anglo-Indian.	European.	Women, Special.	Commerce and Industry, Special.‡	Landholders, Special.	Lal Spe
s (45·6) .	37	19	4	0	8	2	1	1	2	2	1	
y (18·0) .	30	13	2	0	6	1	1	1	2	3	1	
(50·1) .	37	10	3	0	17	1	1	1	1	3	1	
48·4) .	37	19	3	0	12	1	1	1	1	0	1	
(23·6). .	30	6	1	6	14	1	0	1	1	0	1	
32·4) .	30	16	2	0	9	1	0	1	1	0	1	
ith Berar§) (15·5)	15	9	2	0	3	0	0	0	1	0	1	
(8·6) . .	10	4	1	0	3	1	0	1	0	0	0	
F. P. (2·4) .	5	1	0	0	4	0	0	0	0	0	0	
·9) . .	5	1	0	0	3	0	0	1	0	0	0	
6·7) . .	5	4	1	0	1	0	0	0	0	0	0	
·6) . .	2	1	0	0	1	0	0	0	0	0	0	
0·6) . .	1*	1	0	0	0	0	0	0	0	0	0	
·2) . .	1*	1	0	0	0	0	0	0	0	0	0	
istan‖ (0·5) .	1*	0	0	0	1	0	0	0	0	0	0	
ovincial . .	4	0	0	0	0	0	0	0	0	3†	0	
Total (257·1) .	250	105	19	6	82	8	4	8	9	11	7	

Non-communal seats.

These 3 seats are to be filled by (1) Associated Chambers of Commerce, (2) Federated Chambers of Commerce, (3) Northern Indi
nercial Bodies.

The composition of the bodies through which election to these seats will be conducted will not be statutorily fixed. It
dingly not possible to state with certainty how many Europeans and Indians respectively will be returned. It is, howeve
ted that initially the numbers will be approximately 6 Europeans and 5 Indians.

See paragraph 45 of Introduction.

t may be necessary to resort to nomination in the case of Baluchistan.

APPENDIX III.

PART I.

Provincial Legislative Assemblies.

(*See paragraph 49 of Introduction and paragraph 78 of the Proposals.*)

1. Seats in the Legislative Assemblies in the Governors' Provinces will be allocated as shown in the annexed table.

2. Election to the seats allotted to Muhammadan, European and Sikh constituencies will be by voters voting in separate communal electorates covering between them the whole area of the Province (apart from any portions which may in special cases be excluded from the electoral area as "backward").

3. All qualified electors, who are not voters either in a Muhammadan, Sikh, Indian Christian (see paragraph 5 below), Anglo-Indian (see paragraph 6 below) or European constituency, will be entitled to vote in a general constituency.

4. Seats will be reserved for the Depressed Classes out of the general seats to the extent indicated in the table. Election to these seats will be by joint electorates, in plural member constituencies, subject to the following procedure: All members of the Depressed Classses registered in the general electoral roll of a constituency will form an electoral college which will elect a panel of four candidates belonging to the Depressed Classes for each of such reserved seats by the method of the single vote, and the four persons getting the highest number of votes in such primary election shall be the only candidates for election by the general electorate who are qualified for the reserved seats.

5. Election to the seats allotted to Indian Christians will be by voters voting in separate communal electorates. It seems almost certain that practical difficulties will, except possibly in Madras, prevent the formation of Indian Christian constituencies covering the whole area of the Province, and that accordingly special Indian Christian constituencies will have to be formed only in one or two selected areas in the Province. Indian Christian voters in these areas will not vote in a general constituency. Indian Christian voters outside these areas will vote in a general constituency. Special arrangements may be needed in Bihar, where a considerable proportion of the Indian Christian community belong to the aboriginal tribes.

6. Election to the seats allotted to Anglo-Indians will be by voters voting in separate communal electorates. It is intended, subject to investigation of any practical difficulties that may arise, that the Anglo-Indian constituencies shall cover the whole area of each Province, a postal ballot being employed.

7. The method of filling the seats assigned for representatives from backward areas is still under investigation, and the number of seats so assigned should be regarded as provisional.

8. The precise electoral machinery to be employed in the constituencies for the special women's seats is still under consideration.

9. The seats allotted to "Labour" will be filled from non-communal constituencies. The electoral arrangements have still to be determined, but it is likely that in most Provinces the Labour constituencies will be partly trade union and partly special constituencies.

10. The special seats allotted to Commerce and Industry, Mining and Planting will be filled by election through Chambers of Commerce and various Associations. The details of the electoral arrangements for these seats must await further investigation.

11. The special seats allotted to Landholders will be filled by election by special Landholders' constituencies.

12. The method to be employed for election to the University seats is still under consideration.

Part II.

Provincial Legislative Councils.

(*See paragraph 49 of Introduction and paragraph 80 of the Proposals.*)

The Legislative Councils (Upper Chambers) in the Provinces of Bengal, United Provinces and Bihar, will be constituted as follows:—

Bengal.—Total seats—65.

10 nominated by the Governor in his discretion.
(Serving officials will not be eligible for nomination.)

27 elected by method of the single transferable vote by the members of the Bengal Legislative Assembly.

17 directly elected from constituencies for which only Muslim voters will be qualified.

1 directly elected from constituencies for which only European voters will be qualified.

12 directly elected from general constituencies in which all qualified voters other than Muslims and Europeans will be entitled to vote.

The United Provinces.—Total seats—60.

9 nominated by the Governor in his discretion.
(Serving officials will not be eligible for nomination.)

17 directly elected from constituencies for which only Muslim voters will be qualified.

34 directly elected from general constituencies for which all qualified voters other than Muslims will be entitled to vote.

Bihar.—Total seats—30.

5 nominated by the Governor in his discretion.
(Serving officials will not be eligible for nomination.)

12 elected by method of the single transferable vote by the members of the Bihar Legislative Assembly.

4 directly elected from constituencies for which only Muslim voters will be qualified.

9 directly elected from general constituencies for which all qualified voters other than Muslims will be entitled to vote.

APPENDIX III (PART I)—(*continued*).

Composition of Provincial Legislative Assemblies (Lower Houses).

Province. lation in Millions n in brackets.)	General.	Number of General Seats Reserved for Depressed Classes.	Representatives from Backward Areas.	Sikh.	Muhammadan.	Indian Christian.	Anglo-Indian.	European.	Commerce and Industry, Mining and Planting. Special (*a*).	Landholders, Special.	University, Special.	Labour, Special.
s (45·6) .	152 (including 6 women)	30	1	0	29 (including 1 woman)	9 (including 1 woman)	2	3	6	6	1	6
y (18·0) .	119 (*b*) (including 5 women)	15	1	0	30 (including 1 woman)	3	2	3	7	2	1	7
(50·1) .	80 (including 2 women)	30	0	0	119 (including 2 women)	2	4 (including 1 woman)	11	19	5	2	8
Provinces (48·4)	114 (including 4 women)	20	0	0	66 (including 2 women)	2	1	2	3	6	1	3
(23·6) . .	43 (including 1 woman)	8	0	32 (including 1 woman)	86 (including 2 women)	2	1	1	1	5(*c*)	1	3
32·4) . .	89 (including 3 women)	15	7	0	40 (including 1 woman)	1	1	2	4	4	1	3
Provinces Berar (*e*)] (15·5)	87 (including 3 women)	20	1	0	14	0	1	1	2	3	1	2
(8·6) . .	48(*d*) (including 1 woman)	7	9	0	34	1	0	1	11	0	0	4
West Frontier ince (2·4)	9	0	0	3	36	0	0	0	0	2	0	0
·9) . .	19 (including 1 woman)	0	0	0	34 (including 1 woman)	0	0	2	2	2	0	1
(6·7) . .	49 (including 2 women)	7	2	0	4	1	0	0	1	2	0	1

The composition of the bodies through which election to these seats will be conducted, though in most cases either predominantly European or predomi will not be statutorily fixed. It is, accordingly, not possible in each province to state with certainty how many Europeans and Indians respectively w . It is, however, expected that, initially, the numbers will be approximately as follows:—Madras, 4 Europeans, 2 Indians; Bombay, 4 Europeans, 3 In 14 Europeans, 5 Indians; United Provinces, 2 Europeans, 1 Indian; Punjab, 1 Indian; Bihar, 2 Europeans, 2 Indians; Central Provinces (with I an, 1 Indian; Assam, 3 Europeans, 3 Indians; Sind, 1 European, 1 Indian; Orissa, 1 Indian.

even of these seats will be reserved for Mahrattas.

ne of these seats is a Tumandar's seat. The four Landholders' seats will be filled from special constituencies with joint electorates. It is probable, fro ion of the electorate, that the members returned will be 1 Hindu, 1 Sikh and 2 Muhammadans.

This woman's seat will be filled from a non-communal constituency at Shillong.

See paragraph 45 of Introduction.

APPENDICES IV AND V.

FRANCHISE.

Introductory Note.

1. The qualifications proposed for the Franchise for the Provincial Legislatures and for the seats allotted to the provinces of British India in the Federal House of Assembly are set out in the Schedules which follow. It should be emphasised that the qualifications in question are necessarily subject to modification in details on the preparation of an electoral roll. They are essentially based on the existing franchise qualifications for legislative or municipal bodies.

2. *General qualifications.*—Apart from the qualification of race, community, or religion, in the case of certain seats, voters in respect of any of the qualifications shown in these schedules must be British subjects, must have attained the age of 21 years, and, save in the case of certain special constituencies, must reside in the constituency in which they claim to vote.

3. For the first two elections under the new constitution, and thereafter unless and until a local Government modifies this requirement in respect of the area under its control, claimants in respect of an educational qualification, or of property held by a husband, will be required to make application to be entered on the electoral roll to the returning officer. The proportion of women to men in the electorate will depend upon the number of women who are actually registered under the qualifications in question. There are practical difficulties in placing on returning officers the whole responsibility for the registration of those qualifications. But His Majesty's Government are very anxious to secure that the proportion of women electors should be adequate and further consideration of the above arrangements may be necessary.

4. *The Scheduled Castes (Depressed Classes).*—It is the intention of His Majesty's Government to make provision for the inclusion on the Electoral rolls for the Provincial Legislative Assemblies of approximately 10 per cent. of the population of the Depressed Classes (whom it is proposed in future to designate Scheduled Castes) in all Provinces save Bihar and Orissa (where the percentage will be in the neighbourhood of 7 per cent.) and the North-West Frontier Province and Sind, where the numbers of the Scheduled Castes are negligible. In the case of the Federal House of Assembly, the approximate general percentage aimed at is 2 per cent. (save in the case of Bihar and Orissa and of the North-West Frontier Province and Sind). Certain provinces are satisfied that it will be possible to attain these percentages under the operation of the general franchise qualifications. In certain other provinces it appears open to question whether this will be the case, and, if on the preparation of the Electoral Roll a marked deficiency is found to exist, special steps to make it up will be called for. The differential franchise contemplated in such circumstances by certain provinces is provisionally included in the Schedules which follow. The Scheduled Castes are enumerated by Provinces in Appendix VIII.

5. *The Educational Qualification.*—Owing to the marked differences in the educational system in different provinces, and the absence of records which could be used to support a claim to an educational qualification in certain cases, it has proved impossible to lay down any common educational standard for the provincial legislatures which would apply to the whole of India, and in certain provinces it has

been found necessary to fix a standard identical with that laid down for the Federal House of Assembly. His Majesty's Government, in accepting in these circumstances a high educational standard as an electoral qualification for certain provincial legislatures, do so with the reservation that it shall be open to the Local Governments concerned to lower it once the administrative difficulties involved are overcome.

6. *Sind and Orissa.*—While it has been decided that Sind and Orissa shall be established as separate provinces, the framing of a detailed scheme for the franchise for the Provincial Legislative Assembly in those provinces has not yet been completed. While the franchises in question will probably closely resemble (allowance being made for the special conditions of the new provinces) those laid down in the Schedules which follow for Bombay and Bihar and Orissa respectively, it has been thought preferable at the present stage to make no specific provision for either Sind or Orissa in the Schedules.

7. *Special Constituencies.*—In the interest of presenting as complete a picture as possible of the franchise qualifications proposed, the Schedules which follow set out in detail the *existing* qualifications for the various Special Constituencies (representing Landholders, Commerce, Industry, Mining, Planting, Universities) in each province in the case of the Provincial and Federal Legislatures alike. The qualifications in question should, however, be regarded as provisional, pending the closer investigation of the existing electorates for these seats which is contemplated at the stage of the general delimitation of constituencies. Pending further investigation at the same stage no specific proposals are included in the Schedules in respect of the seats now for the first time assigned to Labour in the Provincial and Federal Legislatures and to Backward areas in certain provincial legislatures, or of certain other constituencies to be brought into being consequent on the Communal decision. Nor has any separate provision been made for the special seats reserved for women. Election to those seats in the Provincial Legislatures will be on the basis of the general franchise qualifications; while election in the case of the Federal Lower House will be by members of Provincial Legislatures.

APPENDIX IV.

Franchise for the British-Indian seats in the House of Assembly.

I.—Madras.
II.—Bombay.‡
III.—Bengal.
IV.—United Provinces.
V.—Punjab.
VI.—Bihar and Orissa.‡
VII.—Central Provinces with Berar.¶
VIII.—Assam.
IX.—North-West Frontier Province.
X.—Delhi.
XI.—Ajmer-Merwara.
XII.—Coorg.
XIII.—British Baluchistan.
XIV.—Non-Provincial Special Constituencies.

I.—Madras.

1.—*Qualifications* for Electors for Constituencies other than special constituencies.*

(*a*) Payment of not less than Rs. 3 per annum taxation in a municipality in respect of property, company, or profession tax.

(*b*) Holding of land of annual rental value of Rs. 10.

(*c*) *In urban constituencies*—

(i) payment of property tax, company tax, or profession tax (subject to a minimum of Rs. 3, save in the case of Madras City),

(ii) in Madras City only, occupation of a house of rental value of Rs. 60.

(*d*) Assessment to income tax.

(*e*) Having passed the examination for Matriculation or for the Secondary School Leaving Certificate or an examination accepted as its equivalent by the Local Government.

(*f*) Being a retired, pensioned or discharged officer, non-commissioned officer, or soldier of His Majesty's Regular Forces.

(*g*) The differential qualifications to be prescribed in order to produce an electorate of approximately 2 per cent. of the population of the Scheduled Castes are under consideration.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

‡See paragraph 6 of the Introductory Note to Appendices IV and V.

¶See Introduction, paragraph 45.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders.*†—Registration on the electoral roll of any Landholders' constituency in the Madras Provincial Legislative Council.

(*b*) *Indian Commerce*† (South India Chamber of Commerce).—Every Indian, and one duly authorised representative of every Indian partnership, if he or the partnership, as the case may be, has been assessed to income tax in the previous year on an income of not less than Rs. 10,000 derived from business within the meaning of the Indian Income Tax Act, 1922.

(*c*) *Madras Chamber of Commerce.*—Being a member of the Chamber with a place of residence in India.§

(*d*) *Labour.*—The question of the method of election and the franchise are under consideration.

II.—Bombay.

1.—*Qualifications* of Electors in Constituencies other than special constituencies.*

(*a*) *In rural areas—*

(i) The ownership or occupation of land assessed at Rs. 32 land revenue (Rs. 16 in the Upper Sind Frontier, the Panch Mahals, and the Ratnagiri districts).

(ii) Occupation as owner or tenant in any municipal district, cantonment, or notified area in the constituency, of a building or part of a building separately occupied of an annual rental value of not less than Rs. 36 in Sind, or in any other constituency where tax is based on the annual rental value of houses or buildings of an annual rental value of not less than Rs. 24 in the Panch Mahals and Ratnagiri districts and Rs. 36 elsewhere, or, where no such tax is leviable, of a capital value of not less than Rs. 1,000 in the Panch Mahals and Ratnagiri Districts and Rs. 1,500 elsewhere.

(iii) Being the alienee of the right of Government to the payment of rent or land revenue, or a Khot or sharer in a Khoti village or a sharer in a bhagdari or narvadari village responsible for the payment of land revenue, subject in all cases to the minima set out in (i) and (ii) above.

(*b*) *In Bombay City and other urban areas.*—Occupation as owner or tenant of a building of the annual rental value of not less than Rs. 120 in Bombay, Rs. 60 in Karachi; and in any other urban constituency where any tax is based on the annual rental value of houses or buildings of an annual rental value of not less than Rs. 36 or, where no tax so based is levied, a capital value of not less than Rs. 1,500.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of the Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation in connection with the general delimitation of constituencies, they should be regarded as provisional.

§Provisional.

(*c*) Assessment to income tax.

(*d*) Having passed the examination for Matriculation or for the School-leaving Certificate or an examination accepted as the equivalent thereof by the Local Government.

(*e*) Being a retired, pensioned, or discharged officer, non-commissioned officer or soldier of His Majesty's Regular Forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) Being a First or Second-Class Jagirdar in Sind, or a Zamindar, who, in each of the three revenue years preceding the publication of the electoral roll, has paid not less than Rs. 1,000 land revenue on land in Sind.

(ii) For the Deccan and Gujerat Sardars and Inamdars constituency, entry on the list for the time being in force under Bombay Government, Political Department, Resolutions 2363 of the 23rd July, 1867, and 6265 of the 1st April, 1909, *or* being the sole alienee of the right of Government to land revenue in respect of an entire village in the presidency of Bombay, excluding Sind and Aden, *or* being the sole holder on talukdari tenure of such a village.

(*b*) *Indian Commerce.*†—Members of the Indian Merchants' Chamber and Bureau of the Bombay Millowners' Association, and of the Ahmedabad Millowners' Association, are qualified as electors respectively for the constituency comprising the Association of which they are members.

(*c*) *European Commerce.*†‡—Being a member of the Bombay Chamber of Commerce having a residence in India.

(*d*) *Labour.*—The question of the method of election and the franchise is under consideration.

III.—Bengal.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of not less than Rs. 1-8-0 per annum in Municipal or cantonment taxes (Rs. 3 in the Howrah Municipality).

(*b*) Payment of Re. 1 per annum or over as road or public works cess or Rs. 2 Chaukidari tax (under the Village Chaukidari Act, 1870), or Union rate (under the Bengal Village Self-Government Act, 1919).

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of the Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation in connection with the general delimitation of constituencies, should be regarded as provisional.

‡This constituency is at present a Council of State constituency, but will be transferred to the Lower House of the new Federal Legislature.

(*c*) *In Calcutta*—

(i) Ownership and occupancy of land or building assessed at Rs. 150 per annum.

(ii) Ownership or occupancy of land or building assessed at Rs. 300 per annum.

(iii) Payment of Rs. 24 per annum or over as corporation tax.

(*d*) Assessment to Income tax (or, in Calcutta only, being a member of a firm assessed to income tax whose share of the firm's income on which income tax was so assessed is certified to have been not less than the minimum on which tax is leviable).

(*e*) Having passed the examination for Matriculation or for the School-leaving Certificate or an examination accepted by the Local Government as the equivalent thereof.

(*f*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's Regular Forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) In the Burdwan and Presidency Divisions proprietorship of property assessed to land revenue of not less than Rs. 6,000, or road and public works cesses of not less than Rs. 1,500.

(ii) In the Dacca, Rajshahi, and Chittagong Divisions proprietorship in own right, or tenure direct from such a proprietor, of property assessed to land revenue of not less than Rs. 4,000, or road and public works cesses of not less than Rs. 1,000.

(*b*) *Commerce*—

(i) † Membership of Bengal National Chamber of Commerce, the Marwari Association or the Bengal Mahajan Sabha.

(ii) Bengal Chamber of Commerce.†‡ Having a place of residence in India, and being a Chamber member of the Bengal Chamber of Commerce, or a person entitled to exercise the rights and privileges of Chamber membership on behalf of and in the name of any firm, company or other corporation.

(iii) Jute Mills Associations Constituency. The question of the method of election to and the franchise for the new seat to be created is under consideration.

(*c*) *Labour*.—The question of the method of election and the franchise is under consideration.

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†See paragraph 7 of the Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation in connection with the general delimitation of constituencies, should be regarded as provisional.

‡This is at present a Council of State constituency, but will be transferred to the Lower House of the new Federal Legislature.

IV.—United Provinces.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Ownership or tenancy of a building of rental value of not less than Rs. 36 per annum.

(*b*) Payment of Municipal tax on an income of not less than Rs. 200 per annum.

(*c*) Ownership of land paying or assessed to not less than Rs. 25 per annum land revenue.

(*d*) Payment of rent of not less than Rs. 25 per annum as a permanent tenure holder or a fixed rate tenant as defined in the Agra Tenancy Act, 1901, or an under-proprietor or occupancy tenant as defined in the Oudh Rent Act, 1886.

(*e*) In the hill pattis of Kumaon ownership of a fee-simple estate or assessment to payment of land revenue or cesses of any amount, or being a Khaikar.

(*f*) Being a tenant (other than a sub-tenant) as defined in the Agra Tenancy Act, 1901, or the Oudh Rent Act, 1886, paying rent of not less than Rs. 50 per annum or its equivalent in kind, or over.

(*g*) Assessment to income tax.

(*h*) Having passed the Matriculation or School-leaving Certificate examination, or an examination accepted by the Local Government as the equivalent thereof.

(*i*) Being a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's Regular Forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders.*—Land revenue of not less than Rs. 5,000 per annum.†

(*b*) *Labour.*—The question of the method of election and the franchise is under consideration.

V.—Punjab.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Ownership of immovable property, not being land assessed to land revenue, of a value of not less than Rs. 4,000 or an annual rental value of not less than Rs. 96, or tenancy of such property of an annual rental value of not less than Rs. 96.

(*b*) Payment of direct municipal or cantonment taxes of Rs. 50 or over.

(*c*) Ownership or tenancy with right of occupancy as defined in Chapter II, Punjab Tenancy Act, 1887, of land paying land revenue of Rs. 25 or over.

(*d*) Tenancy of Crown land on a lease of not less than 3 years rented at Rs. 25 per annum or over.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

† See paragraph 7 of the Introductory Note to Appendices IV and V. The qualification shown is the existing qualification, but, pending closer examination in connection with the general delimitation of constituencies, it should be regarded as provisional.

(*e*) Being the assignee of land revenue amounting to not less than Rs. 50 per annum.

(*f*) Being a village officer or headman (Zaildar, inamdar, sufedposh or lambardar) in the constituency.

(*g*) Assessment to income tax.

(*h*) Having passed the examination for Matriculation or for the School-leaving certificate or an examination accepted by the Local Government as the equivalent thereof.

(*i*) Being a retired, pensioned, or discharged officer, non-commissioned officer or soldier of His Majesty's Regular Forces.

(*j*) *Scheduled Castes.*—The differential qualifications to be prescribed in order to produce an electorate of approximately 2 per cent. of the population of the Scheduled Castes are under consideration.

2. *Franchise for Special Constituencies.*

Landholders†—

(i) Ownership of land assessed to land revenue of not less than Rs. 1,000 per annum.

(ii) Being the assignee of land revenue of not less than Rs. 1,000 per annum.

VI.—Bihar and Orissa.

1. *Qualifications* of Electors for Constituencies other than Special Constituencies.*

(*a*) In all Rural Areas of the province except the districts of Sambalpur and the Santal Parganas and the Khondmals sub-division of Angul, payment of Chaukidari tax at the rate [save in the case of the Scheduled Castes (see (*h*) below)] of not less than Rs. 2-8-0 annually.

(*b*) In Sambalpur and the Santal Parganas—

(i) holding of an estate or estates or portion or portions thereof for which a separate account has been opened, paying an aggregate amount of not less than Rs. 12 per annum local cess, *or*

(ii) tenure of land assessed for purposes of local cess to an aggregate amount of not less than Rs. 100 per annum, *or*

(iii) holding of land as a raiyat liable to an annual aggregate rent or local cess amounting respectively to Rs. 24 and to As. 12 in constituencies in the Santal Parganas, and to Rs. 48 and Rs. 1-8-0 respectively in Sambalpur, *or*

(iv) assessment to not less than Rs. 1-8-0 under § 118-C of the Bengal Local Self-Government Act, 1885, or § 47 of the Bihar and Orissa Village Administration Act, 1922.

(*c*) *Khondmals Sub-division.*—The basis and method of enfranchisement is still under investigation.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of the Introductory Note to Appendices IV and V. The qualification shown is the existing qualification, but, pending closer examination in connection with the general delimitation of constituencies, it should be regarded as provisional.

(*d*) *Urban Areas.*—Save in the Jamshedpur urban area, for which a special franchise is under consideration, payment of municipal or cantonment rates or taxes to an aggregate amount of not less than Rs. 3.

(*e*) Assessment to income tax.

(*f*) Having passed the examination for Matriculation, or for the School-leaving Certificate, or an examination accepted by the Local Government as the equivalent thereof.

(*g*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's Regular Forces.

(*h*) *Scheduled Castes.*—Payment of Chaukidari tax of not less than Rs. 1-4-0 in rural areas.‡

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†.—Assessment to land revenue or local cess to an aggregate annual amount of not less than Rs. 10,000 or Rs. 2,500 respectively.

(*b*) *Labour.*—The question of the method of election and the franchise is under consideration.

VII.—Central Provinces with Berar.§§

1. *Qualifications* of Electors for Constituencies other than Special Constituencies.*

(*a*) *For classes other than the Scheduled Castes.*

(i) *Rural Areas.*—Payment of a rent or revenue of Rs. 20 or over.

(ii) *Urban Areas.*—Occupation of a house of rental value of Rs. 30 or payment of an equivalent Haisiyat.

(*b*) *For the Scheduled Castes.*

(i) In rural areas, payment of a rent or revenue of Rs. 10 or over.

(ii) In Urban areas, occupation of a house of a rental value of Rs. 18.

(*c*) Assessment to income tax.

(*d*) Having passed the examination for Matriculation or for the School-leaving Certificate or an examination accepted by the Local Government as the equivalent thereof.

(*e*) Being a retired, pensioned or discharged officer, non-commissioned officer, or soldier of His Majesty's Regular Forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) Holder of a hereditary title recognised by Government, who holds agricultural land in proprietary right; *or*

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of the Introductory Note to Appendices IV and V. The qualification shown is the existing qualification, but, pending closer examination in connection with the general delimitation of sonstituencies, it should be regarded as provisional.

‡Provisional.

§§See Introduction, paragraph 45.

(ii) Being the owner of an estate as defined in § 2 (3) of the Central Provinces Land Revenue Act, 1917; *or*

(iii) Being the holder in proprietary right of land, the land-revenue or Kamil-jama of which is not less than Rs. 5,000.

(*b*) *Labour.*—The question of the method of election and the franchise is under consideration.

VIII.—Assam.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Assessment to an aggregate of not less than Rs. 3 municipal or cantonment rates or taxes (Rs. 2 in the case of the Nowgong, and Rs. 1-8-0 in the case of the Sylhet, Municipality).

(*b*) Assessment to not less than Re. 1 per annum as union or chaukidari tax.

(*c*) Ownership of land assessed to or assessable at land revenue of not less than Rs. 15 per annum.

(*d*) Liability to local rate of not less than Re. 1 per annum.

(*e*) Assessment to Income Tax.

(*f*) Having passed the examination for Matriculation or for the School-leaving Certificate, or an examination accepted by the Local Government as the equivalent thereof.

(*g*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's Regular Forces.

(*h*) *Scheduled Castes.*—Necessity for any special franchise to bring the scheduled caste electorate up to 2 per cent. of the population is under investigation.

2. *Franchise for Special Constituencies.*

Labour.—The question of the method of election and the franchise is under consideration.

IX.—North-West Frontier Province.

Qualifications of Electors.

(*a*) Ownership of immovable property, not being land assessed to land revenue, but including any building on such land, value Rs. 600 or over.

(*b*) Tenancy of immovable property of annual rental value of not less than Rs. 48.

(*c*) Payment of rate, cess, or tax to a District Board of not less than Rs. 4 per annum.

(*d*) Assessment to any direct municipal or cantonment tax of not less than Rs. 50.

(*e*) Income of Rs. 40 per mensem or over.

(*f*) Ownership, or occupancy as occupancy tenant or tenant or lessee under a written lease for a period of not less than three years, of land assessed to land revenue of Rs. 10 per annum or over.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

(*g*) Being an assignee of land revenue of not less than Rs. 20 per annum.

(*h*) Assessment to income tax.

(*i*) Having passed the examination for Matriculation or the School —leaving Certificate, or any examination accepted by the Local Government as the equivalent thereof.

(*j*) Being a zaildar, inamdar, village headman or chief headman in the constituency.

(*k*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's regular forces.

X.—DELHI.

XI.—AJMER-MERWARA.

XII.—COORG.

XIII.—BRITISH BALUCHISTAN.

The electoral arrangements in respect of the seats allotted to these four provinces in the Federal House of Assembly are still under consideration.†

XIV.—FRANCHISE FOR NON-PROVINCIAL SPECIAL CONSTITUENCIES IN THE FEDERAL LEGISLATURE.

(a) *Commerce*—

1. Associated Chambers of Commerce of India.
2. Federation of Indian Chambers of Commerce.
3. Northern India Commercial Bodies.

(b) *Labour*—

1. All India Trades Union Federation.

The method of election to all the seats specified above is under consideration.

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† It may be found necessary to resort to nomination in the case of British Baluchistan.

APPENDIX V.

PART I.

Franchise for the Provincial Legislative Assemblies.†

I.—Madras.
II.—Bombay.
III.—Bengal.
IV.—United Provinces.
V.—Punjab.
VI.—Bihar and Orissa.
VII.—Central Provinces with Berar.‡
VIII.—Assam.
IX.—North-West Frontier Province.
X.—Coorg.

I.—MADRAS.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of tax under the Madras Motor Vehicles Taxation Act for the whole official year immediately before the electoral roll is prepared or revised; or

(*b*) Being a registered landholder, inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act; or

(*c*) Assessment to ground-rent payable to Government; or

(*d*) Payment of property tax for the two half-years immediately prior to the preparation or revision of the roll under the Madras City Municipality Act or the Madras District Municipalities Act or the Madras Local Boards Act; or

(*e*) Payment of profession tax for the two half-years immediately prior to the preparation or revision of the roll under the Madras City Municipality Act or the Madras District Municipalities Act; or

(*f*) Being during the whole of the previous *fasli* a kanamdar or kuzhikanamdar or the holder of a kudiyiruppu or a verampatamdar having fixity of tenure, each of these terms bearing the meaning defined in the Malabar Tenancy Act, 1929; or

(*g*) Being for the whole of the *fasli* immediately preceding the preparation or revision of the electoral roll a mortgagee with possession, lessee or tenant of immovable property (other than a house property) of an annual value of Rs. 100 in Madras City or a municipality and Rs. 50 elsewhere in the Presidency; or

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 6 of Introductory Note to Appendices IV and V.

‡See Introduction, paragraph 45.

(*h*) Being a guardian of a minor possessing one of the above property qualifications; or

(*i*) Occupying during the whole of the previous year as sole tenant house property on which property tax or house tax has been duly paid for the year; or

(*j*) Being a registered joint landholder, inamdar, pattadar, or occupancy ryot entitled to an additional vote on an application signed by a majority of the registered joint-holders, votes being allowed to joint holders on the following scale:

for landholders and holders of whole inam villages of Rs. 1,000 and above annual rental—one vote for every complete Rs. 500 of annual rental, and for joint holders of minor inams, ryotwari pattas and estate pattas of Rs. 100 and over—one vote for every complete Rs. 50 of assessment, rent or kist.

The additional votes will be given only to persons included among the registered joint holders, and the registration should have been made not later than the *fasli* previous to the one in which the rolls are under preparation or revision.

(*k*) Assessment to income tax;

(*l*) Literacy (*i.e., ability to read and write in any language*) certified by village officers in certificates to be countersigned by the Tahsildars, or alternatively, the holding of the Elementary School Certificate issued by the headmaster of a school recognised by the Government;

(*m*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification, in addition to the husband himself, but a woman who is once placed on the roll in respect of a husband's property to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*n*) Being a retired, pensioned or discharged officer, non-commissioned officer, or soldier of His Majesty's regular forces.

(*o*) *Scheduled Castes.*—If on the preparation of the electoral roll the electorate of the Scheduled Castes does not amount to approximately 10 per cent. of their population, special qualifications will be prescribed in order to make up the deficiency.

2 *Franchise for Special Constituencies.*

(*a*) *Landholders.*†—Being a zamindar, janmi, or malikanadar who—

(i) Possesses an annual income of not less than Rs. 3,000 derived from an estate within the Presidency of Madras.

(ii) Is registered as the janmi of land situated within the Presidency of Madras, and assessed at not less than Rs. 1,500.

(iii) Receives from Government a malikana allowance of not less than Rs. 3,000 per annum.

(*b*) *University.*†—Being a member of the Senate or an Honorary Fellow, or a graduate of over seven years' standing of the University of Madras.

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†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

(*c*) *Planters.*†—Being a member of one of the associations affiliated to the United Planters' Association of Southern India.

(*d*) *Madras Chamber of Commerce and Industry.*†—Being a member of the Madras Chamber of Commerce or of a Chamber affiliated to it.

(*e*) *Other Commerce Constituencies.*†—Members of the Madras Trades Association, the Southern India Chamber of Commerce and the Nattukottai Nagarathars' Association are qualified respectively as electors for the constituency comprising the Chamber or Association of which they are members.

(*f*) *Labour.*—The question of the franchise for these constituencies is under consideration.

II.—BOMBAY.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of land revenue of Rs. 8 and over.

(*b*) Payment of house rent of Rs. 60 in Bombay City, Rs. 30 in Karachi, and Rs. 18 in other urban areas.

(*c*) Assessment to income tax.

(*d*) Being a Hari in Sind.

(*e*) Having passed an examination for Matriculation or the School-leaving Certificate, on an examination accepted by the Local Government as the equivalent thereof.

(*f*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of a husband's property qualification, to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*g*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier, of His Majesty's regular forces.

(*h*) *Scheduled Castes.*—In the case of the Scheduled Castes literacy and being a village servant are proposed as differential qualifications. If on the preparation of the electoral roll the electorate of the scheduled castes does not come up to 10 per cent. of their population, a reduced property qualification sufficient to make up the deficiency will be prescribed for them in addition.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) *For the Deccan Sardars and Inamdars Constituency.*—Being a person entered in the list for the time being in force under Bombay Government Political Department, Resolution No. 2363, dated 23rd July, 1867, *or* being the sole

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

alienee of the right of Government to the payment of rent or land revenue in respect of an entire village situate within the constituency.

(ii) *For the Gujarat Sardars and Inamdars Constituency.*—Being a person entered in the list for the time being in force under Bombay Political Department, Resolution No. 6265, dated 21st September, 1909, or being the sole alienee of the right of Government to rent or land revenue in respect of an entire village situate within the constituency, *or* being the sole holder on Talukdari tenure of such a village.

(iii) *For the (Sindi) Jagirdars and Zamindars Constituency.*—Being a jagirdar of the first or second class in Sind, *or* having in each of the three revenue years preceding the publication of the electoral roll, paid not less than Rs. 1,000 land revenue on land in Sind.

(*b*) *University of Bombay.*†—Being a member of the Senate, or an Honorary Fellow, or a graduate of seven years' standing, of the University of Bombay.

(*c*) *Commerce and Industry.*†—Being entered on the list of members for the time being in force of the association forming such constituency, *or* being entitled to exercise the rights and privileges of membership on behalf of and in the name of any firm or company or corporation entered in such list of members.

(*d*) *Labour.*—The question of the franchise for these constituencies is under consideration.

III.—Bengal.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of not less than 6 annas chaukidari tax or 6 annas Union Board rate, or 8 annas cess or 8 annas Municipal tax or fee.

(*b*) Having passed the examination for the Matriculation or the School-leaving certificate or an examination accepted by the Local Government as the equivalent thereof.

(*c*) Assessment to income tax.

(*d*) Being the wife of a person possessing the property qualification at present entitling to a vote for the Provincial Legislative Council. One elector only, in addition to the husband himself, to be enfranchised under the husband's property qualification, but a woman once placed on the roll in respect of that qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*e*) Being a retired, pensioned, or discharged officer, non-commissioned officer or soldier of His Majesty's regular forces.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) In the Burdwan Landholders' and the Presidency Landholders' constituency area, payment of land revenue of not less than Rs. 4,500, or road and public work cesses of not less than Rs. 1,125, in respect of estates held in own right.

(ii) In the Dacca Landholders', Rajshahi Landholders' and Chittagong Landholders' constituency area, payment of land revenue of not less than Rs. 3,000, or road and public work cesses of not less than Rs. 750, in respect of estates held as, or direct from, a proprietor.

(*b*) *Calcutta University*.†—Being a member of the Senate or an Honorary Fellow, or a graduate of not less than seven years' standing, of the University.

(*c*) *Dacca University*†—

(i) Being resident in Bengal and a member of the Court or a registered graduate.

(ii) Being a resident in the Dacca or Chittagong Divisions, who would be qualified to be registered as a graduate of the University if he had not, before the 1st April, 1920, been registered as a graduate of any other Indian University.

(*d*) *Commerce and Industry*†—

(i) Chamber members of the Bengal Chamber of Commerce and permanent members of the Indian Jute Mills Association, of the Indian Tea Association, and the Indian Mining Association, with a place of residence in India, are qualified respectively as electors for the constituency comprising the Chamber or Association of which they are such members.

(ii) Members of the Calcutta Trades Association, life and ordinary members of the Bengal National Chamber of Commerce and the Bengal Mahajan Sabha, life, ordinary and Mofussil members of the Marwari Association, Calcutta, with a place of residence in India, are qualified respectively as electors for the constituency comprising the Association, Chamber, or Sabha of which they are such members.

(*e*) *Labour*.—The question of the franchise for these constituencies is under consideration.

IV.—United Provinces.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of land revenue of not less than Rs. 5.
(*b*) Payment of rent of not less than Rs. 10 in rural areas.
(*c*) Payment of rent of not less than Rs. 24 in urban areas.
(*d*) Assessment to income tax.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional

(*e*) Having passed the Upper Primary Examination, or an examination accepted by the Local Government as the equivalent thereof.

(*f*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman once placed on the roll in respect of a husband's property qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*g*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier, of His Majesty's regular forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) *Taluqdars Constituency.*—Ordinary membership of British Indian Association of Oudh.

(ii) *Agra Landholders' Constituencies.*—Ownership of land in the Constituency assessed to land revenue of not less than Rs. 5,000.

(*b*) *Commerce and Industry.*†—Persons being ordinary full members of the Upper India Chamber of Commerce or of the United Provinces Chamber of Commerce with a place of business within the United Provinces, *or* being entitled to exercise the rights and privileges of such membership on behalf of and in the name of any firm, company, or other corporation, are qualified as electors for the constituencies comprising their respective Chambers.

(*c*) *Allahabad University*†—

(i) Residence in India and Membership of the Court of the Executive Council or Academic Council of the University.

(ii) Residence in the United Provinces, and being a graduate of not less than seven years' standing, a Doctor or a Master.

(*d*) *Labour.*—The question of the franchise for these constituencies is under consideration.

V.—Punjab.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of land revenue of Rs. 5 and upwards.

(*b*) Tenancy of 6 acres irrigated or 12 acres unirrigated land.

(*c*) Being a zaildar, inamdar, sufedposh, or lambardar in the constituency.

(*d*) Payment of house rent of Rs. 5 or over in towns.

(*e*) Assessment to municipal or cantonment tax of not less than Rs. 50.

(*f*) Payment of Haisiyat tax at its minimum rate of Rs. 2; or in districts in which no such tax exists, of any other direct tax imposed under the Punjab District Board Tax, and not below Rs. 2.

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

(*g*) Assessment to income tax.

(*h*) Having passed the primary educational standard or a standard accepted by the Local Government as the equivalent thereof.

(*i*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of her husband's property qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*j*) Being a retired, pensioned, or discharged officer, non-commissioned officer or soldier of His Majesty's regular forces.

(*k*) *Scheduled Castes.*—If, on the preparation of the electoral roll, the electorate of the scheduled castes does not come up to 10 per cent. of their population, the local government propose to meet the deficiency by the following differential franchise:—

(i) Mere literacy.

(ii) Ownership of immovable property not being land assessed to land revenue, or of malba of a house of the value of not less than Rs. 50.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders*†—

(i) *Baloch Tumandars Constituency.*—Being a Tumandar recognised by the Government or a person performing the duties of a Tumandar with the sanction of the Government.

(ii) *Other Landholders' Constituencies*—

Ownership of land assessed to land revenue of not less than Rs. 500 per annum; *or*

Being the Assignee of land revenue of not less than Rs. 500 per annum.

(*b*) *University.*†—Being a Fellow or Honorary Fellow or graduate of not less than seven years' standing of the Punjab University, resident in the Punjab.

(*c*) *Commerce.*†‡—Being a member of the Punjab Chamber of Commerce or of the Punjab Trades Association having a place of business, or working for gain, in the Punjab.

(*d*) *Labour.*—The question of the franchise for these constituencies is under consideration.

VI.—Bihar and Orissa.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Save in the districts referred to in (*b*), (*c*) and (*d*) below:—

(i) In *rural areas* payment of Chaukidari tax at the minimum rate of 6 annas per annum, and

(ii) In *urban areas* of a corresponding rate of municipal tax (Rs. 1/8/0).

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

‡The previously existing Industry constituency was not retained in the Communal Decision, and the franchise for it is accordingly omitted.

(*b*) In the districts of Sambalpur and Santal Parganas, where chaukidari tax is not levied, the following qualifications:—

(i) *Sambalpur.*—Annual payment of not less than 1 rupee as rent or 9 pies as local cess.

(ii) *Santal Parganas.*—Status of resident jamabandi raiyat, paying annually not less than Rs. 2 as rent or 1 anna as local cess.

(*c*) *Khondmals Sub-division.*—Under consideration.

(*d*) *Jamshedpur City.*—A special franchise for this area is under investigation.

(*e*) Assessment to income tax.

(*f*) Having passed the examination for Matriculation or the School-leaving certificate or an examination accepted by the Local Government as the equivalent thereof.

(*g*) Being the wife of a person possessing the property qualifications entitling to a vote for the future Federal House of Assembly. One elector only to be enfranchised under the husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of her husband's property qualification, to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*h*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's regular forces.

2. *Franchise for Special Constituencies.*

(*a*) *Landholders.*†—Liability to payment of not less than Rs. 4,000 land-revenue or Rs. 1,000 local cess in the Patna Division, Tirhut Division, and Bhagalpur Division Landholders' Constituencies, or of Rs. 6,000 land-revenue or Rs. 500 local cess in the Orissa Division and Chota Nagpur Division Landholders' Constituencies.

(*b*) *Patna University.*†—Being a member of the Senate or of the Syndicate or a registered graduate of the University, with a place of residence in Bihar and Orissa.

(*c*) *Planting.*†—Membership of the Bihar Planters' Association, Limited, entitled to vote as such, and for the time being resident in India.

(*d*) *Mining.* †—Membership of the Indian Mining Association and of the Indian Mining Federation entitles to a vote for the Association or the Federation Constituency respectively, provided that a person who is a member of both bodies shall be qualified as an elector for such one only as he may elect.

(*e*) *Labour.*—The question of the franchise for these constituencies is under consideration.

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†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

VII.—Central Provinces with Berar.§§

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) *Rural Areas.*—Payment of Rs. 2 rent or revenue.

(*b*) *Urban Areas.*—Occupation of a house with a rental of Rs. 6 or the possession of an equivalent Haisiyat.

(*c*) Assessment to income tax.

(*d*) Being a Watandar Patel or a Watandar Patwari holding office, or a registered Deshmukh or Deshpande, or a Lambardar.

(*e*) Having passed the Matriculation examination, or an examination accepted by the Local Government as the equivalent thereof.

(*f*) Being the wife of a male voter with a rural property qualification of payment of Rs. 35 rent or revenue or over or occupying a house of rental value of Rs. 36 or over in an urban area. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of her husband's property qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

(*g*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's regular forces.

(*h*) Being a village servant (applicable in the case of the Scheduled Castes only).

2. *Franchise for Special Constituencies.*

(*a*) *Landholders.*†—Holding of agricultural land in the constituency in proprietary right and being:—

(i) Holder of a hereditary title recognised by Government; or

(ii) In the Central Provinces, owner of an estate as defined in § 2 (3) of the Central Provinces Land Revenue Act, 1917; or

(iii) In the Central Provinces, holder in proprietary right of land of which the land revenue or kamiljama is not less than Rs. 3,000 per annum.

(iv) In Berar,§§ a Jagirdar, Palampatadar, Izaradar, Inamdar, or a registered Deshmukh or Deshpande, holding in other than tenancy right land assessed or assessable to land revenue of not less than Rs. 500.

(v) In Berar,§§ a holder of land in other than tenancy right assessed or assessable to land revenue of not less than Rs. 1,000.

(*b*) *Nagpur University.*†—Being a registered graduate of the University resident in the Central Provinces or Berar.§§

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*Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

†See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

§§ See Introduction, paragraph 45.

(*c*) *Commerce and Industry.*†‡

(i) Ownership of a factory situated in the Central Provinces or Berar§§ and subject to the provisions of the Indian Factories Act, 1911, or in which not less than 200 persons are ordinarily employed, or a person appointed by the owner of such a factory to vote on his behalf.

(ii) A person appointed to vote by any company having a place of business in the Central Provinces or Berar,§§ and having a paid-up capital of not less than Rs. 25,000.

(*d*) *Labour.*—The question of the franchise for these constituencies is under consideration.

VIII.—Assam.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of municipal or cantonment rates or taxes to an aggregate amount of not less than Rs. 2, or, in the case of Sylhet municipality, of not less than Rs. 1/8/0;

(*b*) Tax of not less than 1 rupee in a small town under Chapter XII of the Assam Municipal Act I of 1923;

(*c*) In the case of constituencies in the districts of Sylhet, Cachar and Goalpara, chaukidari tax of not less than 8 annas under the Village Chaukidari Act, 1873;

(*d*) In the case of any constituency other than those referred to in (*c*)—

(i) payment of land revenue, on periodic or annual lease, of not less than Rs. 7/8/0; or

(ii) payment of local rate of not less than 8 annas; or

(iii) in the districts of Lakhimpur, Sibsagar, Darrang, Nowgong, Kamrup, and in the plains mouzas of the Garo Hills and of the Mikir Hills, payment of rent to a landlord of not less than Rs. 7/8/0;

(*e*) Assessment to income tax;

(*f*) Successful completion of the educational course immediately below the old Upper Primary stage, or its equivalent;

(*g*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of her husband's property qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

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* Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

† See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

‡The existing Mining seat has not been retained in the Communal Decision; the franchise for it is accordingly omitted.

§§ See Introduction, paragraph 45.

(*h*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's regular forces.

2. *Franchise for Special Constituencies.*

(*a*) *Planting.*†—Being the superintendent or manager of, or an Engineer or medical officer employed on, a tea estate in the Assam or the Surma Valley, as the case may be.

(*b*) *Commerce and Industry*†—

(i) Being the owner of a factory, other than a tea factory, situated in Assam and subject to the provisions of the Indian Factories Act, 1911, or a person appointed by the owner of such a factory to vote on his behalf, *or*

(ii) Being a person appointed to vote by any company other than a company principally engaged in the tea industry, having a place of business in Assam and a paid-up capital of not less than Rs. 25,000.

(*c*) *Labour.*—The question of the franchise for these constituencies is under consideration.

IX.—North-West Frontier Province.

1. *Qualifications* of Electors in Constituencies other than Special Constituencies.*

(*a*) Payment of land revenue of Rs. 5 and upwards;

(*b*) Tenancy of 6 acres irrigated or 12 acres unirrigated;

(*c*) Payment of house rent of Rs. 4 and upwards in towns;

(*d*) Being a zaildar, inamdar, sufedposh, or lambardar in the constituency;

(*e*) Assessment to municipal or cantonment tax of not less than Rs. 50.

(*f*) Payment of Haisiyat tax or District Board tax of not less than Rs. 2.

(*g*) Assessment to income tax.

(*h*) In urban areas the passing of the Middle School Examination; in rural areas of the Upper Primary Standard; or of an examination accepted by the Local Government as the equivalent of either.

(*i*) Being the wife of a person possessing the property qualifications at present entitling to a vote for the Provincial Legislative Council. One elector only to be enfranchised under a husband's property qualification in addition to the husband himself, but a woman who is once placed on the roll in respect of her husband's property qualification to continue on the roll during widowhood or until remarriage, when she will cease to be qualified in respect of her late husband.

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* Other than those referred to in paragraph 2 of the Introductory Note to Appendices IV and V.

† See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

(*j*) Being a retired, pensioned, or discharged officer, non-commissioned officer, or soldier of His Majesty's regular Forces.

2. *Franchise for Special Constituencies.*

Landholders.† Being—

(i) Owner of land assessed to land revenue of not less than Rs. 250 per annum.

(ii) Assignee of land revenue of not less than Rs. 250 per annum.

(iii) The recipient of a muajib, inam, barat or pension sanctioned by orders passed in settlement operations amounting to not less than Rs. 250 per annum.

X.—Coorg.

The question of the franchise for the Provincial Legislature is under consideration.

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† See paragraph 7 of Introductory Note to Appendices IV and V. The qualifications shown are the existing qualifications, but, pending closer investigation at the stage of the general delimitation of constituencies, they should be regarded as provisional.

APPENDIX V.

PART II.

Franchise for the Upper House of the Provincial Legislature in Bengal, the United Provinces and Bihar.

1. In so far as the seats in the Upper House in the three Provinces in question are to be filled by Proportional Representation (as in Bengal and Bihar) or by nomination (as in all three Provinces) no question of franchise arises.

2. The franchise for the seats to be filled by direct election is under examination and detailed proposals cannot yet be made. It is, however, intended that the franchise shall be based on high property qualifications somewhat lower than those for the existing Council of State, combined with a qualification based on service in certain distinguished public offices, such as High Court Judge, Minister, Member of an Executive Council, Vice-Chancellor of a University, &c.

APPENDIX VI.

(*See Proposals, paragraphs 111, 112 and 114.*)

LIST I—(*Exclusively Federal.*)

1. The common defence of India in time of an emergency declared by the Governor General.

2. The raising, maintaining, disciplining and regulating of His Majesty's naval, military and air forces in India and any other armed force raised in India, other than military and armed police maintained by local governments, and armed forces maintained by the Rulers of Indian States.

3. Naval, Military and Air Works.

4. The administration of cantonment areas by organs of local self-government, and the regulation therein of residential accommodation.

5. The employment of the armed forces of His Majesty for the defence of the Provinces against internal disturbance and for the execution and maintenance of the laws of the Federation and the Provinces.

6. (*a*) Chiefs' Colleges and Educational Institutions for the benefit of past and present members of His Majesty's Forces or of the children of such members.

(*b*) The Benares Hindu University and the Aligarh Muslim University

7. Ecclesiastical affairs including European cemeteries.

8. External Affairs, including International Obligations, subject to previous concurrence of the Units as regards non-federal subjects.

9. Emigration from and immigration into India and inter-provincial migration, including regulation of foreigners in India.

10. Pilgrimages beyond India.

11. Extradition and Fugitive Offenders.

12. (*a*) Construction of Railways in British India and with the consent of the State, in a State, but excluding light and feeder railways and extra-municipal tramways being wholly within a Province, but not being in physical connection with federal railways.

(*b*) Regulation of railways in British India and Federal railways in States.

(*c*) Regulation of other railways in respect of

(i) Fares.

(ii) Rates.

(iii) Terminals.

(iv) Interchangeability of traffic.

(v) Safety.

13. Air Navigation and Aircraft including the regulation of Aerodromes.

14. Inland Waterways, passing through two or more Units.

15. Maritime Shipping and Navigation including carriage of goods by sea.

16. Regulation of fisheries in Indian waters beyond territorial waters.

17. Shipping and Navigation on Inland Waterways as regards mechanically propelled vessels.

18. Lighthouses (including their approaches), beacons, lightships and buoys.

19. Port Quarantine.

20. Ports declared to be Major Ports by or under Federal legislation.

21. Establishment and maintenance of postal, telegraphic, telephone, wireless and other like services, and control of wireless apparatus.

22. Currency, Coinage and Legal Tender.

23. Public Debt of the Federation.

24. Post Office Savings Bank.

25. The incorporation and regulation of Banking, Insurance, Trading, Financial and other Companies and Corporations.

26. Development of Industries in cases where such development is declared by or under a federal law to be expedient in the public interest.

27. Control of cultivation and manufacture of opium and sale of opium for export.

28. Control of petroleum and explosives.

29. Traffic in arms and ammunition and, in British India, control of arms and ammunition.

30. Copyright, Inventions, Designs, Trademarks and Merchandise Marks.

31. Bankruptcy and Insolvency.

32. Negotiable instruments.

33. Control of motor vehicles as regards licences valid throughout the Federation.

34. The regulation of the import and export of commodities across the customs frontiers of the Federation including the imposition and administration of duties thereon.

35. Salt.

36. The imposition and regulation of duties of excise but not including duties of excise on alcoholic liquors, drugs or narcotics (other than tobacco).

37. Imposition and administration of taxes on the income or capital of corporations.

38. Geological Survey of India.

39. Botanical Survey of India.

40. Meteorology.

41. Census ; Statistics for the purposes of the Federation.

42. Central Agencies and Institutes for research.

43. The Imperial Library, Indian Museum, Imperial War Museum, Victoria Memorial, and any other similar Institution controlled and financed by the Federal Government.

44. Pensions payable out of Federal revenues.

45. Federal Services and Federal Public Service Commission.

46. Immovable property in possession of the Federal Government.

47. The imposition by legislation of punishment by fine, penalty or imprisonment for enforcing any law made by the Federal Legislature.

48. Matters in respect of which the Act makes provision until the Federal Legislature otherwise provides.

49. Imposition and administration of taxes on income other than agricultural income or income of corporation but subject to the power of the Provinces to impose surcharges.

50. The imposition and administration of duties on property passing on death other than land.

51. The imposition and administration of taxes on mineral rights and on personal capital other than land.

52. The imposition and administration of terminal taxes on railway, water or air-borne goods and passengers, and taxes on railway tickets and goods freights.

53. Stamp duties which are the subject of legislation by the Indian Legislature at the date of Federation.

54. The imposition and administration of taxes not otherwise specified in this List or List II, subject to the consent of the Governor-General, given in his discretion after consulting Federal and Provincial Ministers or their representatives.

55. Naturalisation and status of aliens.

56. Conduct of elections to the Federal Legislature, including election offences and disputed elections.

57. Standards of weight.

58. All matters arising in Chief Commissioners' Provinces (other than British Baluchistan) not having a legislature.

59. Survey of India.

60. Archæology.

61. Zoological Survey.

62. The recognition throughout British India of the laws, the public Acts and records and judicial proceedings of the Provinces.

63. Jurisdiction, powers, and authority of all courts in British India, except the Federal Court and the Supreme Court with respect to the subjects in this list.

64. Matters ancillary and incidental to the subjects specified above.

LIST II—(*Exclusively Provincial*).

1. Local self-government, including matters relating to the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlements and other local authorities in the Province established for the purpose of local self-government and village administration, but not including matters covered by item No. 4 in List I.

2. Establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for the Province (other than marine hospitals).

3. Public health and sanitation.

4. Pilgrimages other than pilgrimages beyond India.

5. Education, other than the Universities and institutions covered by item No. 6 in List I.

6. Public Works and buildings in connection with the administration of the Province.

7. Compulsory acquisition of land.

8. Roads, bridges, ferries, tunnels, ropeways, causeways and other means of communication.

9. Construction (query-regulation) and maintenance of light and feeder railways and extra-municipal tramways not being in physical connection with federal railways.

10. Tramways within municipal areas.

11. Water supplies, irrigation and canals, drainage and embankments, water storage and water power.

12. Land Revenue including—

(*a*) assessment and collection of revenue,

(*b*) maintenance of land records, survey for revenue purposes and records of rights.

13. Land tenures, title to land, and easements.

14. Relations of landlords and tenants and collection of rents.

15. Courts of Wards and encumbered and attached estates.

16. Land improvement and agricultural loans.

17. Colonisation, management and disposal of lands and buildings vested in the Crown for the purposes of the Province.

18. Alienation of land revenue and pensions payable out of Provincial revenues (query-frontier remissions).

19. Pre-emption.

20. Agriculture, including research institutes, experimental and demonstration farms, introduction of improved methods, agricultural education, protection against destructive pests and prevention of plant diseases.

21. Civil veterinary department, veterinary training, improvement of stock and prevention of animal diseases.

22. Fisheries.

23. Co-operative Societies.

24. Trading, literary, scientific, religious and other Societies and Associations not being incorporated Companies.

25. Forests.

26. Control of production, manufacture, possession, transport, purchase and sale of alcoholic liquors, drugs and narcotics.

27. Imposition and regulation of duties of excise on alcoholic liquors, drugs and narcotics other than tobacco.

28. Administration of justice, including the constitution and organisation of all Courts within the Province, except the Federal Court, the Supreme Court and a High Court, and the maintenance of all Courts within the Province except the Federal Court and the Supreme Court.

29. Jurisdiction of and procedure in Rent and Revenue Courts.

30. Jurisdiction, powers, and authority of all Courts within the Province, except the Federal Court and the Supreme Court, with respect to subjects in this list.

31. Administrators-General and Official Trustees.

32. Stamp duties not covered by item No. 53 in List I.

33. Registration of deeds and documents other than the compulsory registration of documents affecting immovable property.

34. Registration of births and deaths.

35. Religious and charitable endowments.

36. Mines and the development of mineral resources in the Province, but not including the regulation of the working of mines.

37. Control of the production, supply and distribution of commodities.

38. Development of industries, except in so far as they are covered by Item No. 26 in List I.

39. Factories, except the regulation of the working of factories.

40. Electricity.

41. Boilers.

42. Gas.

43. Smoke nuisances.

44. Adulteration of foodstuffs and other articles.

45. Weights and measures, except standards of weight.

46. Trade and Commerce within the Province, except in so far as it is covered by any other subject in these lists.

47. Actionable wrongs arising in the Province.

48. Ports other than Ports declared to be Major Ports by or under a federal law.

49. Inland waterways being wholly within a Province, including shipping and navigation thereon, except as regards mechanically-propelled vessels.

50. Police (including railway and village police), except as regards matters covered by the Code of Criminal Procedure.

51. Betting and gambling.

52. Prevention of cruelty to animals.

53. Protection of wild birds and wild animals.

54. Regulation of motor vehicles, except as regards licences valid throughout the Federation.

55. Regulation of dramatic performances and cinemas.

56. Coroners.

57. Criminal tribes.

58. European vagrancy.

59. Prisons, Reformatories, Borstal Institution and other institutions of a like nature.

60. Prisoners.

61. Pounds and the prevention of cattle trespass.

62. Treasure trove.

63. Libraries (except the Imperial Library), Museums (except the Indian Museum, the Imperial War Museum and the Victoria Memorial) and other similar institutions controlled and financed by the Provincial Government.

64. Conduct of elections to the Provincial Legislature, including election offences and disputed elections.

65. Public Services in a Province and Provincial Public Service Commission.

66. The authorisation of surcharges, within such limits as may be prescribed by Order in Council, upon income tax assessed by the Federal Government upon the income of persons resident in the Province.

67. The raising of provincial revenue--

(i) from sources and by forms of taxation specified in the Annexure appended to this list and not otherwise provided for by these lists; and

(ii) by any otherwise unspecified forms of taxation, subject to the consent of the Governor-General given in his discretion after consulting the Federal Ministry and Provincial Ministries or their representatives.

68. Relief of the poor.

69. Health insurance and invalid and old-age pensions.

70. Money-lenders and money-lending.

71. Burials and burial grounds other than European Cemeteries.

72. Imposition by legislation of punishment by fine, penalty or imprisonment for enforcing any law made by the Provincial Legislature.

73. Matters with respect to which the Act makes provision until the Provincial Legislature otherwise provides.

74. The administration and execution of federal laws on the subjects specified in List III except No. 22.

75. Statistics for provincial purposes.

76. Generally any matter of a merely local or private nature in the Province not specifically included in the List and not falling within List I or List III, subject to the right of the Governor-General in his discretion to sanction general legislation on that subject.

77. Matters ancillary and incidental to the subjects specified in this list.

ANNEXURE.

(Compare Appendix IV of Report of Federal Finance Committee.—Cmd. 4069.)

1. Revenue from the public domain, including lands, buildings, mines, forests, fisheries, and any other real property belonging to the Province.

2. Revenue from public enterprises such as irrigation, electric power and water supply, markets, slaughter houses, drainage, tolls and ferries, and other undertakings of the Province.

3. Profits from banking and investments, loans and advances and State lotteries.

4. Fines and penalties arising in respect of subjects administered by the Government of the Province.

5. Fees levied in the course of discharging the functions exercised by the Government of the Province and local authorities, such as court fees, including all fees for judicial or quasi-judicial processes, local rates and dues, fees for the registration of vehicles, licences to possess fire-arms and to drive automobiles, licensing of common carriers, fees for the registration of births, deaths and marriages, and of documents.

6. Capitation taxes other than taxes on immigrants.

7. Taxes on land, including death or succession duties in respect of succession to land.

8. Taxes on personal property and circumstance, such as taxes on houses, animals, hearths, windows, vehicles; chaukidari taxes; sumptuary taxes; and taxes on trades, professions and callings.

9. Taxes on employment, such as taxes on menials and domestic servants.

10. Excises on alcoholic liquors, narcotics (other than tobacco) and drugs and taxes on consumption not otherwise provided for, such as cesses on the entry of goods into a local area, taxes on the sale of commodities and on turnover, and taxes on advertisements.

11. Taxes on agricultural incomes.

12. Stamp duties other than those provided for in List I.

13. Taxes on entertainments and amusements, betting, gambling and private lotteries.

14. Any other receipts accruing in respect of subjects administered by the Province.

LIST III—(*Concurrent*).

1. Jurisdiction, powers and authority of all Courts (except the Federal Court, the Supreme Court and Rent and Revenue Courts) with respect to the subjects in this List.

2. Civil Procedure, including the Law of Limitation and all matters now covered by the Indian Code of Civil Procedure.

3. Evidence and Oaths.

4. Marriage and Divorce.

5. Age of majority and custody and guardianship of infants.

6. Adoption.

7. Compulsory registration of documents affecting immovable property.

8. The law relating to—

(*a*) Wills, intestacy and succession, including all matters now covered by the Indian Succession Act.

(*b*) Transfer of property, trusts and trustees, contracts, including partnership, and all matters now covered by the Indian Specific Relief Act.

(*c*) Powers of attorney.

(*d*) Relations between husband and wife.

(*e*) Carriers.

(*f*) Innkeepers.

(*g*) Arbitration.

(*h*) Insurance.

9. Criminal Law including all matters now covered by the Indian Penal Code, but excluding the imposition of punishment by fine, penalty or imprisonment for enforcing a law on a subject which is within the exclusive competence of the Federal legislature or Provincial legislature.

10. Criminal Procedure including all matters now covered by the Indian Code of Criminal Procedure.

11. Control of newspapers, books and printing presses.

12. Lunacy, but not including Lunatic Asylums.

13. Regulation of the working of Mines but not including mineral development.

14. Regulation of the working of factories.

15. Employers' liability and Workmen's compensation.

16. Trade Unions.

17. Welfare of labour including provident funds and industrial insurance.

18. Settlement of labour disputes.

19. Poisons and dangerous drugs.

20. The recovery in a Province of public demands (including arrears of land revenue and sums recoverable as such) arising in another Province.

21. Regulation of medical and other professional qualifications.

22. Ancient and historical monuments including the administration thereof.

23. Matters ancillary and incidental to the subjects specified in this list.

NOTE.—The word 'now' in Nos. 2, 8, 9 and 10 is intended to refer to the date on which the list takes effect.

APPENDIX VII.

(See Proposals, paragraphs 182 and 191).

(PART I.)

List of principal existing rights of officers appointed by the Secretary of State in Council.

NOTE.—In the case of Sections the reference is to the Government of India Act, and in the case of Rules to Rules made under that Act.

1. Protection from dismissal by any authority subordinate to the appointing authority [Section 96 B (1)].
2. Right to be heard in defence before an order of dismissal, removal or reduction is passed (Classification Rule 55).
3. Guarantee to persons appointed before the commencement of the Government of India Act, 1919, of existing and accruing rights or compensation in lieu thereof [Section 96 B (2)].
4. Regulation of conditions of service, pay and allowances and discipline and conduct, by the Secretary of State in Council [Section 96 B (2)].
5. Power of the Secretary of State in Council to deal with any case in such manner as may appear to him to be just and equitable notwithstanding any rules made under Section 96 B [Section 96 B (5)].
6. Non-votability of salaries, pensions and payments on appeal [Sections 67 A (3) (iii) and (iv) and 72 D (3) (iv) and (v)].
7. The requirement that rules under Part VII-A of the Act shall only be made with the concurrence of the majority of votes of the Council of India (Section 96 E).
8. Regulation of the right to pensions and scale and conditions of pensions in accordance with the rules in force at the time of the passing of the Government of India Act, 1919 [Section 96 B (3)].
9. —(i) Reservation of certain posts to members of the Indian Civil Service (Section 98).

   (ii) Appointment of persons who are not members of the Indian Civil Service to offices reserved for members of that service only to be made subject to rules made by the Governor-General in Council with the approval of the Secretary of State in Council (Section 99), or in cases not covered by these rules to be provisional until approved by the Secretary of State in Council (Section 100).
10. Determination of strength (including number and character of posts) of All-India Services by the Secretary of State in Council, subject to temporary additions by the Governor-General in Council or local Government (Classification Rules 24 and 10).
11. Provision that posts borne on the cadre of All-India Services shall not be left unfilled for more than three months without the sanction of the Secretary of State in Council (Classification Rule 25).
12. Appointment of anyone who is not a member of an All-India Service to posts borne on the cadre of such a Service only to be made with the sanction of the Secretary of State in Council, save as provided by any law or by rule or orders made by the Secretary of State in Council (Classification Rule 27).

13. Sanction of the Secretary of State in Council to the modification of the cadre of a Central Service, Class I, which would adversely affect any officer appointed by the Secretary of State in Council, to any increase in the number of posts in a Provincial Service which would adversely affect any person who was a member of a corresponding All-India Service on 9th March, 1926, or to the creation of any Specialist post which would adversely affect any member of an All-India Service, the Indian Ecclesiastical Establishment, and the Indian Political Department.

(Provisos to Classification Rules 32, 40 and 42.)

14. Personal concurrence of the Governor required to any order affecting emoluments, or pension, any order of formal censure, or any order on a memorial to the disadvantage of an officer of an All-India Service (Devolution Rule 10).

15. Personal concurrence of the Governor required to an order of posting of an officer of an All-India Service (Devolution Rule 10).

16. Right of complaint to the Governor against any order of an official superior in a Governor's Province and direction to the Governor to examine the complaint and to take such action on it as may appear to him just and equitable [Section 96 B (1)].

17. Right of appeal to the Secretary of State in Council, (i) from any order passed by any authority in India, of censure, withholding of increments or promotion, reduction, recovery from pay of loss caused by negligence or breach of orders, suspension, removal or dismissal, or (ii) from any order altering or interpreting to his disadvantage any rule or contract regulating conditions of service, pay, allowances or pension made by the Secretary of State in Council, and (iii) from any order terminating employment otherwise than on reaching the age of superannuation (Classification Rules 56, 57 and 58).

18. Right of certain officers to retire under the regulations for premature retirement.

(PART II).

List of principal existing rights of persons appointed by authority other than the Secretary of State in Council.

NOTE.—In the case of Sections the reference is to the Government of India Act, and in the case of Rules to Rules made under that Act.

1. Protection from dismissal by any authority subordinate to the appointing authority [Section 96 B (1)].

2. Right to be heard in defence before an order of dismissal, removal or reduction is passed, subject to certain exceptions (Classification Rule 55).

3. Regulation of the strength and conditions of service of the Central Services, class I and class II, by the Governor-General in Council and of Provincial Services by local Government subject, in the case of the latter, to the provision that no reduction which adversely affects a person who was a member of the Service on the 9th March, 1926, should be made without the previous sanction of the Governor-General in Council (Classification Rules 32, 33, 36, 37, 40 and 41).

4. Personal concurrence of the Governor required to any order affecting emoluments or pension, an order of formal censure, or an order on a memorial to the disadvantage of an officer of a Provincial Service (Devolution Rule 10).

5. Right of appeal from any order of censure, withholding of increments or promotion, reduction, recovery from pay of loss caused by negligence or breach of orders, suspension, removal or dismissal, and any order altering or interpreting to his disadvantage a rule or contract regulating conditions of service, pay, allowances or pension, and in the case of subordinate services the right of one appeal against an order imposing a penalty (Classification Rules 56, 57, 58 and 54).

(PART III).

Non-votable salaries, etc. (Civil).

(See Proposals, paragraphs 49, item (vi) and 98, item (v)].

The salaries and pensions of the following classes of persons are non-votable :—

(*a*) Persons appointed by or with the approval of His Majesty, or by the Secretary of State in Council, before the commencement of the Constitution Act, or by a Secretary of State thereafter ;

(*b*) Persons appointed before the first day of April 1924 by the Governor-General in Council, or by a local Government, to services and posts classified as superior ;

(*c*) Holders in a substantive capacity of posts borne on the cadre of the I. C. S. ;

(*d*) Members of any Public Service Commission.

The following sums payable to such persons fall also under item (vi) of paragraph 49 and item (v) of paragraph 98, namely :—

Sums payable to, or to the dependents of, a person who is or has been in the service of the Crown in India under any order made by the Secretary of State in Council, by a Secretary of State, by the Governor-General in Council, by the Governor-General, or by a Governor upon an appeal preferred to him in pursuance of rules made under the Constitution Act.

For the purpose of the proposals in this Appendix the expression "salaries and pensions" will be defined as including remuneration, allowances, gratuity, contributions, whether by way of interest or otherwise, out of the revenues of the Federation to any Provident Fund or Family Pension Fund and any other payments or emoluments payable to, or on account of, a person in respect of his office.

APPENDIX VIII.

(See paragraphs 21 and 50 of Introduction, and paragraph 4 of Introductory Note to Appendices IV and V.)

SCHEDULED CASTES.

I.—MADRAS.

Race, Tribe or Caste.

1. Adi-Andhra.
2. Adi-Dravida.
3. Adi-Karnataka.
4. Ajila.
5. Aranadan (also *P. T.).
6. Arunthuthiyar.
7. Baira.
8. Bakuda.
9. Bandi.
10. Bariki.
11. Battada.
12. Bavuri.
13. Bellara.
14. Byagari.
15. Chachati.
16. Chakkiliyan.
17. Chalavadi.
18. Chamar.
19. Chandala.
20. Cheruman.
21. Dandasi.
22. Devendrakulathan.
23. Dombo (also *P. T.).
24. Ghasi.
25. Godagali.
26. Godari.
27. Godda.
28. Gosangi.
29. Haddi.
30. Hasla.
31. Holeya.
32. Jaggali.
33. Jambuvulu.
34. Kadan (also *P. T.).
35. Kalladi.
36. Kanakkan.
37. Karimpalan (also *P. T.)
38. Kattunayakan (also *P. T.).
39. Kodalo.
40. Koosa.
41. Koraga.
42. Kudiya (also *P. T.).
43. Kudubi (also *P. T.).
44. Kudumban.
45. Kuravan.
46. Kurichchan (also *P. T.).
47. Kuruman (also *P. T.).
48. Madari.
49. Madiga.
50. Maila.
51. Mala.
52. Mala Dasu.
53. Malasar (also *P. T.).
54. Matangi.
55. Mavilan (also *P.T.).
56. Moger.
57. Muchi.
58. Mundala.
59. Nalakeyava.
60. Nayadi.
61. Pagadai.
62. Paidi.
63. Painda.
64. Paky.
65. Pallan.
66. Pambada.
67. Pamidi.
68. Panchama.
69. Paniyan.
70. Panniandi.
71. Pano (also *P. T.).
72. Paraiyan.
73. Paravan.
74. Pulayan.
75. Puthirai Vannan.
76. Raneyar.
77. Relli.
78. Samagara.
79. Samban.
80. Sapari.
81. Semman.
82. Thoti.
83. Tiruvalluvar.
84. Valluvan.
85. Valmiki.
86. Vettuvan.

*P. T. = Primitive Tribe.

II.—Bombay.

1. Asodi.
2. Bakads.
3. Bhambi.
4. Bhangis.
5. Chakrawadya-Dasar.
6. Chambhar or Mochigar.
7. Chelwadi.
8. Chena-Dasaru.
9. Chuhar (Chuhra).
10. Dakleru.
11. Dhed.
12. Dhegu-Megu.
13. Dhors or Tanners.
14. Garoda.
15. Halleers.
16. Halsar (Haslars) Halsavars.
17. Holiya.
18. Khalpas.
19. Koli Dhor.
20. Kolghas or Kolchas.
21. Kotegar (North Kanara only).
22. Lingaders.
23. Mahar or Mhar.
24. Mang and Madig.
25. Mang Garudi.
26. Meghwal or Menghwar.
27. Mini-Madig.
28. Mukris.
29. Nadias.
30. Samagars.
31. Shindawa or Shenwas.
32. Shingdav.
33. Sochi or (Mochi except Gujerat where they are touchables).
34. Timalis.
35. Turis or Drummers.
36. Vitholia.
37. Wankars.

III.—Bengal.§

Agariya.
Bagdi.
Bahelia.
Baiti.
Bauri.
Bediya.
Beldar.
Berua.
Bhatiya.
Bhuimali.
Bhuiya.
Bhumij.
Bind.
Binjhia.
Chamar.
Dhenuar.
Dhoba.
Doai.
Dom.
Dosad.
Garo.
Ghasi.
Gonrhi.
Hadi.
Hajang.
Halalkhor.
Hari.
Ho.
Jalia Kaibartta.
Jhalo Malo or Malo.
Kadar.
Khaira.
Kalwar.
Kan.
Kandh.
Kandra.
Kaora.
Kapali.
Kapuria.
Karenga.
Kastha.
Kaur.
Khandait.
Khatik.
Kichak.
Koch.
Konai.
Konwar.
Kora.
Kotal.
Lalbegi.
Lodha.
Lohar.
Mahar.
Maldi.
Mal.
Mallah.
Malpahariya.
Mech.
Mehtor.
Muchi.
Munda.
Musahar.
Nagar.
Nagesia.
Naiya.
Namasudra.
Nath.
Nuniya.
Oraon.
Paliya.
Pan.
Pasi.
Patni.
Pod.
Pundari.
Rabha.
Rajbanshi.
Raju.
Rajwar.
Santal.
Shagirdpesha.
Sukli.
Sunri.
Tiyar.
Turi.

§Provisional.

IV.—United Provinces.

Luniya group —
Beldar.
Kharot.

Chamar group—
Chamar.
Dabgar.
Gharami.

Bhangi group—
Balmiki.
Hari.
Hela.
Rawat.
Dhanuk.
Turaiha.
Lalbegi.

Kolarian group—
Agariya.
Bhuiya.
Chero.
Ghasiya.
Khairaha.
Kharwar (excluding Benbansi).

Kolarian group — (*contd.*)
Kol.
Korwa.
Majhwar.
Pankha.
Parahiya.
Patari.

Bayar group—
Banmanus.
Dhangar.

Dom group—
Balahar.
Bansphor.
Basor.
Dharkar.
Dom.
Domar.
Pasi.

Hill Dom group—
Hill Dom or Shilpkar
Saun.

Vagrant Tribes :
Habura group—
Habura.
Bengali.
Beriya.
Bhantu.
Kanjar.
Karwal.
Sansiya.

Nat group—
Nat.
Badi.
Bajaniya.
Bajgi.
Gual.
Kalabaz.

Badhik group—
Badhik.
Barwar.
Bawariya.
Boriya.
Saharya.
Sanaurhiya.
Kapariya.

V.—Punjab.

Ad Dharmis.
Bawaria.
Chamar.
Chuhra.
Dagi and Koli.
Dumna.
Od.
Sansi.
Sarera.
Marija (Marecha).
Bangali.
Barar.
Bazigar.
Bhanjra.
Chanal.
Dhanak.
Gagra.
Gandhila.
Khatik.
Kori.
Nat.
Pasi.
Perna.
Sapela.
Sirkiband.
Meghs.
Ramdasis.

VI.—Bihar and Orissa.

*Bauri.
*Bhogta.
*Bhuiya.
*Bhumij.
Chamar.
Chaupal.
Dhobi.
Dosadh.
Dom.
*Ghasi.
Ghusuria.
Godra.
Gokha.
Halalkhor.
Hari.
Irika.
Kandra.
Kanjar.
Kela.
Kurariar.
Lalbegi.
Mahuria.
Mangan.
Mochi.
Mushahar.
Nat.
*Pan.
Pasi.
*Rajwar.
Siyal.
*Turi.

*Scheduled castes in those localities which are not treated as "backward tracts" for the purpose of special representation of the aboriginals.

VII.—Central Provinces with Berar.

(*See Introduction, paragraph 45.*)

(1) Throughout the Central Provinces and Berar:—

Mehra or Mahar (except in the Harda tahsil and Sohagpur tahsil of Hoshangabad district), Basor or Burud, Mehtar or Bhangi, Dom, Chamar, Satnami, Mochi, Ganda, Mang.

(2) Throughout the Jubbulpore and Nerbudda divisions:—

Kori (except in the Harda and Sohagpur tahsils of Hoshangabad district), Mala, Balahi.

(3) Throughout the Nagpur and Berar divisions:—

Balahi, Madgi, Pradhan (except in Balaghat district), Ghasia, Katia, Panka, Khatik, Kaikari (except in Balaghat district), Dohor.

(4) Throughout the Chhattisgarh division:—

Ghasia, Katia, Panka, Dewar.

(5) Additional castes scheduled in the districts specified after their name:—

Panka (Saugor, Damoh, Chhindwara).

Katia [Saugor, Hoshangabad (only in Hoshangabad and Seoni-Malwa tahsils), Nimar, Betul, Chhindwara].

Khatik [Saugor, Hoshangabad (only in Hoshangabad tahsil), Chhindwara].

Dhobi [Saugor, Damoh, Hoshangabad (only in Hoshangabad and Seoni-Malwa tahsils), Bhandara, Raipur, Bilaspur, Buldana].

Khangar [Saugor, Damoh, Bhandara, Buldana, Hoshangabad (only in Hoshangabad and Seoni-Malwa tahsils)].

Chadar (Saugor, Damoh, Bhandara).

Dhanuk (Saugor).

Kumhar [Saugor, Damoh, Hoshangabad (only in Hoshangabad and Seoni-Malwa tahsil), Bhandara and Buldana].

Dahayat (Damoh).

Nagarchi (Mandla, Seoni, Chhindwara, Nagpur, Bhandara, Balaghat, Raipur).

Ojha [Mandla, Hoshangabad (only in Hoshangabad tahsil), Bhandara, Balaghat].

Pardhi (Narsinghpur).

Rujjhar [Hoshangabad (only in Sohagpur tahsil)].

Pradhan (Nimar, Chhindwara, Raipur).

Holiya (Bhandara, Balaghat).

Kori (Bhandara, Balaghat, Raipur, Amraoti, Buldana).

Audhelia (Bilaspur).

Chauhan (Drug).
Koli (Chanda, Bhandara).
Jangam (Bhandara).
Bedar (Amraoti, Akola, Buldana).
Bahna (Amraoti).
Dhimar (Bhandara, Buldana).
Mala (Balaghat).

VIII.—ASSAM.

1. *Assam Valley*—

Namasudra.
Kaibarta.
Bania (Brittial-Bania).
Hira
Sweeper.

2. *Surma Valley*—

Mali (indigenous).
Dhupi (Dhobi),
Dugla or Dholi
Jhalo and Malo.
Yogi (Jogi or Nath)
Mahara.
Sutradhar.
Muchi.
Patni.
Namasudra.
Kaibarta (Jaliya).
Sweeper,

3. The inclusion of the Suts (Borias) and Naths (Jogis or Katonis) of the Assam Valley in the scheduled castes is under investigation.

GIPD—558(s)RO—14-3-33—20,000.

HOUSE OF COMMONS.

Monday, 27th March, 1933.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Mersey Tunnel Bill,

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered":—

Question amended, by leaving out from the word "That," to the end of the Question, and adding the words, "although the allowance of a term of eighty years for the repayment of certain loans is contrary to Standing Order 187, this House, having regard to the special circumstances mentioned in the Report of the Committee, orders the Bill to be now considered,"—(*The Chairman of Ways and Means*)—instead thereof, and, as amended, agreed to.

Bill, as amended, considered accordingly; Amendments made; Bill to be read the Third time.

ORAL ANSWERS TO QUESTIONS.

INDIA.

BERAR.

1. **Colonel WEDGWOOD** asked the Secretary of State for India whether he will give an assurance that Berar and its inhabitants shall not be ceded back to His Highness the Nizam or withdrawn from British India without the consent of the inhabitants?

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): In the discussions at present proceeding between the Government of India and His Exalted Highness the Nizam the handing over of the administration of Berar to the Government of His Exalted Highness has not been contemplated by either party.

RUSSIA: BRITISH SUBJECTS (ARRESTS).

13. **Sir NICHOLAS GRATTAN-DOYLE** asked the Secretary of State for Foreign Affairs the present and latest position in regard to the arrests and imprisonment of British subjects in Russia; and what steps, if any, have been taken to secure their release?

14. **Sir WILLIAM DAVISON** asked the Secretary of State for Foreign Affairs if he will inform the House as to the result of the further representations made to the Soviet Government by the British Ambassador on behalf of His Majesty's Government with regard to the British citizens under arrest in Moscow?

15 and 16. **Commander OLIVER LOCKER-LAMPSON** asked the Secretary of State for Foreign Affairs (1) whether the British nationals arrested in Russia have secured legal advice and will receive the benefit of a barrister's advocacy in court;

(2) whether the charge against the British nationals in Russia has been formulated?

17. **Major-General Sir ALFRED KNOX** asked the Secretary of State for Foreign Affairs whether, pending the unconditional release of the British subjects now imprisoned in Moscow, he will cause an embargo to be placed on all imports from the Union of Socialist Soviet Republics?

The UNDER-SECRETARY of STATE for FOREIGN AFFAIRS (Mr. Eden): His Majesty's Government are in active communication with the Soviet Government regarding the arrested employés of the Metropolitan-Vickers Company. An announcement on the subject will be made to the House this week, but it is not in the public interest to make any further statement to-day.

Sir N. GRATTAN-DOYLE: Will my hon. Friend assure the House that the same treatment as is obtained for British subjects will also be given to other employés of the firm who are not British subjects?

Mr. EDEN: I think that the last part of my answer covers that and any other question which might be asked.

Commander LOCKER-LAMPSON: Will my hon. Friend allow other British nationals in Russia to realise the danger which they run of improper arrest?

Sir A. KNOX: Will my hon. Friend answer question Number 17?

Commander LOCKER-LAMPSON: Question Number 17 has not been answered.

Mr. SPEAKER: These questions have been answered.

Sir A. KNOX: About the embargo?

Mr. EDEN: They are all covered by my answer.

DISARMAMENT.

18. **Mr. LAW** asked the Secretary of State for Foreign Affairs what is the reason for the omission of Turkey from the list of European Powers mentioned in the effectives table of the draft Disarmament Convention?

Mr. EDEN: I am glad of this opportunity of making the position clear. The greater part of the Turkish effectives are stationed outside Europe as are our own, and for this reason neither the Turkish figures nor our own appear in this particular list.

45 and 46. **Mr. RAIKES** asked the Prime Minister (1), whether under the draft Disarmament Convention, aircraft co-operating with naval and military forces will be allowed to protect themselves against shells fired by anti-aircraft batteries by the use of air shells; and, if not, whether His Majesty's Government will propose the total abolition of anti-aircraft guns;

(2), whether under the draft Disarmament Convention, it will be permissible to use aircraft for the protection of undefended coastal towns in these islands against bombardment by enemy warships and for the defence of Singapore and other overseas bases against attack by naval forces or by troops conveyed in transports?

The PRIME MINISTER (Mr. Ramsay MacDonald): The whole matter of measures consequential to the abolition of bombing will be considered should the abolition be accepted by international agreement. This and similar questions have been raised and are before the Ministerial Committee at the present moment.

47. **Captain PETER MACDONALD** asked the Prime Minister whether the latest proposals for air disarmament contained in the draft convention have been examined and reported on by the Committee of Imperial Defence?

The PRIME MINISTER: The Government are solely responsible for the proposals in the draft convention. These were approved after most careful examination by a Ministerial Committee in consultation with the chiefs of staff of the three Defence Services, and all elements of the Committee of Imperial Defence were present at these meetings.

48. **Sir PAUL LATHAM** asked the Prime Minister the grounds upon which it is proposed in the draft Disarmament Convention to allow Japan the same number of first-line aircraft as this country, having regard to the much larger area and population of the British Empire and the present inferiority of the Japanese Air Force to our own?

50. **Mr. EMMOTT** asked the Prime Minister what is the basis of the calculation that no more than 500 aircraft are necessary to enable the Royal Air Force to perform its police work abroad, particularly in the Middle East, to provide an adequate home defence force for the protection of these islands, and to supply the machines essential to co-operation between the Army and the Navy?

The PRIME MINISTER: As the House of Commons is aware, the figures in the draft were inserted as a basis for discussion and negotiation. The figures do not cover the Dominions or India, which are separately represented at the Disarmament Conference.

51. **Captain HAROLD BALFOUR** asked the Prime Minister whether His Majesty's Government will consider adding to the draft Disarmament Convention measures for prohibiting the construction during the currency of that convention of new ocean liners, in order to prevent the misuse of these vessels for purposes of commerce raiding as in the late War, or, alternatively, measures for restricting their tonnage and speed?

The PRIME MINISTER: There is no proposal in the draft convention to

abolish the Navy. If there were, then the question put by my hon. and gallant Friend would undoubtedly arise?

Captain BALFOUR: If His Majesty's Government are unwilling to interfere with the mercantile marine, can we have an equal assurance that they will in no circumstances agree to measures which will cripple commercial aircraft?

The PRIME MINISTER: My hon. and gallant Friend will remember that on three occasions that pledge has been given in this House, first by myself and then by my right hon. Friend the Lord President; and, finally, in very plain language, at Geneva.

52. **Captain BALFOUR** asked the Prime Minister whether, in view of the fact that the latest proposals in the Draft Disarmament Convention relative to bombardment from the air have for their object the protection of non-combatants and of the impossibility of securing that the prohibition of all air bombardment shall be respected in war, he will consider the advisability of substituting measures designed to preserve the civilian population from air attack?

The PRIME MINISTER: The question assumes that no international agreement will be carried out, but I would remind my hon. and gallant Friend that one of the main objects of the abolition of bombing is to guarantee the safety of the civil population. Independently of this, we are taking precautions in this country to safeguard the civil population, as far as possible, against air attack.

Captain BALFOUR: Is the right hon. Gentleman aware that the Lord President of the Council stated, in terms, that experience has shown us that the stern test of war will break down all conventions?

The PRIME MINISTER: That may be so, but, if my hon. and gallant Friend will look at the form in which the statements have been made, he will find that that has been kept in mind.

TRADE AND COMMERCE.

EMPIRE MARKETING BOARD.

44. **Dr. McLEAN** asked the Secretary of State for Dominion Affairs what are the results of approaches made to local authorities by the Empire Marketing Board with a view to securing that their purchases out of public funds should be limited, so far as practicable, to articles of home or overseas Empire production or manufacture?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): The Empire Marketing Board have approached county councils and county borough councils in England, Wales and Northern Ireland and county councils and burgh councils in Scotland. As an instance of the results, I may mention that the tender forms of some 1,500 institutions have been forwarded by local authorities to the board in order that suggestions might be made for their revision to the advantage of Empire products. In the opinion of the board producers in the Empire both at home and overseas are greatly indebted to the local authorities throughout the country for the very notable lead which they have given in this matter.

BRITISH INDUSTRIES FAIR.

21. **Mr. WISE** asked the Secretary to the Overseas Trade Department why in certain cases rebate on the cost of stands or space was offered to any firms, or association of firms, or trade organisations, in order to induce them to exhibit at the British Industries Fair?

Lieut.-Colonel COLVILLE: No firms or trade organisations are offered a rebate in order to induce them to exhibit at the British Industries Fair. Rebates, commensurate with the services rendered by them to the Department are, however, granted to advertising agents and trade organisations or their agents who undertake to arrange for their clients or members to exhibit at the fair and by so doing relieve the Department of certain work and the consequent expenditure.

TURKEY (BRITISH IMPORTS).

20. **Mr. JOEL** asked the Secretary to the Overseas Trade Department the percentage of import trade into Turkey held by this country in 1931; how it compares with the trade of other competitive industrial nations in the same period; and whether there is any special reason for the decline of British trade as compared with 1930?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): As the answer contains a number of statistics, I will, with the hon. Member's permission, circulate the reply in the OFFICIAL REPORT.

Following is the answer:

The answer to the first and second parts of the Hon. Member's question is contained in the following statistical statement:

Turkey.	1930.		1931.		1932.	
	£.T.	Per cent.	£.T.	Per cent.	£.T.	Per cent.
Total Imports of which from:	147,550,516	—	126,659,893	—	85,983,723	—
United Kingdom ...	16,535,535	11·2	14,361,400	11·3	10,640,466	12·4
Germany	27,380,130	18·6	27,048 541	21·4	19,982,621	23·2
France	15,499,209	10·5	12,787,611	10·1	7,189,840	8·4
Italy	20,390,740	13·8	18,450,042	14·6	11,074,200	12·9
Belgium	8,651,198	5·9	8,123,010	6·4	6,175,381	7·2
Russia	10,604,570	7·2	7,243,236	5·7	5,942,269	6·9
Czechoslovakia	8,181,536	5·5	5,952,271	4·7	3,734,558	4·3
Japan	3,796,073	2·6	5,561,425	4·4	3,969,495	4·6
United States	6,093,696	4·1	4,117,612	3·3	2,266,546	2·6

NOTE.—The figures given for 1932 are provisional. With regard to the third part of the question, the trade of the United Kingdom suffered as did that of its competitors, from the fall in world prices, which in turn affected Turkish ability to purchase. Imports into Turkey have also been reduced by quota restrictions, but the percentage of United Kingdom goods entering this market has increased slightly.

AGRICULTURE.

MILK PRICES.

22. **Lord SCONE** asked the Minister of Agriculture whether he is aware that the producers of milk are receiving at the present time only fourpence per gallon for milk containing 3.40 per cent. butter fat; and what action he proposes to take to safeguard the milk producers until the milk marketing schemes can be brought into operation?

The MINISTER of AGRICULTURE (Major Elliot): I am aware that, largely owing to the fall in prices of milk products, producers are at present receiving very low prices for milk surplus to the requirements of the liquid market. As I have already intimated, the whole dairy produce situation is under review, but I am unable to make a further statement.

Mr. HERBERT WILLIAMS: Has my right hon. and gallant Friend given any consideration to the putting of a duty on skimmed condensed milk?

Major ELLIOT: All these matters are taken into consideration?

MILK PRODUCTS (IMPORTS).

23. **Lord SCONE** asked the Minister of Agriculture whether he is aware that the imports of tinned cream, condensed whole milk, and milk powders amounted, during the month of January last, to the equivalent of over 6,000,000 gallons of milk, all from foreign sources; and whether, as these imports are to a large extent subsidised, he is prepared to apply the policy of prohibition to such imports?

Major ELLIOT: I have no power to prohibit these imports.

Lord SCONE: Will my right hon. and gallant Friend state whether he contemplates taking action to secure the necessary powers?

WORKERS, YORKSHIRE.

25. **Mr. T. WILLIAMS** asked the Minister of Agriculture the number of men engaged in agricultural work in Yorkshire at the last available date and for 1929?

Major ELLIOT: The number of male workers, exclusive of the occupier of the holding, employed on agricultural holdings above one acre in extent in Yorkshire on 4th June, 1932, was 48,441. The corresponding figure for 4th June, 1929, was 53,530.

Mr. WILLIAMS: Can the right hon. and gallant Gentleman say whether dis-

placed agricultural workers have been found employment in any other industry, either foreign or British?

Major ELLIOT: I understand that a considerable number of them have found employment, but that does not alter my great regret that these people should have been forced off the land.

WHEAT.

26. **Mr. ROBINSON** asked the Minister of Agriculture the number of acres of wheat cultivated in Lancashire last year and the amount of deficiency payments paid out under the Wheat Quota Act to farmers in Lancashire up-to-date?

Major ELLIOT: The area under wheat in Lancashire in 1932 was 14,709 acres. I am informed by the Wheat Commission that up to 25th March a sum of £25,400 has been paid to registered wheat growers in Lancashire by way of advances on account of the deficiency payments to which they will become entitled under the Wheat Act, 1932.

31. **Mr. H. WILLIAMS** asked the Minister of Agriculture whether he has information to lead him believe that the diminished sowing of barley is likely to lead to such an increased sowing of wheat that the quantum under the Wheat Act may be exceeded, and that as a result the average guaranteed price may be reduced below 45s.?

Major ELLIOT: Although there has been some diversion of barley land to wheat growing the information available does not lead me to anticipate for the present that the specified maximum quantity, namely, 27,000,000 cwts. of wheat under the Wheat Act, 1932, is likely to be reached.

MILK REORGANISATION SCHEME.

28. **Brigadier-General CLIFTON BROWN** asked the Minister of Agriculture whether he will refuse to approve any scheme for organisation of the milk market which fails to implement the commission's recommendations on accredited herds, grades, and quality, as set out in chapter X of their Milk Reorganisation report?

Major ELLIOT: Several of the recommendations to which my hon. and gallant Friend refers lie outside the province of the Board which would have to administer a milk marketing scheme, and would have to be secured by negotiations among the interests concerned. I regret, therefore, that I am not in a position to give the assurance desired by my hon. and gallant Friend.

Brigadier-General BROWN: Does not my right hon. and gallant Friend think that it is of vital importance that any scheme under this Act should reassure the public as to the quality of the milk being sold, and, if he is not entitled to put it into the scheme, cannot he make arrangements to see that the recommendations are carried out in any scheme which is put before him?

Major ELLIOT: Some of those things can be secured by negotiations, say, with the local authorities, such as the routine inspection of dairy herds. These recommendations are of the highest importance, but I do not think that the Milk Board is the proper body to put them into force.

BARLEY AND HOPS.

30. **Mr. H. WILLIAMS** asked the Minister of Agriculture whether he is aware of the decrease of the acreage under barley and hops in recent years; and whether the Government intend to introduce legislation designed to stimulate increased growing of these crops?

Major ELLIOT: My hon. Friend is no doubt aware that a marketing scheme under the Agricultural Marketing Act, 1931, is in operation for the hop industry which, according to my information, has been suffering from over-production rather than under-production. I am not in a position to make any statement at the present time as regards barley production.

RUSSIAN BARLEY (IMPORTS).

27. **Mr. DORAN** asked the Minister of Agriculture if he can see his way clear, owing to the present state of agriculture, to prohibit the dumping of Russian barley in this country?

Major ELLIOT: The Government has no power to prohibit the importation of Russian barley, so long as the existing Russian Trade Agreement is in force.

POST OFFICE.

PART-TIME NIGHT TELEPHONISTS, GLASGOW.

32. **Mr. LEONARD** asked the Postmaster-General how many employés of the Glasgow Corporation are employed as part-time night telephonists in the Post Office telephone service; whether he has any information as to the average weekly wage received as first-grade clerks with the corporation; what is the average weekly wage received as part-time telephonists; and whether he will consider *replacing them by unemployed clerks and* other suitable unemployed persons?

The POSTMASTER-GENERAL (Sir Kingsley Wood): The number so employed is 16; but I have no information as to their average earnings with the corporation. The average weekly wage of the 16 men as part-time telephonists is 20s. 2d. The employment of part-time telephonists is generally regarded as undesirable, and unemployed persons if appointed to these posts would no doubt seek the first opportunity of finding full-time employment elsewhere. I am desirous of improving the efficiency of this service on the lines suggested by the Bridgeman Committee and by the experience of other telephone administrations.

Mr. LEONARD: Will the right hon. Gentleman take steps to ascertain how many of that type of labour are presently unemployed in Glasgow, and see if he cannot employ them without impairing the efficiency of the service?

Sir K. WOOD: I must refer the hon. Gentleman to the last part of my reply. I desire, if possible, to follow out the recommendations of the committee which considered this matter.

AIR-MAIL SERVICES.

33. **Captain P. MACDONALD** asked the Postmaster-General what payments were made by the British Post Office in respect of mail carried by foreign air-mail services from this country to Malaya, Borneo, and Java during 1932?

Sir K. WOOD: Approximately £5,000.

TELEPHONE INSTRUMENTS.

34. **Captain CAZALET** asked the Postmaster-General whether he has been able to give favourable consideration to the question of reducing the charge for the new pattern hand-microphone instrument?

Sir K. WOOD: From the beginning of April I propose to reduce the charge for the hand-microphone instrument. New renters will have the option of making a lump sum payment of 20s. or six quarterly payments of 4s. Subscribers already renting the instrument will be relieved of the present supplementary charge of 2s. a quarter as soon as the total of their payments for complete calendar quarters amounts to 24s.

Captain CAZALET: May we take it that new subscribers unless they make these arrangements will still have to be served with old instruments, and can the right hon. Gentleman say whether the Post Office have yet got rid of their stock of old instruments?

Sir K. WOOD: We have made progress in that connection. I am sure the hon. and gallant Member realises that it would be too great a strain on the finance to give the complete concession of new machines in every case. I hope the public will regard this as a reasonable arrangement in the circumstances.

PENNY POST.

35. **Captain NORTH** asked the Postmaster-General whether the Advisory Committee has expressed any opinion on the restoration of the penny post; and, if not, whether he will ask this body for its views on this matter?

Sir K. WOOD: The proceedings of the Advisory Council are of a confidential character, but I have no doubt that this matter will not be overlooked.

Captain NORTH: Can the right hon. Gentleman say approximately what would be the cost of returning to the penny post?

Sir K. WOOD: There is about £6,000,000 involved.

STAMP MACHINES, NOTTING HILL GATE.

37. **Miss CAZALET** asked the Postmaster-General whether he is aware that the two stamp machines outside the Post Office at Notting Hill Gate are frequently out of order; and whether he can state how many pennies and half-pennies these machines have accepted from the public without discharging stamps in return?

Sir K. WOOD: Complaints have been received concerning these machines and I have arranged for them to be overhauled and if necessary replaced by new machines. During the past three months, the value of stamps supplied by the machines has slightly exceeded the amount of money inserted and users of the machines have accordingly gained at the expense of the Post Office.

TELEPHONE SERVICE (ADVERTISING).

38. **Mr. T. WILLIAMS** asked the Postmaster-General whether the Post Office is responsible for the placing of advertisements suggesting that newspaper readers should get on the telephone; and, if so, what amount of money has been allocated for this purpose?

Sir K. WOOD: The Post Office is responsible for the placing of the newspaper advertisements referred to. The expenditure on Press advertisements of the telephone service in the current financial year will amount to about £35,000.

Mr. WILLIAMS: Seeing that the majority of people who purchase the London "Times" are already subscribers, does not the right hon. Gentleman think the money would be far better invested by being expended in provincial advertising?

Sir K. WOOD: It is not for me to comment on the value of the "Times" as an advertising medium, but I may say that, as regards the placing of advertisements, I am guided by an advisory committee which was set up by the hon. Member for Limehouse (Mr. Attlee) who sits beside the hon. Member. Therefore, I should think the hon. Member will have no further question to put.

Mr. WILLIAMS: Will the right hon. Gentleman tell the House exactly why the sub-committee feel that only the London "Times" is a useful advertising medium?

Sir K. WOOD: That is not correct. The hon. Member must get his facts right before he puts a question.

BROADCASTING (RUSSIA).

36. **Mr. HALL-CAINE** asked the Postmaster-General if his attention has been called to the fact that Russia is proposing to use a 500-kilowatt broadcasting station, whereas all the other European Powers at the Madrid Conference agreed to a maximum of 100 to 120 kilowatts; and whether Russia is a party to this agreement at Madrid?

Sir K. WOOD: The International Radiotelegraph Regulations which were signed at the Madrid Conference do not prescribe any limit of power for broadcasting stations. It was, however, agreed in a special Protocol, to which all the principal European countries, including Russia, were parties, that a broadcasting conference should be held in Switzerland in May next which should deal with the allocation of wavelengths to broadcasting stations in Europe and the fixing of the power which such stations may use. The Protocol contains a clause to the effect that the European Conference shall take as a guide a statement drawn up at Madrid which provides that, save in exceptional cases, the power used by a broadcasting station should not exceed 100 kilowatts if it is working on a medium wavelength or 150 if it is working on a long wavelength.

EDUCATION.

ELEMENTARY SCHOOLS (INFANTS).

56. **Captain NORTH** asked the Parliamentary Secretary to the Board of Education if he will state what was the number of children under the age of five attending elementary schools during 1932; what was the approximate cost resulting from such attendance; and what are the estimated comparative figures for 1933?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): The average attendance of children under five years of age in public elementary schools during 1931-32 was 125,500. The estimated corresponding figure for 1933-34 is 124,600. My Noble Friend regrets that he has no information available on which to estimate the separate cost resulting from the attendance of these children.

Viscountess ASTOR: Will the hon. Member see that there is no curtailment in the facilities for young children, because, owing to the deplorable housing conditions, the only place that many of

[Viscountess Astor.]

them have to play in is the street? Therefore, any economy over them will be a national menace.

ST. GEORGE'S DAY.

57. **Sir A. KNOX** asked the Parliamentary Secretary to the Board of Education whether he will consider the desirability of making the 23rd April, St. George's Day, a general school holiday, and arrange that the school day just previous to that day be given over to teaching Empire history?

Mr. RAMSBOTHAM: Both the suggestions relate to matters which are within the discretion of the school and local education authorities, and my Noble Friend doubts if his intervention would serve any useful purpose. He has no reason to believe that these bodies are not fully alive to the importance of the considerations which my hon. and gallant Friend has in mind.

Sir A. KNOX: Would it not be a good thing to teach the children something about the Empire and the builders of the Empire before this Government gives it entirely away?

Viscountess ASTOR: Will the hon. Member see that the children learn something about the spiritual and moral reformers as well as the soldiers of the Empire?

Mr. THORNE: And also how they are being robbed day by day!

Mr. HANNON: Is it not the case that in some Dominions and Colonies this day is regarded as a national holiday when the Union Jack is flown over the schools, and would it not be a good thing to follow the example in this country?

LOTTERIES AND SWEEPSTAKES.

58. **Captain P. MACDONALD** asked the Secretary of State for the Home Department whether he will consider the confiscation of prize money illegally won by British subjects in a foreign sweepstake; and whether he will use such confiscated money towards liquidating the debt of the Irish Free State to Great Britain?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): Legislation would be required if it were decided to confiscate money won in sweepstakes, whether promoted inside or outside the United Kingdom. Any question of legislation on the subject of sweepstakes must await the further recommendations of the Royal Commission on Lotteries and Betting. As regards sweepstakes promoted in the Irish Free State, a special consideration arises in that the Irish Free State Government now take a part of the proceeds, and this aspect of the matter will not be overlooked by His Majesty's Government in the United Kingdom.

Mr. T. WILLIAMS: Can the right hon. Gentleman say why such questions were not put to the Royal Commission?

60. **Sir W. DAVISON** asked the Home Secretary whether his attention has been drawn to the continued drain of large sums of money from this country for lotteries in Dublin, Rome, Danzig and elsewhere; and whether he will ask the Royal Commission to submit an interim report on this and kindred matters at an early date to enable legislation dealing with the present difficulties to be introduced without further delay?

Sir J. GILMOUR: The answer to the first part of the question is in the affirmative. With regard to the second part, there appears to be no occasion to ask the Royal Commission to submit a further interim report, as I understand their final recommendations may be expected in two or three months' time.

Sir W. DAVISON: Is it not desirable that the law in this matter should be clarified as soon as possible, especially as the Home Office gave evidence before the Royal Commission that the police are unable to stop the sending of sweepstake tickets between this country and the Irish Free State?

Sir J. GILMOUR: I do not think that any great time will be lost.

MOTORING ACCIDENTS.

61. **Mr. THORNE** asked the Home Secretary whether, in view of the large number of motor accidents due to dangerous and careless driving, he will issue instructions that copies of police reports can be obtained by interested persons?

Sir J. GILMOUR: Under the present procedure it is the practice of the police to furnish interested parties with certain information, including the names and addresses of witnesses, but copies of witnesses' statements are not furnished except to the parties who made them or their accredited representatives. It is clear that, as a general rule, statements made to the police and reported in the course of duty ought to be regarded as having been made on a confidential footing and ought not to be furnished to third parties, and it would only be on the strongest grounds that any exception could be made in favour of any particular class of statements. I am not at present satisfied that I should be justified in issuing instructions in the sense suggested, but I am giving the matter my further consideration from its legal as well as administrative aspects, in the light of various representations which I have received.

Mr. TURTON: In view of the variation which exists between different authorities in this matter, especially in regard to the fees relating to statements which are allowed to be given to different parties, will the right hon. Gentleman take steps to see that the practice is uniform throughout the country?

Mr. LYONS: Is it not the case that the fee imposed by some local authorities and police forces is prohibitive, and that many people go into court without knowing what the police statement will cost because they are unable to find the fee demanded?

Sir J. GILMOUR: I cannot add anything to the answer, except that I am giving the matter most careful consideration in view of all the representations that are made.

WORLD ECONOMIC CONFERENCE.

62. **Major NATHAN** asked the Chancellor of the Exchequer if he is now able to state whether, in relation to the projected World Economic Conference, he proposes to submit any proposals on behalf of His Majesty's Government on the question of the adoption of a system of symmetallism?

The FINANCIAL SECRETARY to the TREASURY (Mr. Hore-Belisha): No doubt this question will be raised at the Conference. Meanwhile the hon. and gallant Member will recall the view expressed on page 18 of the Draft Annotated Agenda for the World Economic Conference submitted by the Preparatory Commission of Experts to the effect that the idea of introducing bimetallism must be regarded as impracticable. Much the same considerations are in the judgment of my right hon. Friend applicable to a system of symmetallism.

Major NATHAN: Is the Financial Secretary aware that the late Professor Marshall put forward a system of symmetallism as being the most likely to provide a stable monetary system?

Mr. HORE-BELISHA: Yes, Sir. I am closely aware of all that Professor Marshall and all other professional economists have said on the subject. Most of them are dead.

Mr. THORNE: Has this information been published? Can we get a copy?

Mr. HORE-BELISHA: Yes, Sir.

53. **Mr. A. C. REED** (*for* **Mr. WHYTE**) asked the Prime Minister if he is yet in a position to give the approximate date of the assembly of the proposed World Economic Conference?

The PRIME MINISTER: I am not yet in a position to make a statement on the subject.

54. **Mr. REED** (*for* **Mr. WHYTE**) asked the Prime Minister, if, having regard to the interests at stake, the House will have an opportunity of considering or discussing the proposed agenda of the World Economic Conference before it is drafted in its final form?

The PRIME MINISTER: My hon. Friend will recollect that the questions to be dealt with by the World Economic Conference were fully discussed by the House on the 15th instant in the Debate on the Motion introduced by the hon. Member for East Birkenhead (Mr. White).

NATIONAL INCOME.

63. **Major NATHAN** asked the Chancellor of the Exchequer whether there has been of recent years any and, if so, what change in the distribution of the national income among the various ranges of income?

Mr. HORE-BELISHA: I have no information which would enable me to answer this question. Estimates of incomes above £2,000 derived from the surtax returns are to be found in the annual reports of the Commissioners of Inland Revenue.

Major NATHAN: May I ask whether before the Budget is introduced the Chancellor of the Exchequer will present to the House a statement from which we may form an opinion as to the incidence of taxation as between those who are above and those who are below the Income Tax limit?

Mr. HORE-BELISHA: Suggestions made by the hon. and gallant Member would naturally receive the attention which they deserve.

64. **Major NATHAN** asked the Chancellor of the Exchequer whether His Majesty's Government has made any estimate of the national income for the current or any recent past revenue year or any recent period, and of the distribution of such national income among the various ranges of income?

Mr. HORE-BELISHA: The answer is in the negative.

Major NATHAN: May I ask upon what basis the Chancellor of the Exchequer is able to frame his Estimates, and upon what basis this House can judge, unless we have some information as to the national income out of which they are derived?

Mr. HORE-BELISHA: My right hon. Friend and the country at large is much assisted by the estimates made by economists in this country, including Sir Josiah Stamp, Professor Bowley and Professor Flux.

INTER-ALLIED DEBTS.

65. **Mr. HALL-CAINE** asked the Chancellor of the Exchequer whether any intimation has been given to the French Government that Great Britain does not expect France to remit, on 15th June next, her debt instalment of 800,000,000 francs; and whether any such concession will be made conditional upon arrangements being made with the United States of America for the non-payment of the June instalment of the Anglo-American debt?

Mr. HORE-BELISHA: The position in regard to the Allied War Debts due to this country was fully stated to the House in the Debate on the 14th December last and has not been in any way modified since. No intimation about the 15th June instalment has been asked for by the French Government or given to them.

CIVIL AVIATION.

49. **Mr. WHITESIDE** (*for* **Sir FERGUS GRAHAM**) asked the Prime Minister whether evidence has yet been taken from the interests affected in regard to the proposed internationalisation of civil aviation; and whether the House can have an assurance that His Majesty's Government will not subscribe to any international restrictions which would retard the progress of aeronautical research and private and commercial flying?

The PRIME MINISTER: The answer to the first part of the question is that written representations have been received from certain interests affected in regard to the proposed internationalisation of civil aviation and have been considered. As regards the second part of the question, I would refer my hon. and gallant Friend to the assurance given to the hon. and gallant Member for the Isle of Thanet by the Lord President of the Council on the 13th of this month, and to my statement at Geneva, both of which have been supplemented by the answer I have given to-day.

WRITTEN ANSWERS.

INDIA.

BRITISH GUIANA.

Mr. RHYS DAVIES asked the Secretary of State for India whether the Government of India have made their views known to the Government of the Union of South Africa on the proposals for a colonisation scheme in British Guiana for Indians from South Africa; and when a decision is likely to be taken in the matter?

Sir S. HOARE: I have no information, but will inquire.

GOVERNMENT STORES.

Mr. RHYS DAVIES asked the Secretary of State for India when it is anticipated that a decision will be arrived at by the Government of India upon the recommendations of the Stores, Stationery and Printing Retrenchment Committee with regard to the purchase of all stores other than those of a specially technical nature through the Indian stores department?

Sir S. HOARE: The matter is, I believe, still under consideration.

REGISTERED ACCOUNTANTS (NOTIFICATIONS).

Mr. PARKINSON asked the Secretary of State for India whether the Government of India will consider the advisability of forwarding to each registered accountant in India a copy of every notification under the Auditors Certificate Rules of 1932 and a copy of the proceedings of the Indian Accountancy Board, or what steps they propose to take to bring such notifications to their attention?

Sir S. HOARE: I will communicate the hon. Member's suggestion to the Government of India.

RAILWAYS.

Major MILNER asked the Secretary of State for India whether the Government of India propose to take any steps with a view to carrying out the recommendation of the Retrenchment Advisory Committee for the abolition of the concessions granted by the Lee Commission with a view to affecting economies in railway administration?

Sir S. HOARE: The Railway Retrenchment Sub-Committee of the Retrenchment Advisory Committee did not recommend the abolition of the Lee Commission concessions. Revised scales of pay have been adopted for new entrants as recommended by the committee.

Mr. T. GRIFFITHS asked the Secretary of State for India whether the Government of India, in making allocations to the depreciation fund of the Indian railways, has regard to the state of equipment of the railways; and, if not, what steps they propose to take in the matter?

Sir S. HOARE: The present allocations to the depreciation fund of Indian State Railways represent roughly the value of the various classes of wasting assets divided by their assumed lives, and are much larger than the cost of the renewals at present required. It is the intention of the Government of India to have the whole of the existing arrangements connected with the depreciation fund investigated during the next financial year.

DISABLED INDIAN SOLDIERS (PENSIONS).

Major MILNER asked the Secretary of State for India whether the Government of India has under consideration, or will consider, the advisability of appointing a committee of inquiry to investigate the allegations of under-payment or non-payment of pensions to disabled Indian soldiers?

Sir S. HOARE: I would invite the hon. and gallant Member's attention to the Debate that took place on this subject in the Indian Legislative Assembly on 15th February last. I am sending him a copy of the report.

INCOME TAX.

Mr. McENTEE asked the Secretary of State for India whether the Government of India will consider the advisability of securing that provision is made in the Indian Income Tax (Amendment) Bill for the establishment of a special permanent tribunal in each province, unconnected with the Income Tax Department or the Central Board of Revenue, for the purpose of dealing with appeals against the orders of Income Tax officers, assistant commissioners, or commissioners of Income Tax?

Sir S. HOARE: A proposal of this nature was debated in the Indian Legislative Assembly on 2nd February, and the Bill in connection with which the point arose has been referred to a Select Committee.

INDIAN MARINE ACT AMENDMENT BILL.

Mr. MORGAN JONES asked the Secretary of State for India whether it is the intention of the Government of India to ensure that the reserve proposed to be established by the Indian Marine Act Amendment Bill shall be predominantly Indian in character; and if so, what steps they propose to take in the matter?

Sir S. HOARE: I cannot yet add anything to the reply I gave on this subject to the hon. Member for St. Rollox (Mr. Leonard) on 13th March.

WORKMEN'S COMPENSATION.

Mr. MORGAN JONES asked the Secretary of State for India whether he is aware that the provisions of the Workmen's Compensation Act Amendment Bill now before the Legislative Assembly depart from the proposals of the Royal Commission on Indian Labour in the matter of the scale of compensation; and whether he will direct the Government of India to have regard to the recommendations of the Royal Commission in this respect?

Sir S. HOARE: The Bill as introduced by the Government embodied the scale recommended by the Commission, but a slight modification has been recommended by the Selection Committee of the Assembly to which it has been referred.

CIVIL DISOBEDIENCE CAMPAIGN.

Mr. MORGAN JONES asked the Secretary of State for India whether he is aware of the suppression of the relevant passages from the correspondence between the Governor-General and Mr. Gandhi in the official communique recently issued by the Government of India on the subject of the resumption of civil disobedience in 1932; and whether he will give instructions to have these omissions made good in a fresh communique?

Sir S. HOARE: The full text of the correspondence between the Viceroy and Mr. Gandhi was published in India in the Gazette of India of 16th January, 1932, and in this country in Command Paper 4014 of 1932. The communique recently issued did not profess to repeat the whole correspondence and merely quoted the relevant extracts to disprove the allegation that the Viceroy had refused to see Mr. Gandhi. I see no reason for the issue of any further communique on the subject.

MURDERS, QUETTA.

Captain ERSKINE-BOLST asked the Secretary of State for India if he can give any details as to the circumstances of the murder of Colonel Abbot and his wife at Quetta; and whether the motive for the crime is known?

Sir S. HOARE: I was informed on 21st March that Colonel Abbot and his wife were found murdered in their house that morning. No motive for the crime was known, and no reason was found for suspecting any political connection. Further investigations are being made. I should like to take this opportunity of expressing my deep sympathy with the relatives.

INDIAN CIVIL SERVICE.

Duchess of ATHOLL asked the Secretary of State for India the number of successful candidates for the Indian Civil Service in each of the years 1921 to 1932 who obtained places, respectively, in the joint examination for the administrative grade of the home Civil Service, for the Indian Civil Service, and for Eastern cadetships as follows: between places 1-20, places 21-40, places 41-60, places 61 and below?

Sir S. HOARE: The following tabular statement contains the figures asked for by my Noble Friend:

Position, in the Table of Results of the Administrative Group Competitions, of candidates appointed to the Indian Civil Service by open competitive examination in London during the twelve years 1921–32.

—	1–20.	21–40.	41–60.	61 and below.
1921	6	10	—	—
1922	15	1	—	—
1923	11	—	—	—
1924	11	—	—	—
1925	4	6	15	11
1926	6	6	8	20
1927	9	11	13	25
1928	9	9	13	21
1929	8	10	12	22
1930	4	6	11	28
1931	4	5	9	16
1932	1	6	10	13

Note.—A considerable proportion of the candidates whose names appear in the Tables of Results of the Administrative Group Competitions offer themselves for appointment to the Home Civil Service only.

VACCINATION.

Mr. GROVES asked the Secretary of State for India what is the total number of municipalities in British India; and in how many of these municipalities is vaccination compulsory?

Sir S. HOARE: The total number of municipalities in 1929-30 was 777. As regards the second part of the question my latest and fullest information is contained in the following extract from the report of the Director of Public Health for the Government of Bombay for 1930:

Compulsory Vaccination.—Excluding Bombay City, Aden and the seven Cantonments of Ahmedabad, Ahmednagar, Poona, Kirkee, Hyderabad, Belgaum and Deolali, the Vaccination Act is in force in only 17 towns of the Presidency. In other provinces vaccination is compulsory in urban and rural areas as under:

Bengal Presidency.—Rural and urban areas including the existing 116 municipalities.

Madras.—All (82) municipal towns, 17 districts and major portion of the remaining districts.

United Provinces.—156 municipalities, cantonments and notified area committees and some town areas.

Burma.—63 municipalities and notified area committees and some districts.

Bihar and Orissa.—58 municipal towns and certain rural areas.

Central Provinces.—All municipal and notified area committees except one.

Assam.—23 towns.

Punjab.—106 towns.

North-West Frontier Province.—Nine towns.

Coorg.—Two towns.

NAVAL AND MILITARY PENSIONS AND GRANTS.

Mr. McENTEE asked the Minister of Pensions if his attention has been drawn to the case of Mr. F. Hill, of 77, Hamilton Road, Golders Green, who is in receipt of a pension of 70 per cent. in respect of pulmonary tuberculosis and is at present undergoing treatment; whether he is aware that the doctor has been informed that the liability of the Ministry will not extend to more than two attendances per week, whether made at the surgery or the patient's house; and will he state the reason for limiting the discretion of the doctor in attending a man seriously ill?

Major TRYON: It is not the case that the Ministry limited the discretion of the doctor attending Mr. Hill. At the outset, the Ministry undertook to defray the cost of two attendances a week, and asked the doctor to report immediately if, in his opinion, more frequent attendances were necessary. No representations to this effect have been received, but on the contrary, it has since been reported that Mr. Hill was returning to his employment subject to medical supervision. The Ministry will continue to bear the cost of this supervision for so long as may be necessary.

CONTRIBUTORY PENSIONS ACT.

Mr. GROVES asked the Minister of Health if he will expedite the inquiries into the claim of Mrs. E. Searle, 61, Cullum Street, Stratford, for an old age pension claim, No. 21,471,172?

Sir H. YOUNG: Mrs. Searle claimed a widow's pension at the age of 55 in respect of the employment of her husband, who died in February, 1913. It was ascertained, however, that the late Mr. Searle had not been engaged in employment of an insurable nature for five or six years before he died, and the claim accordingly failed because the statutory conditions for the award of a pension were not satisfied. A notice of rejection was sent to Mrs. Searle on 9th May last.

Mr. GROVES asked the Minister of Health if he will inquire into the circumstances attending the refusal of an old age pension to Mr. W. E. Atkins, of 72, Great Eastern Road, Stratford?

Sir H. YOUNG: Mr. Atkins' claim for a contributory old age pension failed because he was not an insured person when he attained the age of 65.

Mr. GROVES asked the Minister of Health the reasons why a pension under the Widows', Orphans', and Old Age Contributory Pensions Act has been refused to Mr. J. Williams, No. 28,375,803?

Sir H. YOUNG: Mr. Williams' claim for a contributory old age pension was rejected because he was not an insured person when he attained the age of 65.

Mr. GROVES asked the Minister of Health if he will investigate the circumstances attending the refusal of a pension to Mrs. A. Morfett, of 59, Waddington Street, Stratford?

Sir H. YOUNG: As stated in the letter written on my behalf to the hon. Member on 23rd January, in reply to his letter of 14th January, Mrs. Morfett's claim for a widow's pension was refused because her husband was not an insured person when he died in August, 1926.

Mr. GROVES asked the Minister of Health the circumstances under which Mrs. C. Lewis, No. 29,375,452, has been refused a pension under the Widows', Orphans', and Old Age Contributory Pensions Act?

Sir H. YOUNG: Mrs. Lewis's application for a contributory old age pension was rejected because she was not herself an insured person. As, according to Mrs. Lewis's statement on her application form, her husband will not attain the age of 65 until 27th November, 1934, she cannot become entitled to an old age pension in right of his insurance until that date.

WATER SUPPLY (REGIONAL COMMITTEES).

Mr. LIDDALL asked the Minister of Health whether he will issue a circular from his Department to local authorities encouraging the formation of advisory regional water committees in order to provide all our towns and villages with a pure water supply and to provide work for the unemployed?

Mr. SHAKESPEARE: A number of regional water committees have already been formed and the Central Advisory Water Committee is now considering where others should be formed. With the supplies of water already available for populated areas, it is not likely that many large new schemes will be required in the immediate future. My right hon. Friend is proposing to issue a circular on rural supplies, which present the greatest difficulty.

DYSYNNI VALLEY DRAINAGE SCHEME.

Dr. WILLIAMS asked the Minister of Agriculture whether he is aware that a scheme for the River Dysynni, Merioneth, has been prepared by the catchment area authority and sanctioned by the late Government, with a promise of grant; what progress has been made with the scheme; and whether the Government is now prepared to contribute to the cost?

Major ELLIOT: I am not aware of the scheme referred to in the first part of the question. A scheme was, however, submitted by the Dysynni Valley Drainage Board under the 1926 programme of State-aided land drainage improvement schemes and was approved for grant by the Ministry in March, 1927: this scheme is now nearing completion and the Government has made a grant of 50 per cent. towards the cost so far incurred.

AGRICULTURE.

SCHOLARSHIPS, YORKSHIRE.

Major CARVER asked the Minister of Agriculture if he will state the number of agricultural scholarships which have been awarded in each of the last five years to the sons or daughters of any agricultural workmen in Yorkshire?

Major ELLIOT: The following table gives the information desired:

——	1928.	1929.	1930.	1931.	1932.
Sons ...	3	5	7	1	1
Daughters	—	—	—	2	—
Totals...	3	5	7	3	1

BUTTER AND CHEESE IMPORTS.

Sir C. CAYZER asked the Minister of Agriculture whether he can now make any statement with regard to the negotiations with the Dominions for the voluntary restriction of butter imports; and whether he proposes to extend the scope of the negotiations to cover the question of the voluntary restriction of cheese imports from the Dominions?

Major ELLIOT: As I indicated in the reply I gave to questions by my hon. Friend and others on Thursday last, I am not yet in a position to make a statement.

POLICE (GOVERNMENT GRANTS).

Major MILLS asked the Home Secretary the principal headings, and respective amounts, under which the Government grants in respect of police in England and Wales are estimated to show an increase of £157,000 in the year ending 31st March, 1934, over the current year?

Sir J. GILMOUR: The estimate for 1932 was £320,000 below normal owing to a non-recurrent reduction in the amount

of grant payable in that year, due to a change in the method of calculating the payments of grant; apart from this adjustment, the estimate for 1933 would have shown a decrease of £163,110 in 1932 in consequence of various measures of economy, including the effect of the second instalment of the reduction in police pay.

TRANSPORT.

LONDON TRAFFIC (UNHIRED CABS) REGULATIONS.

Mr. LEVY asked the Home Secretary how many prosecutions have taken place under the no-crawling order, which prohibits taximeter-cabs and other motor vehicles being driven at a slow pace in busy streets?

Sir J. GILMOUR: No doubt my hon. Friend has in mind the London Traffic (Unhired Cabs) Regulations, 1927, which apply to motor cabs. Under those Regulations, during the year 1932, there were 273 prosecutions in respect of cabs loitering in the streets scheduled in the Regulations, and 112 prosecutions for stopping in those streets otherwise than on a rank or for the purpose of taking up a passenger.

SELBY TOLL BRIDGE.

Colonel ROPNER asked the Minister of Transport whether he can give any assurance that the question of the replacement of Selby Toll Bridge by a new bridge will be given immediate consideration as soon as his Department is in a position to give financial assistance to local authorities for schemes of this nature?

Mr. STANLEY: The advisability of replacing this toll bridge has to be considered in relation to other questions, such as the possible construction of a by-pass, and in the absence of definite proposals by the responsible local authorities, I am not in a position to form an opinion.

POST OFFICE (AIR MAILS).

Lord APSLEY asked the Postmaster-General whether the principle of giving preferential postage rates within the British Empire has been extended to cover air-mail postage rates; whether the same percentage advantage over postal rates to foreign countries is given as by ordinary mail; and, if not, whether he intends in due course to adjust the rates on air-mail letters within the Empire to ensure that such full preference shall be given?

Sir K. WOOD: So far as that portion of the rates which does not relate to air transport is concerned, the answer is in the affirmative. The answer to the second and third parts of the question is in the negative.

UNEMPLOYMENT (BROOKLANDS, SELBY).

Colonel ROPNER asked the Minister of Labour whether, in view of the representations which have been made by local authorities against the use of Brooklands, Selby, as a Labour Exchange, he can now give the assurance that alternative accommodation will be found?

Sir H. BETTERTON: My right hon. Friend has been in communication with my hon. and gallant Friend on the subject. As my hon. and gallant Friend knows, the Minister would be very glad if he could give the assurance asked for in the question. No suitable alternative is at present in view, and my right hon. Friend would welcome the assistance of the council in the search for accommodation, which is urgently needed.

CEYLON (SALARIES COMMISSION).

Mr. PARKINSON asked the Secretary of State for the Colonies whether the Ceylon State Council or the Board of Ministers were given any opportunity of considering the report of the salaries commission before receiving his decision with regard to the salaries and conditions of service of officers already serving in the Colony; and, if not, on what grounds his decision was based?

Sir P. CUNLIFFE-LISTER: The interim report of the Salaries and Cadres Commission was published in Ceylon in July last, while my despatch on the subject was dated the 14th November. The Board of Ministers had, therefore, ample opportunity for considering the report before my views on it were formed. The report contained proposals fundamentally affecting the conditions of service of

officers already serving in the island; and having regard to the special responsibility in regard to such matters which is placed on me by the constitution of Ceylon, I thought it desirable that the Board of Ministers and the State Council should be informed without delay of the general principles from which I was not prepared to deviate.

FIJI (ELECTORAL ROLL).

Mr. RHYS DAVIES asked the Secretary of State for the Colonies the grounds for his refusal to accede to the request made by Indians resident in Fiji for a common electoral roll; and what further steps does he propose to take in the matter?

Sir P. CUNLIFFE-LISTER: I understand that the movement for a common electoral roll in Fiji has been supported in the Legislative Council by the Indian Members alone, and that there is no general desire in the Colony for such an amendment of the Constitution. I see no grounds, as at present advised, for further action on my part.

EAST AFRICA (INCOME TAX).

Mr. ALAN TODD asked the Secretary of State for the Colonies whether the introduction of Income Tax into East Africa is intended as a permanent or temporary measure; and whether its introduction is recommended as part of Imperial policy?

Sir P. CUNLIFFE-LISTER: I would refer my hon. Friend to the answer given to the hon. Member for Berwick on the 22nd March in which I stated the reasons for the introduction of Income Tax and the policy which would be followed if and when taxation can be reduced.

LEAGUE OF NATIONS MANDATES.

Captain ERSKINE-BOLST asked the Secretary of State for Foreign Affairs the view of the British Government with regard to the holding of mandates by Powers which have left the League of Nations; and whether this problem in any form has been discussed by the great Powers?

Mr. EDEN: The question raised by my hon. and gallant Friend is under examination, but I am not in a position to make any statement. The answer to the second part of the question is in the negative.

RUSSIA: BRITISH SUBJECTS (ARRESTS).

Commander LOCKER-LAMPSON asked the Prime Minister whether he will give facilities for a Debate upon the recent arrest of British nationals in Russia?

The PRIME MINISTER: Since a statement is to be made in the course of this week I do not consider that a Debate at this juncture would serve any useful purpose.

INDIAN CONSTITUTIONAL REFORM.

3.20 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I beg to move,

"That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

Truly the lot of the Secretary of State for India is a very unhappy one. Everything that he says is taken down in evidence to be used against him. If he says something to reassure his friends in England he creates suspicions in India. If he says anything to show his sympathy with Indian aspirations, immediately he disquiets many of his friends in this country. Indeed, during the last 18 months I have been trying to emulate the delicate walking of Agag, no doubt with very poor success, and attempting, I fear very clumsily, the balancing feats of a ballerina or a skating champion. To one body of people I am a tyrant, to another body a traitor. Let me give the House one or two illustrations from my recent correspondence of the truth of what I am saying. Here, for example, is an extract from a letter from a British correspondent who signs himself "One of your former admirers":

"As you are admittedly a traitor, it would be advisable for you to blow out your brains before rather than after your surrender."

Here are one or two of the more elegant extracts from the Indian Press:

"Everything that matters is in the pockets of Sir Samuel Hoare. Everything that does not matter will come to India."

"Sir Samuel Hoare is acting with the ruthlessness described as his characteristic by Mr. Churchill."

And I would also add, as apparently great minds work together, by Mr. Gandhi as well. Particularly at the present time am I the isolated target of a plunging fire from two flanks. Here is what some of my friends think about the White Paper. I begin with an extract or two from the British Press. This is from the "Morning Post":

"Under the disguise of all its smooth reassurances, this White Paper is in essentials not a deed of partnership, but an instrument of abdication."

Here is an extract from the "Daily Express," which will equally please my right hon. Friend the Member for Epping (Mr. Churchill):

"The White Paper on India is the official hoisting of the white flag by the British Government over the Indian Empire."

But some things strike different people differently. Here, for instance, is what the Indian Press think about the White Paper:

"Responsibility offered is like a card house behind which stands a menacing giant armed with autocratic powers of a hundred Hitlers and Mussolinis."

"Had India presented a united front to the enemies of her aspirations, it is inconceivable that an offer so offensive to her patriotism and entirely galling to her self-respect could have been made."

"There is not a single point in which the White Paper has even partially conceded to the Indian point of view."

Here is my last extract, and I would draw the special attention of the House to it:

"If Churchill and the men of his group had been entrusted with the framing of the Constitution, they could not have improved on Hoare's performance."

By one side it is said that the White Paper is the white flag of surrender; on the other side it is claimed to be the red flag that flouts Indian nationalism. Amidst this diversity of tongues and, perhaps I might also say, amidst this extremity of abuse, I am inclined to comfort myself with two reflections. First of all, both these lines of criticism cannot be right. Secondly, I am able to-day to put before the House the Government's proposals, and to ask hon. Members, in whatever quarter of the House they sit, to bring their minds to bear upon them, to test them whether they are sound or whether they are not sound. To-day I do not ask the House to go any further than they have gone in the previous Indian Debates in this Parliament. I do not ask them to come to any decision upon the merits of our scheme.

On the day that I went to the India Office I realised that most of the problems with which I was faced were almost insoluble. I realised that questions connected with the Indian Constitution were

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certain to excite controversy in India. I realised that they were equally certain to start political controversy within the ranks of the parties at home. From the very first I realised the complexities of every one of these problems, and I tell the House to-day that I have shared the anxieties, felt, I believe, by every hon. Member of this House. Feeling these doubts, realising these difficulties, sharing these anxieties, I would say that it would be altogether unfair, it would be almost criminal, to ask the House, and indeed to ask Indian public opinion, to come to definite decisions after two or three days' Debate, after a series of speeches, however important those speeches may be, during the next few days.

It is on that ground that I am proposing to the House, the unprecedented procedure under which a Joint Select Committee of inquiry is to be set up before any decision is taken. The Government and I wish at the earliest moment to ask for the co-operation of Parliament in our difficult task, to put our proposals before them, and to ask the Committee of both Houses to give us the great value of their advice, before we ask the House to come to a final decision. That has always been the intention of the Government. As long ago as last June I described it in some detail to the House and the procedure which I propose to-day is exactly the procedure that I outlined last June. The Motion is exactly the type of Motion I have always contemplated, and it is all moonshine to suggest that the Government have, in any way, altered their general line of policy, or have in any way modified their proposals for procedure, as a result of pressure from this or that section of the House.

If I know anything of the House, I guess that it does not want to-day a historical lecture or a constitutional lesson in the details of the White Paper. I propose not to deal at any length with past history, not to go into great detail over the wide field covered by the White Paper, but rather to sketch to the House the background of our proposals, and the reasons that have prompted us to make them to Parliament. As to the past, I need make only two observations, and they need not be long observations. For the best part of 100 years, ever since Macaulay with that beaming optimism which characterised early Victorian Liberalism, declared that the English language was to be a bridge between Asia and Europe, and that, by 1860, to use his picturesque phrase, "there would not be a single heathen in India," rightly or wrongly we have led India along Western lines and made every responsible public man in India believe that Western institutions and particularly British institutions are suited to Indian development. That is a fact that we may or may not deplore, but it is a fact that we cannot ignore.

To-day, I venture to press it on the House, even more strongly than I would press upon the House any explicit pledge in an Act of Parliament. The pledges of the past leave full liberty to Parliament in the choice of the time and manner of constitutional advance. I accept this principle. Although it was Lord Curzon who with his own hand wrote the words about responsible Government into the Declaration of 1917, our hands to-day are free to take what course Parliament in its wisdom thinks proper in pursuance of that declaration. I submit that Parliament would be most unwise if it failed to take into account the continuous history of the last century and the fact that, year after year, we have led India to believe in the continuous bestowal of new instalments of constitutional progress.

When I think of these moral obligations rather than explicit pledges, I am reminded of the story in the Arabian Nights of the man who made a regular practice of giving presents to his friend. A time came when he ceased that practice and the friend complained to the court of conscience that, owing to the regularity of the gifts, he had become so habituated to these grants that there was a moral obligation on his friend to continue them. The court of conscience gave the case against the man who had made the gifts on the ground that his constant practice had created a moral obligation. Our case in India is not altogether dissimilar to the case of the man and his friend. I want to emphasise to the House, and, this is the first point to which I would direct its attention, that it would be most unjust and most unwise to ignore this long continuous history and the moral obligations, if not explicit pledges, into which, time after time we have entered.

The only other observation I would make about the past is this. We cannot isolate these Indian questions from the whole field of Asiatic questions. India is not isolated from the rest of Asia. Hon. Members would be very unwise if they approached this question without reminding themselves of what has been happening from one end of Asia to the other in the years since the War—if, for instance, they failed to remember what is called the new tide in China, if they failed to remember, again, the efforts which Turkey is making to establish itself as a modern progressive Power, if they failed again to remember the events of only the last few weeks in which Japan has been challenging a big body of European public opinion. What wonder when all this ferment is going on in Asia from one end of that Continent to the other that India should be raising its voice for recognition, and that India should be making a demand for a greater share in its own government.

I hope that these two observations are sufficient to show why it is that almost universally the demand is being made for great changes in the government of India. After all, the demand for change was the very *motif* of the Report of the Simon Commission. The Simon Commission made the most notable and valuable survey of Indian problems that has ever been attempted. There was not a phase of Indian life, there was not an Indian political movement, that the report did not cover in its majestic sweep, but the one conclusion that stood out above any other—I will say a word or two about the details in a later part of my speech—the one main conclusion that emerged more clearly than any other, was the acceptance of the fact that great changes are now inevitable in the government of India.

The question, therefore, which I venture to put to the House is not whether changes are necessary, though I believe that every hon. Member admits that changes are necessary, but rather what those changes should be. The Government have put their proposals in the White Paper. None of those proposals is new. Anyone who has read the proceedings of the various Round Table Conferences will agree with me that there is nothing in these proposals, nor can there be anything in these proposals, that has not been fully discussed during the last two years. They are not new proposals. They are proposals that I imagine almost everyone who has been following the Indian problem for the last two years has expected the Government to make. But before I deal with some of them, let me make an over-riding contention, or rather an over-riding test, that I would desire to see applied, not only to these proposals, but to any alternative proposals that may be made.

It is quite essential that no changes that we propose, still less any changes that Parliament enacts as the statutory law of the country, should go to weaken the Indian Executive, either in the centre or in the provinces. Do not think that we have been blind, we Members of the Government, to what has been going on in the world in recent years. We have marked as clearly as any hon. Member in this House the way in which Government after Government, Constitution after Constitution, in the East as well as in the West, has foundered owing to the weakness of its executive. I believe it will be found, when hon. Members have had a fuller opportunity of investigating the details of our proposals, that we do not propose to weaken the Indian Executive, either in the Centre or in the provinces. What we do propose is to concentrate upon the essentials and to define responsibility, and we believe that by concentrating upon the essentials and by defining responsibility we shall actually remove certain of the causes that now weaken government in India, both in the centre and in the provinces. Be that as it may, I would welcome the criticisms, if need be, of hon. Members upon this all-important point. We agree with every hon. Member in this House that it is essential that the Executive Government in India, both at the centre and in the provinces, should be a strong one. Everywhere anarchy is one of the greatest disasters in the world; in the East it is the unforgivable sin.

Let me now come to the White Paper itself, and let me at once draw the attention of the House to a point that I feel sure most hon. Members have already noted, namely, that the White Paper includes a very comprehensive scheme, a scheme that covers the whole field of Indian Government, both at the centre and in the provinces. There were two alternatives open to the Government.

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There was the alternative of making proposals that would proceed by stages, proposals that would bring into operation Provincial autonomy first and afterwards perhaps, at some indefinite time, would deal with the centre; and there was the alternative of dealing with the whole body of the Government at once. It was not a question of ignoring or accepting the Simon Report. There were factors which we had to consider that were unknown to the Commissioners at the time that they made their report. There was the factor, for instance—to many, perhaps, a very unexpected factor—of the attitude of the Princes towards All-India Federation.

It was not then a case of ignoring the Simon recommendations. It was rather a questoin of weighing the advantages and disadvantages of both alternatives and of taking into account the new factors as well as the factors that guided the Statutory Commission. It was one of the most difficult questions that the Government had to decide. There were obvious advantages in each course. After very careful consideration, we came to the view that it was both wiser and safer to make proposals that would cover the whole field, and we took that choice for two reasons. First of all, we do attach very great value to the accession of the Indian Princes to any system of Indian Government. I shall deal in a minute in somewhat greater length with the conditions of that accession, but, so far as our proposals are concerned, we attach great value to the Indian States being represented in the central Government—the Indian States with their long and hereditary experience of government, the Indian States, who, however much they may disagree among themselves on minor issues, are at any rate unanimous on two fundamental conditions: first, their support of stable Government, and second, their determination to rest within the British Empire. The Indian States through their representatives made it clear to us that they were not prepared to enter any Government that was wholly under the control of Whitehall. If therefore we are to have this valuable support of the Indian Princes it is necessary for us to embark on comprehensive proposals that will cover the centre as well as the Provinces

But there was another reason that decided us to proceed by a comprehensive scheme. Being politicians, we could not be blind to the fact that political opinion in India was almost unanimous in favour of a comprehensive scheme. Being politicians, and being I believe, like every hon. Member of the House, very anxious to see political autonomy started in the provinces, we were driven to the conclusion that there was little or no chance of provincial autonomy starting in a reasonable atmosphere of good will if we did not at the same time make proposals that covered the federal centre. These were the reasons that prompted us to take this decision. Hon. Members may or may not agree with them, but I hope that every hon. Member will see that our reasons were not prompted by idle sentiment. They were not the reasons of theorists who wish to make up a nice neat paper scheme covering the whole field. They were the actual reasons derived from the hard facts of the situation that made us take the decision that we took.

Our scheme, therefore, as the House will see, is a comprehensive scheme covering both the centre and the provinces. As the House will also see, it is a very complicated scheme. I suppose that it is the most complicated scheme that has ever been proposed as the constitution of any country in the world. It bristles with complexities, it is filled with difficulties, and it is filled, no doubt, with many anomalies, but I say to the House that if it did not bristle with difficulties, if it were merely a simple scheme that did not deal with all the difficulties, it would be a purely artificial scheme and worth nothing at all. It would be a worthless scheme for the very good reason that the Indian factors are so complex that no simple scheme could possibly deal with them. We have tried to face every one of those difficult factors and if our scheme is long, complicated and intricate, the reason is not the muddle-headedness of the Government but the complexities of the Indian problem.

Let me suggest some of the complexities which we have had to take into account. Let me suggest the main interests in this veritable jig-saw puzzle that we had to attempt to fit together. First, there is that whole body of interests that come about as the result of the long partnership between India and Great

Britain. Next, there are the exclusive interests of India itself. There are the interests of the Indian Princes and of the Indian States. There are the interests of British India, and particularly the relations of the centre to the various British Indian units; and there are the interests of the communities and religious minorities. No scheme that does not honestly face all those problems and make a serious attempt to reconcile those interests—quite often conflicting interests—is worth the paper on which it is written.

Let me suggest in broad outline the way in which we have attempted to reconcile these main interests. I begin with the main Indian interests. There our object has been to give Indians the widest possible opportunities for their own self-government and self-development. The safeguards that necessarily take so prominent a place in the White Paper are designed just as much in Indian interests as in British interests. Indeed, one of the most significant facts of the proceedings at the Round Table Conference last September was the demand of Indians themselves for safeguards. There day after day Hindus or Sikhs in the Punjab were demanding safeguards for their minority communities; Moslems were demanding safeguards in the Hindu Provinces; the Depressed Classes were demanding safeguards in their interests in Provinces where there are many members of the Depressed Classes. Take another instance—the demand reiterated by all the Indian minorities for a declaration of fundamental rights in addition to their demands for safeguards. I state these facts to-day to show that these safeguards are just as necessary, and just as strongly demanded by Indian public opinion as they are by British public opinion here.

As I say, in approaching the question of Indian interests, we have attempted to give the fullest possible scope to Indians to develop themselves on their own lines. We have tried to give the fullest possible scope to Indian aspirations, and if we have introduced safeguards, it is because we believe that those safeguards are necessary if stable government is to continue. It is said in India that the proposed transfer of responsibility to Indians amounts to little or nothing. Let Indians look at the question from the point of view of the 230,000,000 people, who live in the villages of India and make their living upon the land. Practically every single matter that affects them from day to day and year to year it is proposed to place under the direction of an Indian Minister depending upon a Legislature elected by Indians on a wide franchise, and a franchise made wider than it is now for the express purpose of giving the agricultural masses a chance to make their voices heard, for the express purpose of protecting the poorer and less influential minorities.

Let the House look at the exclusively provincial subjects in the White Paper, all of which will be under the direction of an Indian Minister. What is the cultivator interested in? The rent he pays for his holding, the state of the roads by which he takes his produce to market, his water supplies, the watch and ward which protects him from the criminal, the education of his children, public health, the protection of his cattle from disease, the improvement of his seed, the provision of his credit—all of these things, and there are many more—there are 77 important items in the list of provincial subjects—all of these will in future be controlled and directed by a Government responsible to himself and his fellows. Thirteen years ago—a very short time—all these things were under the control of an official Government. No such change has ever been proposed by constitutional methods in the Government of so vast a country in so short a time.

I pass from the interests of British India to the interests of the Indian States. The House will see that in the White Paper there is nothing said about the relations of the Indian Princes with the Crown. There is nothing said about those relations, for the very good reason that the broad question known by the all-embracing term of "paramountcy" does not enter into the federal scheme at all. Princes do not enter into the federal scheme at all, except in so far as they themselves agree to modify their treaties upon their entry into federation. Subject to this, the treaties and agreements will express direct relations between the Princes and the Crown. As to the federation, the Princes will, of course, be free to enter or not as they wish. As, however, their accession in sufficient num-

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bers is a fundamental condition of our proposals, we have to make provision that will ensure a sufficiency of the Indian States entering the federation if we are to obtain the advantages that we desire from that accession.

The House will see that the test which we propose is the test of the entry of Indian States, representing half the population of the States, and half the States entitled to seats in the Upper Chamber. At first sight, hon. Members may think that that test is too low a test. I think if they will analyse and take into account, first of all, that there are a good many minority States, and those States cannot enter into the federation; and, secondly, if they take into account the further fact that only the more important States will have seats as of right in the Upper Chamber, they will see that if 50 per cent. of these States, representing half of the population of the Indian States actually enter the federation, the federation will, in practice, be an effective All-India Federation. This question is, as I say, of vital importance. The effective accession of a sufficient number of States is a fundamental condition of the whole of our proposal.

Let me pass to another factor of the federation. Hon. Members will remember that, speaking generally, there are two types of federation. There is the federation which retains predominant power at the centre, and there is the federation which moves the balance of power to the federal units. Deliberately and designedly we have chosen the second of these types, namely, the type of federation which transfers the main balance of power to the federal units. We have made that choice for the very obvious reason that the great sub-continent of India, with all these increasingly difficult problems, is much too big and much too diverse a unit to be managed by a highly centralised Federal Government. On that account, the basis of our proposals is that for the Federal Government there should be a definitely limited field of activity confined to the specified federal subjects, and the Federal Government should, of course, have sufficient revenue to meet its federal obligations, and that the provinces should be given the fullest possible field for autonomous development. I am inclined to think that one of the great advantages of a federal scheme for India is the opportunity that it is going to give to those great provinces, some of them—one or two of them—as populous as the United Kingdom, to develop on their own lines. I am inclined to think that we have pushed centralisation too far—at any rate, too far in recent years in India. Centralisation was possible when problems of government were comparatively simple. Centralisation will more and more break down in India in face of those increasingly difficult Indian problems, and I should hope to see development in India very much on regional lines with some of these great provinces working, it may be, in close association with the States which border upon them, and I believe that this decentralisation may well be a proposal that will give a great body of new life to Indian development.

In any case, we have chosen deliberately and definitely the kind of federation that gives the fullest, freest scope to the Provincial unit. I know that there are several hon. Members in this House who will be saying to themselves, even while I am speaking, "That sounds a very excellent scheme. It sounds as if the Government have held the balance between British interests and Indian interests—the interests of British India and the interests of Indian India. But what guarantee is there that an extremist majority will not hold the power in the centre and, it may be, in several of the Provinces, and smash your scheme altogether?" I do not wish to make prophecies about the future, least of all the Indian future. But I would ask hon. Members to look very carefully at the proposals which we have made in the White Paper for the constitution of the Federal Legislature and of the Provincial Legislatures, and if they analyse those proposals, I think they will agree with me that it will be almost impossible, short of a landslide, for the extremists to get control of the federal centre. I believe that, to put it at the lowest, it will be extremely difficult for them to get a majority in a Province like Bengal. No doubt, there are these questions to which, rightly, the Joint Select Committee will give their careful attention. But I can say that, so far as Indian interests are concerned, we believe our proposals are safeguarded, and we believe they do the fair thing between

the centre and the Provinces, and between the centre and the Indian States.

I come now to a more difficult question, the question of the joint interests of Great Britain and India. Sometimes these are called British interests. I will not admit that they are exclusively British interests. I would never define British interests in India as being solely the interests of the British Government, or the British bondholder, or the British trader. I put a much wider interpretation upon our interests. I put so wide an interpretation on our interests in India that I claim that they are joint interests between ourselves and Indians. After all these long years of partnership we, the Government, could not agree, and Parliament would never agree, to a repudiation of all these obligations into which we have entered for protecting the weak from the tyranny of the strong, avoiding anarchy and defending religious minorities from persecution. All these obligations I claim to be included in the general term "joint British and Indian interests." These interests are the interests that we propose to safeguard in the manner set out in the White Paper. These are the interests that are set out in great detail in the White Paper. It is much fairer, it is much more honest, to set the list of these safeguards out in full and in detail. We desire no misunderstanding about them, either here or in India. Naturally they are complicated, they must be, and they take a very prominent place in the proposals we are making.

Naturally, also, they are open to attack from both sides; they are bound to be open to attack on both flanks. The Indian says they amount to so much that the responsibility becomes a sham. The critic in this country says that no safeguards are any good at all. We often have heard these criticisms stated in the form of a dilemma. If the safeguards are effective responsibility is a sham; if responsibility is effective the safeguards are a sham. Fortunately, the world is not run on a rule-of-three of this kind. Fortunately, great affairs are not susceptible to dilemmas of that kind. If this were a true dilemma, it would mean one of two things. It would mean either that there could never be responsibility in India, or it would mean that if there were responsibility it must be responsibility without safeguards. I claim that no serious body of opinion either in this country or in India is prepared to accept either of those alternatives. I do not believe any substantial body of opinion is going to state that at no time and never can there be responsible government in India, nor do I believe that there is any substantial body of opinion either here or in India that considers that safeguards of some kind are not necessary in the interests of Indians themselves. Certainly, among the first to protest would be some of those representatives of the Indian minorities that made their voices so powerfully heard at the Round Table Conference last autumn.

Let me at this point deal with a series of arguments that we have all of us so often heard against what is called responsibility with safeguards. "Look at the Irish Treaty," say many of my hon. Friends. "What use were the paper safeguards in the Irish Treaty? What use was even the signature of my right hon. Friend the Member for Epping? What use were those safeguards even to a great country like ours, dealing with a small country like Ireland a few score miles from our shores? If the Irish safeguards were of no avail, what is likely to happen to these Indian safeguards when we are dealing with a country not a few score miles away, but with a great Continent 6,000 miles away?" My answer is a simple one. There is no similarity whatever between the Irish and the Indian case. The Irish Treaty broke down not because of safeguards but because there were no safeguards. I do not criticise anyone who made the Treaty in the difficult conditions in which it was made, but the fact does remain that in the true sense of the word there were no safeguards included in the Irish Treaty.

Compare the Indian position with the Irish position? In India the Governor-General, the Provincial Governors and other high officials are still to be appointed by the Crown. The security Services, the executive officers of the Federal and Provincial Governments, are still to be recruited and protected by Parliament. The Army, the ultimate power in India, is to remain under the undivided control of Parliament. Those are no paper safeguards. Here are the heads of Government endowed with

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great powers and given, as I shall show a few minutes later in more detail, the means of carrying those powers into effect. These questions are all important, they are the key questions of the Government's proposal, and I would venture, because they are so important, to make a somewhat more detailed analysis both of the safeguards themselves and of the machinery with which they will be brought into operation. The effect of these provisions is, broadly, this, that when in the exercise of his responsibilities a Governor feels constrained, for example, to differ from his Ministers the orders which he issues to the Services will be no less the legal orders of the Government than if they had resulted from his Ministers' advice.

This being so, the criticism of the effectiveness of the safeguards reduces itself when examined to two propositions. The first is that the Services will blankly refuse to obey orders. I need but to state that contingency for every hon. Member to brush it aside. With the record of the Secretary of State's Services, surely there can be no suspicion that they will not carry out the accredited orders of authority. With the provincial services, there, again, with their splendid record of loyalty, often in the face of difficulty and danger, I have no doubt that they will loyally carry out the orders of accredited authority. Moreover, they will have as their protection the Public Services Commissions and other means of making their complaints to the Provincial Governments. I cannot contemplate a situation arising in which the Services will refuse to carry out a Governor's orders, even if they are given at his own discretion and without the advice of his Ministers.

There is a second contingency that may be in the minds of some hon. Members. They say to themselves, "How will a Governor be really able to carry these powers into effect when his Government threatens to resign and he may be left without a Government at all?" No doubt an extreme contingency of that kind might arise, but I do not believe it is so likely as some of my hon. Friends think. I do not believe that politicians in India are very different from politicians here, and I do not believe that the contingency is often going to arise in which it would be impossible for a Governor to find an alternative Government. After all, the Governor, in exercising his special powers, will very likely be exercising them in the actual interests of a substantial body of the population of his own Province, for instance, one of the Minorities; and I think it will be very rare in actual practice that a Governor will not have behind him a substantial body of public opinion in a political crisis of that kind.

Brigadier-General Sir HENRY CROFT: Does my right hon. Friend suggest that the minority could then form a Government and carry on?

Sir S. HOARE: If my hon. and gallant Friend will let me finish this part of my speech—I do not in the least criticise him for asking that question——

Sir H. CROFT: I am sorry if I was impertinent.

Sir S. HOARE: It was a very pertinent question, and I am now going to deal with it. Suppose, as my hon. and gallant Friend says, that he cannot find a Government to carry on, then his course is perfectly clear. The Constitution has broken down, and he assumes the full power of the Government, and Parliament once again becomes fully responsible here. My hon. and gallant Friend will find in our proposals a series of explicit provisions meant to deal with a situation of that kind, in which the Constitution has actually broken down and in which, once again, the Governor-General on the Governor, with Parliament behind them, assume full and undivided powers in administration.

Sir WILLIAM DAVISON: There will be no machinery.

Sir S. HOARE: I have stated the two contingencies that I know have been in the mind of many hon. Members and that have led them to believe that in actual practice it would never be possible to put the safeguards into operation. One of my hon. Friends says that there would be no machinery. I am afraid that I have not made myself clear. There will be a very effective machinery. The Governor's order will be the accredited order of the Government. The officers to carry out that order will be the Services, both central and provincial, and, in the last resort—I hope a resort that will never come into actual being

—there is the Army behind the Governor-General and the Governor, in the undivided control of Parliament. I hope that I have said enough to show that our proposals contemplate not paper safeguards, but safeguards that, if need be, can be carried into full effect. There are, however, three particular safeguards about which I ought to say a word.

Perhaps before I come to them I ought to deal with another line of argument that I have heard constantly used during the last few weeks. It is made by many public men who are well entitled to speak from their own experience. It was suggested the other day in a letter to the "Times" newspaper by so distinguished an ex-provincial Governor as Lord Zetland. These men say: "Your safeguards may be all right on paper; your machinery may be all right, but it will need a veritable superman as Governor-General, or as provincial Governor, ever to carry them into effect." These criticisms deserve to be carefully weighed and to be definitely answered. Let the House therefore observe concrete facts and try to see what is likely to happen.

I take the case of the Governor-General under our proposals. As matters stand, there are 47 central subjects, including such matters as railways, aircraft, shipping, posts and telegraphs, Customs, currency, public debt, civil and criminal law, commerce, emigration and immigration, for the due administration of all of which he is responsible as the head of the Government of India, and no one with the slightest knowledge of Indian administration supposes that the Governor-General at present is a mere figurehead. He holds one of the most arduous and responsible offices in the Empire, and, besides his direct responsibility for the affairs of the central Government, he is responsible for the superintendence, direction and control of the important reserved subjects of the Provinces. On top of all that, though it is no part of his duties as laid down in the Act, there falls upon him the difficult and exacting political work involved in his relations with the two Houses of the Legislature. His responsibilities are at present overwhelming, and they are all-pervading. In future, I agree, they will be very heavy, but at any rate they will be strictly limited and defined. I have discussed this question with the Viceroy, with ex-Viceroys and with several Provincial Governors and they all take the view that, upon the whole, the responsibilities of the Governor-General will be less rather than greater in the future.

Let me now come to what I said just now about three special responsibilities, about which I want to say a word. They are the special responsibilities, imposed upon the Governor-General, of finance, for the prevention of commercial discrimination and to prevent any grave menace to the peace or tranquillity of India. Let me say a word or two, which will be short, about each of those special responsibilities, and first of all, about the special responsibility connected with finance. One of the most difficult questions that we have had to discuss has been the question connected with Indian finance, and particularly with the safeguards necessary for ensuring the stability of Indian credit. Our difficulties were made ten times worse by the financial and economic crisis through which the world has passed. In a sentence, the problem was this: On the one hand, if the Federal Government was to have any real responsibility, it was almost inevitable that there should be a transfer of the financial portfolio. On the other hand, it was equally necessary to take no action, however excellent it may be in itself, that would endanger the very foundation of Indian stability and Indian credit. The House will see, in the proposals dealing with finance, how we suggest dealing with this difficult problem, and will see set out in great detail the financial safeguards that were considered to be necessary.

We believe that, so far as we could in the very difficult circumstances confronting us, we have held the balance between these two needs, the need of transfer on the one hand and of financial stability on the other. I believe that there is no reason why any of our proposals should in any way diminish what is one of the greatest assets that the British connection has given to India, the stability of Indian credit. I deplore an attempt that seems to have been made to shake confidence in Indian stocks. In the first place, the White Paper provides for the faithful and punctual observance of India's financial obligations, and it must be obvious that it will be an essential condition of the success of the federation, which every Indian investor will have at

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heart, that the credit of India should be maintained. The House will realise that something like half the debt of India has been raised in India. Lastly, the investor may rest assured that Parliament would never accept our proposals if there was justification for gloomy forecasts of India's financial future.

Let me now say a word about the commercial safeguard, namely, the safeguard designed to prevent commercial discrimination, a part of our proposals that I know excites and rightly excites the keenest interest in business and trading circles in this country. The House will see that we are proposing to deal with the question of commercial discrimination upon the simple basis of reciprocity. Put into a single sentence, our proposals are that anything that we do for Indian traders or for Indian professional men in Great Britain, Indians should do for British traders and British professional men in India. That is the basis of our proposals for the prevention of commercial discrimination. Obviously, they make no change in what has come to be known as the Fiscal Autonomy Convention. I am one of those who believe that the commercial relations between India and Great Britain are much better settled by agreement, if they can be settled by agreement, and it is indeed a satisfactory augury that the Indian delegates at Ottawa were able to make a satisfactory agreement, at any rate on a part of the subject, with the representatives of Great Britain and the rest of the Empire, and that that agreement has been ratified by a huge majority in the Indian Assembly. To-day I say no more about commercial discrimination—not that I do not regard it as quite one of the most important questions that we have to consider. I must pass to the last of the safeguards, which we propose for the prevention of any grave menace to the peace and tranquillity of India.

This safeguard immediately raises the very difficult question of the transfer of law and order to responsible Indian Governments, one of the most difficult questions that not only we had to consider, but that the Statutory Commission had to consider. On the one hand, there is the need for making provincial autonomy real self-government, and the virtual impossibility of making provincial autonomy real self-government if law and order are not transferred to an Indian Minister. On the other hand, there is the essential need for taking no action that will shake the morale of the police or that will endanger the Indian spirit. This was an extraordinarily difficult dilemma facing both us and the Simon Commission. We are just as conscious of the anxiety felt by many of my hon. Friends as anyone in this House; but, setting on the one side the advantages of a transfer, and on the other side the disadvantages, we came to the same conclusion at which the Simon Commission arrived, namely, that it was both safer and wiser to make this transfer.

When one comes to that decision, it necessarily follows that, if you make the transfer of law and order to a responsible Indian Minister, you cannot withhold from his control the administration of the police. I think it goes without saying that a Home Secretary without the power to order police to this or that point would be a Home Secretary without effective powers. Therefore, it seemed to us essential, in making a transfer, to make the transfer of the police administration. When I say that, I do not on any account mean that we leave the question there, and that we provide no protection for the police against the possibility of undue influence or victimisation. Let hon. Members look at the provisions that we make in this respect in the White Paper. We do not intend, nor do Indian public men intend, that the Minister should himself interfere arbitrarily with promotion, postings and discipline. All these matters will be primarily for the executive head of the Service to deal with. The officers at the top, who have been and will continue for a time to be, appointed to the Service by the Secretary of State, will have their main conditions of service regulated by him, and will have a right of appeal to him. Deputy superintendents, that is to say, the provincial police service proper, will have the protection of the Provincial Public Service Commission, and there will, we hope, be strong selection boards for appointments and promotions in the subordinate ranks. It is to such means that we look for the security of the police from deterioration.

But the morale of the police is of importance in emergencies beyond that of

any other Service, and the White Paper has taken account of this. The work of the force will—let there be no doubt on the matter—be the responsibility of the Minister. If for no other reason, the Minister will be deeply concerned in its efficiency, because at every point its work will be subject to criticism. The Governor is given, as the House knows, special responsibility in case of any grave menace to the peace and tranquillity of the province, and the instrument of instruction will direct him to have regard to the close relation between this responsibility and the internal administration and discipline of the force. I want to make it clear that this is not intended to imply that the Governor is to intervene in the day-to-day administration of the force, much less in its work, but is intended to enable him to secure, if need arise, that he shall be in a position to discharge the responsibilities specifically assigned to him by the Constitution. These proposals we have discussed over and over again with experienced administrators, with the Viceroy and with, I think, every Governor in India at the present time, and they are all unanimous that, in the difficult conditions which confront us, they provide, on the whole, a sound and workable scheme, and that in any case they are much the safer and the wiser of the two alternatives to which I have just alluded.

Sir ROBERT HORNE: As this is very important, may I ask my right hon. Friend two questions? In the first place, is there any limitation of time during which the Secretary of State will exercise his discretion in the appointment of the police; and, in the second place, to whom will the police report?

Sir S. HOARE: I am very glad that my right hon. Friend has asked those two important questions. In answer to the first, there is no limit of time. Our proposal is that after five years there shall be a statutory commission to inquire into all the various problems connected with the recruitment of the Services.

Sir H. CROFT: Will my right hon. Friend take their advice into consideration?

Sir S. HOARE: Certainly. I do not suppose that I shall be in my present place, but I can assure my hon. and gallant Friend that my successor—probably a worthier successor—will certainly take such advice into account. In reply to the second question of my right hon. Friend the Member for Hillhead (Sir R. Horne), the Governor will have a discretion to say in regard to police reports how much of the material shall be supplied to him, and what his relations should be to the police. It is very difficult here and now to make a rigid definition. But I can assure my right hon. Friend that the intention is to leave the Governor the widest possible discretion in giving instructions as to what reports he should or should not receive.

I have dealt, I am afraid at very great length, with the main background of our proposals, and with the reasons that have prompted us to make them. I hope I have said enough, even though I may not have convinced all hon. Members of their wisdom, to show that we have at least attempted to face the facts and to ignore none of the difficulties. I think there is no ineluctable fact that we have not taken into account in making our proposals. In the words of William James, we have forged every one of our proposals

"in the teeth of irreducible and stubborn facts."

Many have helped us in arriving at these proposals; of Englishmen, perhaps, most of all, the members of the Statutory Commission. In all these long and difficult discussions during the last two years, we have found in the Simon Report a perfect mine of knowledge, without which it would have been impossible for us or any hon. Member in this House to see the picture as clearly as we see it to-day. Of Indians, we are particularly indebted to the members of the various Round Table Conferences, who, year after year, often in the face of great criticism in India, have come over to discuss these difficult questions with us. I am inclined to think that, when the Joint Select Committee is set up, their experience will be very much the same as ours has been. I believe that time after time they will be indebted to the Simon Commission; I believe that time after time they will be indebted to the Indians whom we hope to see taken into consultation with the British members of the Committee.

To-day I make my appeal to the moderate men of good will and common sense both in England and in India. I

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have often, during the last 18 months, wondered whether the task upon which I was engaged was not a hopeless one—whether it was possible to produce a scheme of government for India, and, if it was possible to produce it, whether it was likely that Parliament would pass it. That was not so much because I believe that people over here or in India are actually opposed to this or that proposal, but rather because the complexities of the problem are so great as to make it almost impossible to see a way out. Parliament here, 6,000 miles away, is attempting to make a very complicated Constitution for scores of different Asiatic races and religions, and is making that attempt with an alert public opinion, both here and in India, willing and able to pick out the innumerable points of criticism, willing to negative almost every conceivable proposal. In view of these difficulties, I have often, since I have been at the Indian Office, felt almost hopeless; but I have comforted myself with two reflections. First of all, try as I will to consider every possible alternative, as I have considered every possible alternative, I can at present see no better scheme. I ask my critics to-day not to be content with a mere negative to these very complicated proposals. Let them face the facts, as we have faced them, and as I have described them this afternoon, and let them produce a better, a more workable and a safer scheme.

I know that there are many who are well qualified to speak who are nervous about these proposals. There are men who have served India and the Empire well in the past and whose opinions deserve to be taken into account by every Member of this House. Let us take those opinions into account, but let us take into account the unanimous opinion of every responsible British official in a high post in India to-day. To put it at its lowest, the administrator of to-day has an equal right to be heard with the administrator of yesterday. But I have comforted myself most of all by feeling that here, particularly in Parliament, the innate good nature and common sense of the British people almost always makes itself felt. As one who has been a good many years in this House, who believes, even after that long experience, in the ultimate sagacity of Parliament, as one who is convinced that the British people, if they make up their minds, can do anything, even though it looks to be impossible, I commend the proposals of the Government to the House and I ask the House to give the Government their help in setting up a strong and wise committee to test the truth of what I have urged this afternoon and to help us to frame a scheme which will take the Indian question out of the welter of party politics for a generation, which will safeguard both Indian and British interests and will unite India more strongly than ever to the British commonwealth of nations.

5.4 p.m.

Mr. ATTLEE: I am sure I shall be expressing the unanimous view of this House in congratulating the Minister on the extremely able and interesting statement to which we have just listened. He had a very difficult task. He had to deal with a subject of enormous complexity, and he had to address himself to two Continents at once. He was speaking to the Members of this House, but he was also speaking to India. He had to select exactly those points in a very large scheme upon which it was essential to speak. In fact, he had to make a Second Reading speech and not be led off into Committee points. I think he accomplished that task extraordinarily well. I should have liked the Leader of the Opposition to be in my place to-day. The House knows the reason why he is absent. I should like on his behalf, before dealing in more detail with the proposals of the White Paper and the Minister's speech, to make a statement laying down the exact attitude of the Labour party on this matter. It is a very important matter. The whole question of Indian reform has been a long record of dealings by all parties, and I desire to set on record exactly the attitude that we take. Since the commencement of British control in India in 1857, successive British Governments have given pledges to the peoples of that country. The Labour party desire to see those pledges honoured, and we stand by the declaration made at our Blackpool Conference in 1927 to the effect that

> "We reaffirm the right of the Indian peoples to full self-government and self-determination and, therefore, the policy of the British Government should be one of continuous co-operation with the Indian people with the object of establishing India, at the earliest possible moment and by her

consent, as an equal partner with the other members of the British Commonwealth of Nations."

The Labour party believe that, as stated by the Statutory Commission, the new Constitution should contain within itself provisions for its own development. We think the new Constitution should contain the principle laid down in the Irwin-Gandhi Pact, that such safeguards as are necessary should be in the interests of India, and we think they should be agreed on in co-operation with the leaders of Indian opinion. The new Constitution should adopt the principle laid down by the Labour Government at the first Round Table Conference and repeated as their policy by the National Government at the second Round Table Conference, that the reserved powers should not be such as to prejudice the advance of India through the new Constitution to full responsibility for her own government. The Labour party stand by the principle that no settlement can be reached without the co-operation of all sections in India and with their consent, and therefore ask for the immediate release of all political prisoners not guilty of violence. If a Joint Select Committee is set up, the party will nominate representatives to serve, because it is our duty to serve on such a body representative of the two Houses, and we will do our utmost to get our views discussed and incorporated in the Committee's report.

I agree with the right hon. Gentleman in thinking that this is no occasion for a historical retrospect. On the other hand, it is idle to deny that this matter must be looked at in the light of the past, and particularly in the light of the declaration that has been made to India. I do not want to go back to the declaration made in 1857 or to trace the conception of Indian self-government right through the declaration made by the Duke of Connaught at Delhi and the various declarations made since. I should agree with the Secretary of State that everyone must remember that those declarations made on behalf of this country are part of the facts of the situation. You cannot escape them. No contribution to this discussion is of any use at all which does not take those declarations into account. I am going to quote only one, and that is the declaration made by the Prime Minister at the end of the second Round Table Conference on 19th January, 1931, when he said:

> "I hope and trust that, by our labours together, India will come to possess the only thing which she lacks to give her the status of a Dominion amongst the British commonwealth of nations—what she now lacks for that—the responsibilities and the cares, the burdens and the difficulties, but the pride and honour of responsible self-government."

That was an important statement made by the head of the Government to the assembled delegates from India. The policy of the Labour Government was reaffirmed by the Prime Minister as head of the National Government. The policy adopted by the Labour Government was one of co-operation. It was one that laid it down that the decision on these constitutional matters must be had by free discussion, co-operation and agreement with the representatives of Indian political thought, and to that end the Labour Government went to what some people thought very great lengths of conciliation, and they did achieve a very remarkable triumph when Congress representatives were present at the Round Table Conference and when, in fact, the whole range of Indian political opinion was called into co-operation. But there then ensued a change. The Round Table Conference was dismissed and, although it was dismissed with the specific assurance that in the end that Round Table Conference would meet again for a final review of the whole scheme, it never did meet again, and from that point we mark a very great change in the whole situation. The Round Table Conference was dismissed. An era of repression against the Congress started in India. The whole laborious structure of conciliation and co-operation which had been built up was shattered and the third Round Table Conference, when it was summoned, contained a small number of hand-picked, unrepresentative delegates, and those delegates, when they assembled, were not regarded in the same way as their predecessors. They were much more in the nature of giving advice and of making suggestions, whereas all matters of decision were left to the Government.

I will not go at length into what I consider the most disastrous results of that policy in India. I think that policy was a mistake. I think it was an entirely false idea that you could smash the Congress by force, that you could brush it

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aside, that you could deal with a few Indian representatives and come to a satisfactory agreement. I think the fact was that the Prime Minister was the prisoner of his majority. He was in the position of the right hon. Gentleman the Member for Carnarvon Boroughs (Mr. Lloyd George) at the Peace Conference. Each one of them had raised a Frankenstein that he could not control, and the result is that we have this White Paper, which seems to me to be in direct conflict with principles and with pledges. Although I am sure the Secretary of State has tried hard to hold the balance, in fact his speech was directed mainly to the right hon. Gentleman the Member for Epping (Mr. Churchill) and his friends. The greater part of the time was taken up in explaining to the right hon. Gentleman the Member for Epping and his friends how safe was the whole matter, and how strong were the safeguards. The difficulty in this matter is that you have to deal with two sets of people who, I am willing to grant, are unreasonable—the right hon. Gentleman the Member for Epping and his friends, and the members of the Congress party, or many of them, in India. No doubt the right hon. Gentleman is trying to steer a very careful course between the two, but, in our view, the White Paper really sets up a state of affairs which should have entirely satisfied the right hon. Gentleman the Member for Epping and the "Morning Post." I cannot see of what they have to complain when one really examines what the White Paper does.

I am not going to suggest—I should be the last person to do so—that there is an easy way out of Indian constitutional difficulties. It is not an easy question. It bristles with every kind of difficulty. You have, on the one hand, certain facts of the situation which make it impossible to establish full self-government on the Dominion model immediately; secondly, you have the people who demand that that should be done; and, thirdly, you have the difficulty of finding some halting-place between complete responsibility and complete irresponsibility. The White Paper tries to find that place. It tries to give a limited degree of responsibility subject to safeguards. I maintain that the only possible way in which you can get a halting-place between irresponsibility and responsibility in the central government in India is by consent. You cannot set down some logical arrangement, because no halting-place is a satisfactory one unless the people who are to abide there are prepared to show approval and to work the arrangement.

I think that the difficulty of the Prime Minister, and of the Labour Government when he was Prime Minister in the Labour Government, was in recognising the fact that whatever you did on paper was no use whatever unless you could get politically-minded people in India to work it. I very much fear that there is very little hope of getting full co-operation in India on the basis of the proposals of the White Paper. You have there a Constitution in which, at the centre, it is proposed to start a limited amount of responsible government, but it is hedged about by safeguards, and the difficulty I have is in finding responsibility underneath the safeguards. It was notable that when the right hon. Gentleman came to discuss safeguards, he told us that safeguards were wanted for various purposes, but he put the interests of this country first in the order in which the right hon. Gentleman discussed them. He said that the first safeguards we had were for our own people.

Sir S. HOARE: This is rather important. I took the joint interests, the interests of the partnership first. I particularly said "joint interests," and I then went on to the Indian interests.

Mr. ATTLEE: I withdraw at once. I will leave out the point of the right hon. Gentleman about that matter. But the safeguards which he has here are predominantly safeguards for the interests of this country. It is possible to read into them, if you like, and to say that the interests of this country are the interests of India, but, in my view, the safeguards here go far beyond what is required in the interests of India. I will say something more about those particular safeguards a little later on, but I want, first of all, to come to one or two essential points about these proposals. The first thing is, that the whole idea of Dominion status has entirely gone. It was laid down definitely as a goal. It was laid down by the Prime Minister, and it was explicitly stated by the Prime Minister at

the Round Table Conference, but the whole idea of Dominion status entirely disappears from the White Paper even as the ultimate goal. The second thing which entirely disappears is any idea of a progressive advance to full responsible government.

The Sankey Commission, among other things, definitely laid it down that the Constitution should contain within it the seeds of growth. In the White Paper we have one mention, and one only, of an Interim Constitution before the final Constitution, and thereafter the whole transitional aspect of these proposals disappears altogether. In the whole of the proposals there is no suggestion of growth. There is no suggestion that at any time, or on any occasion, will the powers of the Governor-General be relaxed. There is no suggestion that at any time the power of the Secretary of State, and of this House, through the Secretary of State will be relaxed. There is no hint of time. Perhaps you may say that you cannot put in a time. There is no hint of any occasion. There is no provision for any machinery whereby there will be any change whatever from the position at the centre as laid down in the White Paper. There is no suggestion that the financial safeguards will be relaxed.

There is no suggestion as to when the Indian Army will be Indianised, and, indeed, no provision whatever with regard to the Indian Army beyond leaving it in its present position. Anyone who has studied Indian constitutional matters knows that the biggest obstacle to self-government is the existence of the Army in India, and one would have thought that he would have found some suggestion whereby the Army, which is now to be kept out of the control of elected representatives altogether, somehow or other, would be transformed, and that at some time or other, however distant, Indians might look to controlling their own defence. That is not contained in the White Paper. There is, in fact, no indication that these proposals are transitory at all. The next thing which strikes one is the extremely vague time at which the Constitution at the centre is to come into force. It may well be that you have to get your provincial reforms into force before you reform at the centre, but I have never seen such an extraordinary series of obstacles put in the way of these reforms. There is an optimistically headed paragraph in page 8:

"The Date and Conditions for the Inauguration of Federation."

Let us look at the obstacles. There is, first of all,

"which must inevitably occupy some time—the preparation of new and enlarged electoral rolls for the Provincial and Federal Legislatures, and the demarcation of constituencies"

—and so forth. That is the first hedge. The next hedge consists of the adhesion of the States, and then there come a surprising number of prerequisites of a financial character. These are something quite new to me. I believe that they appeared at times at the Round Table Conference, but they are certainly new to me in the Simon report. We find that there is to be a Reserve Bank, that you are to have a balanced Budget, short-term credit must be reduced, a surplus must be accumulated, and the export surplus restored. Why has India to pass this extraordinarily hard examination which, probably, no modern State at the present time could possibly get through? It is an amazing thing. When you come to examine these proposals not one is in any way essential for starting the new constitution. It really suggests that the Bank of England is to-day a separate party in the State with these financial securities embodied in it before this can go forward. Finally, when we have got through the difficulty of the provincial constitution and through the adhesion of States, and passed the final examination, there is a final veto left in the hands of both Houses of Parliament, and even then it is not to come into force until both Houses of Parliament have presented an Address to the Crown. Therefore, we are left with the possibility, or even the probability, of a very long period elapsing between the passing of the Act and even the setting up of a provincial constitution and the final form of a federation.

As everybody who has had anything to do with Indian politicians knows, the point which they have insisted on time and time again is that you should not have your provincial reform coming first and a long delay before your reforms at the centre. They have been met with the fact that the two reforms are to be put into one Act. But it will certainly be necessary that the date and conditions

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for the inauguration of federation should be made a great deal clearer and nearer than is the case at the present time. Suppose all those obstacles have been surmounted, what kind of responsibility are we to get at the centre when in effect you are only going to get diarchy? It was my business as a member of the Statutory Commission to examine dyarchy, and my colleagues and I were all completely agreed that diarchy was a most unfortunate system. In fact, we stated most emphatically in our report that the one thing you did not want was diarchy at the centre. This is precisely what you are to get. You are to get two wills operating, one, that of certain Ministers who are to be responsible to the Assembly and the Council of State, and the other, that of the Governor-General, who is responsible to the Secretary of State, and, through the Secretary of State, to this House. You are to have Ministers in charge of certain departments and you are to have reserved departments, the Army and external affairs, which are entirely under the Governor-General. But when you look at what are the powers and duties of the Governor-General, you find that his power is bound to extend right throughout even the transferred subjects. Look at the list of safeguards:

"The prevention of grave menace to the peace and tranquility of India."

That is a necessary and extremely wise safeguard.

"Safeguarding of the financial stability of the Federation."

Imagine making the Chancellor of the Exchequer responsible for the Budget in this House while somewhere else there is someone, sitting with a separate financial adviser, who is responsible for financial stability. What sort of position would the Chancellor of the Exchequer have? You might say, if you like, that there have been Chancellors of the Exchequer who have seemed not to have much of a position in these days, and that there has been some other power sitting in the City of London who has ruled. Then there is

"the safeguarding of the legitimate interests of the minorities"

and

"the securing to the members of the Public Services of any rights provided for them by the Constitution and the safeguarding of their legitimate interests."

That is pretty wide. The Public Services are given extremely wide rights. They will be entirely free from control by the Ministers. They are under the actual control of the Governor-General. You then have

"the prevention of commercial discrimination"

and you have

"any matter which affects the administration of the Reserved Departments"—

the services of the Army which depends upon communications, the railways and so on. When you have taken into account all these powers you find that there is no sphere in which the Governor-General's power does not enter. The Governor-General is to have two Cabinets—one a body of Ministers, and his three advisers. He is to consult with them. That is what they propose in diarchy. There you had two advisers and the Ministers, sometimes acting together like a Cabinet and sometimes separately, and all the time you had happening what it is suggested must not happen in the present case, but what inevitably will happen, and that is, a blurring of responsibility throughout.

In my view, a dyarchy so far from being an opportunity for learning responsibility is a lesson in irresponsibility. Anything that a Minister thinks may be unpopular he can get out of doing by getting it done through the overruling power of the Governor-General. That is not imagination. That is what actually happens in the provinces. In many of the provinces, not in all of them, dyarchy is the greatest lesson in irresponsibility that could have been given. The position of the Governor and the official members of his Council under that system became, like that of the Secretary of State, an unhappy one, and also like that of the policeman, whose lot was an unhappy one, because in effect they became policemen and had to do all the unpopular things, while the loaves and fishes went to the Ministers of the dyarchy. It is a terrible position to try to set up dyarchy at the centre, when it has been so discredited in the provinces. What sort of a government can that be? The powers of the Ministers under the scheme are extraordinarily small. The railways come under a board. There may be something in regard to

posts and telegraphs, but most other matters are provincial and in everything finance is paramount. We all know the power of finance in this House. If you set up a Government, and its finance is in the hands of somebody else, it will be a very weak Government. I think this scheme is a frank recognition of what is the real power under capitalism, namely, the position of power given to the bank and the position given for the protection of the rentier. What puzzles me is why the "Morning Post" should be disturbed. So much for the Central Executive.

Let us see what kind of Legislature is set up. We have two Houses set up, of equal power, and we have the most reactionary Council of State. The Council of State to be set up is to be representative partly of the rulers of British India and partly of the provinces. It will make things safe for property and privilege. It will be a wonderful pillar for the vested interests, elected as it will be on a narrow franchise. I cannot see —here I agree with the Secretary of State —how any extreme force is ever going to get expression in the Council of State, except an extremely reactionary one. Then you have the Assembly. The Assembly, again, is on a narrow franchise. I think it is an utterly impossible body out of which to make some kind of a Parliament. You have a most impossible system of representation. When we considered this matter in the Report of the Indian Statutory Commission we came to the conclusion that representation in a Parliament or an Assembly could only be really effective if there was a proper contact between the electors and the elected. That cannot be so if you are going to have constituencies representing a million people. Let me give one example. Take the great Presidency of Madras. They are to have 19 general seats, and as there are to be four reserved for the depressed classes you must have four-member constituencies and five-member constituencies. Therefore, the smallest constituency must be a four-member constituency. If you take the most favourable place for that, the six Southern districts of Madras, there is a population of 8,000,000 or 9,000,000, and there is an electorate of between 200,000 and 250,000, spread over a population of from 8,000,000 to 10,000,000 and scattered over an area equal to England, less the six northern counties. An election in those circumstances is an absolute and utter farce. You will have no real representation, and you will have no real Parliamentary government.

Coming to the composition of the Assembly, I think it is most reactionary in the representation given to working men and in the representation given to women. When you have this mixed body, drawn partly from the States and partly from British India, you will have a caricature of Parliamentary institutions, with no real responsibility and no real representation. What you will get will be an irresponsible central body. When you turn to the provinces, I think the position is a great deal better. There is some danger in the Governor's powers but, of course, the Governor must have power. Here I would make the point that it seems to me, from these proposals, that an essential point has been lost sight of in regard to reserved powers, and that is that reserved powers should be only in a state of emergency. If you want responsibility, that responsibility means the possibility of not making mistakes and not being picked at every time you slip. It seems to me that in this Constitution every effort is being made so that the Governor-General may constantly step in if any Minister is going to make a mistake. I agree that you must have emergency powers to prevent everything from going to rack and ruin, but there should be a serious line of demarcation between responsibility and emergency powers. Do not blur the two by giving responsibility but allowing that responsibility always to be escaped by falling back upon emergency powers.

I do not want to go into details at this time, but I think it is a great pity that the franchise in the provinces is not wider, especially in regard to women. I deplore the setting up of Second Chambers in the most landlord-ridden provinces, and I deplore the giving of special seats to landlords. The Indian Statutory Commission was of the opinion that landlords were over-represented already throughout India in all the provinces. We were told that the landlords had enormous political power. I think they divided the political power with the moneylenders and the lawyers. On the top of that, the landlord is to be given special powers in those very provinces where there is most need of agrarian

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reform. I am glad that the Government have stood firm on the question of handing over the police and what is generally called law and order. Those who seek to reverse that, do a very grievous disservice to the British civil servants, the British police and the British officials throughout India. The suggestion that the English should be retained in India to keep order and collect taxes while everything else is to be handed over, is asking too much of Englishmen.

Here I should like to refer to a point made by the Secretary of State when he said he was in favour of strong government. He said that times were dangerous and that strong government was necessary. I never met anyone in India who was not in favour of strong government. Of course, their Governments were of different sorts. The question is, what is meant by "strong government"? You do not get a strong Government because you give it strong powers. You only get a strong Government if you have the consent of the governed. That is what, I fear, you will not get. Your provincial Government will be weakened because Indian nationalists will use the Provinces merely as strongholds to attack the centre. You will not get a strong Government at the centre because there is a definite reaction in the way the central legislature has been formed; you endeavour to form a strong Government by resting upon privilege and property. It has been a disaster to our rule in India for many years that we have tended too much to stand by vested interests, which were on the backs of the peasants, because we have considered that forces like landlordism were the supports of our rule. If we go in for these vested interests we shall not support, but weaken, our rule in India, and arouse against us everything that is vital in India.

I want the Secretary of State to understand that if I criticise it is not because I do not know the difficulties. It is perfectly easy to criticise every kind of Constitution or proposal, and I know that critics of Indian matters are singularly lacking in constructive suggestions. But you are here making the worst of affairs in your proposals for the centre. The only possible basis for an interim Constitution is complete agreement with the people who are to work it; and those are the politically-minded people in India. It is no good suggesting that the politically-minded are seditious, are of no use, and that you admire the peasant. You rule India to-day through the educated classes, whether they are politicians or civil servants and the strain of nationalism runs through. We on these benches demand self-government for India, not on abstract lines, but because of the economic and social condition of the masses.

I recognise quite clearly the point of view of civil servants who fear that if the peasants, the workers of India, are handed over to an entirely Indian Government, they will be exploited. I have great sympathy with that point of view, but as a matter of fact when once you have a nationalist movement, such as we have to-day, it is impossible to continue on the old lines in which you had one person, an impartial benefactor, helping the people of India in their distress and protecting them from the oppressor. The evils from which India is suffering to-day can only be remedied by Indian action. Let me quote again from the Statutory Commission's report:

> "Until the demands of nationalism have been reasonably met the enthusiasts for various reforms make common cause with every discontented element and attribute all the evils which they attack to the absence of self-government. In our view the most formidable of the evils from which India is suffering have their roots in social and economic customs of long standing which can only be remedied by the action of the Indian peoples themselves."

> "Nationalism appears to be the one force that may perhaps contain within itself the power to overcome the deep and dangerous cleavages which threaten its peace."

I have no illusions on nationalism, Indian or otherwise, but the nationalism of India is a force which you cannot ignore. I should describe nationalism as the illegitimate offspring of patriotism, out of inferiority complex. It is nourished on repression; the more repression there is the more it grows. It is nourished on alien rule. Only responsibility and freedom will get rid of nationalism. Nationalism dies when repression ceases, and alien rule ends. I claim that the proposals in the White Paper do not provide a condition for the supersession of self-conscious nationalism by a self-respecting patriotism. They do not provide conditions under which we shall get young

Indians to work at the reforms which really matter. Those reforms of the whole system of society, bound up with social and religious customs to such an extent that no outsider, no alien, can possibly touch them. You have only to read the correspondence and the newspapers with regard to the Untouchables to see how difficult it is for any alien to deal with them. We want to set free the forces of young India. This Constitution will not do that. There is no real responsibility at the centre. I agree that you cannot expect full responsibility in an interim Constitution, but there is no suggestion of any progress towards full responsibility; there is no relaxation of the control of this House or the Secretary of State; there is no approach whatever, therefore, to Dominion status. On the other hand, in the proposals for the central government, every vested interest is protected.

If we really made progress under this Constitution, if we left representation at the centre as it is to-day and quite free of British control, India would be tied to the moneylender and the landlord. The banker will rule in Delhi, as he does in Downing Street; the landlord will rule in the Council of State as he does at the other end of the passage. The Government have sacrificed the possibility of good will and co-operation, sacrificed everything, for timidity, for fear, for insistence on safeguards. The Secretary of State has suggested that this is just the time to debate the dilemma as to whether, if you have safeguards, there should be responsibility, or whether, if there are no safeguards, there should not be responsibility. There must be some balance in this matter, and it is undoubted that the more safeguards you give the less really becomes your responsibility. As a matter of fact, your safeguards are utterly useless unless you have good will and co-operation. Often and often we were asked, as a Commission, whether an elaborate system of rights for minorities could not be embodied in the Constitution. You have only to look at the Continent of Europe to find out how much good they are to minorities. They are utterly useless unless you have the spirit behind them.

I feel that in the last 18 months the state of affairs in India has definitely put back that co-operation which we might have obtained. The Government to-day is tied to the forces of privilege and reaction. I am not going to suggest that there are not things of value in the White Paper. There are. There is the conception of Federation, there is the freedom of the provinces from the centre, but in the essentials, which are those which are going to call for Indian co-operation, this document, to my mind, fails. We shall serve on a Joint Select Committee and do our utmost to contribute to a solution of this problem, but we cannot accept this as a solution. We shall work, as far as we can, to see that those who speak for India shall have a chance of putting their points to the Select Committee, but unless great alterations are made in this document I very much fear for the future of peace in India.

5.56 p.m.

Sir HERBERT SAMUEL: The hon. Member for Limehouse (Mr. Attlee) has engaged in many criticisms but he has not made one that has been advanced elsewhere against the form of the Motion. It has been suggested, wrongly I think, that because the Motion does not ask the House in terms to approve of the proposals of the White Paper, therefore it is a weakening of the position of the Government with regard to Indian reform. It has been suggested that because the Motion asks the House to suspend its opinion on the proposals until after the Select Committee has been appointed and has reported, that is a yielding to the representations of the right hon. Member for Epping (Mr. Churchill) and those who act with him. That is not so. The form of the Motion is right. It would not be reasonable, if it is proposed to set up a Joint Select Committee, to ask the House to decide the question first and set up the Committee afterwards. Consequently, the Motion in its present form is one which commends itself to my friends and myself on these benches. The hon. Member for Limehouse, however, has engaged in almost every other possible criticism. As he has said, criticism is easy, but if he and his colleagues were to-day on the Treasury Bench and were called upon to deal with the problem of Indian government, taking into account the general conditions in India, in British India and in the States, and taking into account the political conditions here as well, they

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would, I think, find themselves compelled to lay before Parliament conclusions approximate to those which have been approved by the Round Table Conference and are embodied in the White Paper.

Many criticisms have been made against them, in India as well as in this country; in India, not only by the Congress, but Indian Liberals find many reasons for objecting to the limitations embodied in these proposals. The Moslems object and many of the Princes demur, from entirely different points of view, to these proposals. Here each section of the House will have its own criticisms to make. Certainly when the Measure is before the Joint Select Committee we shall have several suggestions to propose, but at this stage I submit that it is the duty of the House of Commons to show that the solid mass of responsible British opinion is behind these proposals in the main, and that the House of Commons will help the Government to get them through. The complexities are very great, as the Secretary of State has said—complexities arising from the constitutional relations between the States and British India, between the centre and the provinces; from the variety of religious communities; from the conflicts between the higher castes and the depressed classes; problems of finance, problems of defence.

As the right hon. Gentleman has rightly said, no Government, no Legislature, has ever had to face more difficult, more complicated or vaster problems. We are exceedingly fortunate as a Parliament to have had the guidance of the Round Table Conference, which has given to all these matters prolonged and careful consideration. It is most remarkable that any consensus of opinion should have been reached in a body such as the Round Table Conference, representing so many diverse elements. The fact that substantial unanimity was reached is a tribute to the tact and skill of the Secretary of State himself. The Secretary of State to-day said that he felt like Agag, walking delicately. I sincerely hope that he will not be subjected to the fate that was meted out to that king by my ancient namesake: to be hewn in pieces. On the contrary, we ought to be grateful to him and honour him for the sincerity, the tenacity and the courage with which he has faced all the difficulties which surround this problem, and has at last reached the results that were achieved at the Round Table Conference. The Liberal party, also, may claim to have contributed to that end in the assistance which was given by Lord Reading, by Lord Lothian, by my hon. Friend the Member for Bodmin (Mr. I. Foot) and by other hon. Gentlemen sitting around me to-day.

Many hon. Members of this House are nervous that we may be going too far; that perhaps these steps that are being taken are too dangerous to be accepted. Let them be guided by the knowledge that European opinion in India—non-official European opinion: mercantile and professional, for instance—is in the main in favour of these proposals. That is a very important factor. Such authorities are not to be accused of ignorance of the situation; they know it well from without and would not be prepared to support, as they supported through their representatives at the Round Table Conference and in other ways, the general purpose of these proposals, unless they felt quite sure that, on the whole and on balance, this was the right course to pursue. We have heard the Round Table Conference, which included their representatives, and they have made proposals substantially similar to those now before you. I suggest that it would be a profound error to reopen the whole matter and, as the right hon. Member for Epping (Mr. Churchill) and his friends propose, for a Round Table to substitute a melting pot.

Let it be remembered that this House is in a very anomalous position indeed with this great issue. We here, sitting in Westminster debating in these days the future Constitution for 350,000,000 of people thousands of miles away in Asia, are so accustomed to one position that it does not seem strange to us. But it would be a great lack of imagination if we did not realise that to the Indians it must seem strange that we, the Imperial Parliament at Westminster, should be legislating for them, and that not one of them is represented here by a single Member. England, Scotland, Wales and Northern Ireland are here, but India is not here. My right hon. Friend below me speaks for 100,000 of the population in the Epping Division of Essex; but who

speaks here for Bengal? I am one of 66 Members for Lancashire, but where are the members for Madras, or Bombay, or the Punjab, or the United Provinces? It is a fact that the destinies of one of the world's most populous nations are being decided by a legislative chamber in which it has no single representative, a majority of whose Members have never set foot in its country.

We have imposed upon us by history and circumstance the duty of so legislating, but let us be restrained and remember our disability in that regard. I always thought that it was a deplorable thing that the Statutory Commission which was appointed to deal with this matter should have consisted only of Members of our two Houses of Parliament. It was severely hampered by that fact, and the hostile reception which it received from the mass of Indian opinion when it reached that country was due to the fact that the self-respect of the Indian people was hurt; they felt that they were not allowed to be in any degree judges of their own case, but were merely being summoned as witnesses to appear before alien judges. Although an attempt was made to associate with this Statutory Commission a body drawn from the Indian Legislative Assemblies, it was too late, and the initial impression could not be overtaken. Afterwards, the mistake was to a great extent redressed by the fact that the Round Table Conference consisted both of British and of Indian representatives, sitting together on an absolutely equal footing. We were most fortunate to secure the attendance here of so many Indian representatives of the highest character and ability, who consented to come so great a distance for so long a time and to share in those deliberations.

I cannot understand the position of my right hon. Friend the Member for Epping and some of his friends who seem to demur at the suggestion that when a Select Committee of both Houses has been appointed to go further into the matter, representatives of India should be called upon to associate with them. That is the least that we can do. Our Constitution does not allow us to go further. But at all events we should invite them to come here to advise, to consult, to state their point of view, in order that the tribunal which is adjudicating should not be entirely a foreign one. While we are settling the terms of the fundamental Statute under which their people are to be governed for generations, they should not be regarded as wholly outside the laws and no parties to the Measure. The attitude taken by those who object seems to me unwise, unjust, and ungenerous.

The real opposition to the Government's proposals does not come from the right hon. Gentleman who has just spoken and his friends, or from their point of view. The really formidable opposition in this House, the other House and the country, comes, of course, from the right hon. Member for Epping and his friends, and principally from himself. If he were not there to give leadership and energy and to form a centre for this movement, I believe that very little would have been heard of it from the beginning. He has thrown the whole of his energies into this controversy. He has left no stone unturned; one might almost say that he has left no stone unthrown!

Mr. CHURCHILL: My right hon. Friend can hardly say that, because he said that in the country last night!

Sir H. SAMUEL: In the country last night I was unaware that that criticism had been reported, or I should not have repeated it. I hope that my right hon. Friend has never been guilty of the grave error of mentioning twice a jest which he may have made at the expense of some opponent. My right hon. Friend, of course, makes many brilliant speeches on all subjects, but that is no reason why we should necessarily accept his political judgment. On the contrary, the brilliance of his speeches only makes the errors in his judgment the more conspicuous. I do not think that during the last 10 or 15 years his advice on public matters, whether military, financial or political—[An HON. MEMBER: "And betting!"]—has really been very helpful to the nation. The House loves to listen to his speeches; he prevents our Debates from being dull. But whether he helps to make our decisions wise and fruitful is another matter. I feel inclined to say of him what Bagehot wrote of another very distinguished Parliamentarian: "His chaff is excellent, but his wheat is poor stuff."

After all, what alternative does he propose for a Measure such as that which is now being presented to us? Like

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many orators, he emphasises the strong features of his own case, but he passes over in complete silence the stronger features of his opponent's case. That may be very effective at the moment in the present assembly, but it is unconvincing in the long run. Are we not pledged to promote, to the utmost of our power and to the furthest limits of safety, the growth of Indian self-government? Ever since the days of Queen Victoria's pronouncement, and still more in the Solemn Declarations of 1917, that has been a pledge given, and it is no use making clever and specious endeavours to conform to the letter of that pledge while you are breaking it in spirit. It must be kept in its full spirit and meaning. We must genuinely do our utmost to promote full Indian self-government. If we do not do so, the Indian people will never be able to believe our word again. What is the right hon. Gentleman's proposal in that regard? Secondly, is it not obvious that the government of India cannot, in fact, be carried on without a very large measure of Indian co-operation? That is obvious, and every one must agree that such co-operation is essential. Yet my right hon. Friend's policy of coercion and repression—because that is the inevitable result of the course which he is endeavouring to pursue——

Mr. CHURCHILL: My right hon. Friend has no right to say that. He is inventing it all as he goes along. Why should he say that the Report of the Statutory Commission is coercion?

Sir H. SAMUEL: The right hon. Gentleman does not even go as far as the Report of the Statutory Commission, because he withdraws from it one of the most essential features of it, namely, the transfer of the responsibility for law and order in the provinces to Indian Ministers. Even the Statutory Commission would very likely secure the co-operation of politically-minded India. I am not speaking merely of Congress, but of all the middle, the central elements of Indian opinion. If they were to boycott the Constitution and to refuse a unanimous civil co-operation, is it possible that the English in India would be able effectively to carry on the administration of that country? If not, they would be obliged to have a system of coercion and of repression in order to maintain any form of government. Success is not certain for these proposals, but I am sure that failure is certain for his alternative.

Mr. CHURCHILL: What is my alternative? The right hon. Gentleman has been asking me. What is it?

Sir H. SAMUEL: The right hon. Gentleman has made so many eloquent speeches in this House and in the country that I think most of us have an idea of the poor thing that his alternative is.

Mr. CHURCHILL: Hear, hear!

Sir H. SAMUEL: I trust that to-morrow, or on the following day, he will define it more specifically. As to the parallel which has been drawn with regard to Ireland and the suggestion that the example of Ireland in recent years shows how unsafe it would be to embark upon an experiment of this character, the Secretary of State has given already one answer to that, in showing that the conditions now are in many respects entirely diverse. Apart from that, I suggest to the House that we are now, in relation to India, very much as Great Britain was in relation to Ireland when self-government was first proposed in 1886. I believe if that opportunity had been taken at that time, and if some form of self-government had been established then, later difficulties would have been avoided.

Miss this opportunity now, and in a few years' time we may find ourselves in a far more difficult position than the Government of which I was a Member when it had to deal with the Home Rule Bill of 1912. Miss the second opportunity and you may have rebellion, as in Ireland, and bloodshed, and all the bitter enmities and violent hostilities which bloodshed on a large scale inevitably involves. Let further delay take place and you may have a similar situation to that in which the Government of which the right hon. Gentleman the Member for Epping was a Member found itself in 1920-1922, and you may have to meet the far greater difficulties with which that Government had to cope, resulting in the present difficulties which we see in Ireland. It is not the grant of self-government to Ireland which has given rise to

difficulties, but the delay in granting self-government, and similar results would have ensued if the same policy had been adopted in any of our Dominions, in Canada, Australia, New Zealand or South Africa. Therefore let us take the matter in good time. It is already somewhat late. The delay has already been too long. To postpone it further, would create difficulties for the future and not avoid them.

When the right hon. Gentleman and his friends say that the problem in India is particularly difficult because of the hundreds of millions of the population, a large majority of them illiterate, subject often to priestly influences, with the caste system and many other social customs which give rise to political repercussions and dangers, all that is quite true. But let it be remembered also that in India there are to-day, happily, great numbers of experienced men and a certain number of experienced women—administrators, educationists, lawyers, doctors, merchants, manufacturers and scientists. In the Indian universities to-day there are 100,000 students, or twice as many as in Great Britain, and millions must have passed through those universities in days that have gone past. If there is not a larger proportion of men with these gifts and characteristics in India, if the standard is not even higher than it is, may not the reason be that there, as elsewhere, when the rulers are foreign native genius is stunted? True, there are many evil social customs, but only a larger measure of self-government can effectively open the door to social reform.

I agree with my right hon. Friend that present conditions compel restriction in the giving of self-government, but that is embodied in the proposals in the White Paper. In the Provinces, the electorate is to consist only of 14 per cent. of the population, and in the centre only of 2 per cent. to 3 per cent., and the representation of women has been cut down to what seems to many of us an unduly low figure. I hope that that is a matter which will receive the consideration of the Select Committee. If we need social progress, if we need to help the Indian people to free themselves from bad conditions, we should strengthen elements, such as the women's electorate, which are likely to contribute to that end. Safeguards there must be.

The dangers in the future are real as the Secretary of State has explained. I am one who believes strongly in the principle of democracy but who realises very fully that democracy always has risks and dangers. It is true, as the Secretary of State said to-day that it may fail through not creating executives sufficiently strong and effective. You may get, especially in Eastern countries, nepotism, corruption, mass bribery, bad legislation of a certain kind and—not only in Eastern countries—financial mismanagement. Law and order may be undermined and as a result the strength, authority and prestige of the State may not be maintained. The example of China is not merely a bogey, it is a real danger and there are similar examples of the failure of democracy much nearer home.

With an untrained electorate and an irresponsible press the dangers are real. Complete democracy may lead to break down in practice. That is why this country, which for two centuries has been charged with the great duty of the trusteeship of India, has still the duty of seeing that the transition of India to a fuller measure of self-government is made with dignity and order, and that India does not tumble into self-government in hasty fashion. If that were done, certainly there would be a reaction. I think it would be, if I may respectfully say so as referring to India itself, the truest patriotism for Indians themselves to recognise that, and to realise that any Government, even if it is partly foreign, is better than anarchy, even if it is purely native. It may be that students without political experience, or enthusiastic delegates at conferences, think that the tasks of Government are easy. They are very, very hard, and history has innumerable examples of men with the best intentions and the highest purposes making very great mistakes. Those Indians are serving their country best at this juncture who have the moral courage not to allow themselves to be swept along by others who have less foresight than they.

The hon. Member for Limehouse minimised the advance towards self-government that is being made. I regard it as a great advance indeed. I do not agree with him that Dominion status disappears, even as an ultimate goal. On

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the contrary, I think this Measure will bring Dominion status very close. The hon. Gentleman also stated that no reference is made to any further advance towards fuller self-government. That will come by experience and according to the working of the new Constitution. I believe that it will work with success and, as it works with success, so the safeguards will disappear more into the background or into desuetude, and a further advance will be made towards a fuller measure of real self-government.

The safeguards, in my view, are ample. If there is any error it is rather on the side of over-insurance against the dangers that may face the new Constitution. I earnestly hope that the Select Committee will not recommend any increase of the safeguards or any cutting down of the degree of liberty that has been granted. There is embodied in this White Paper one factor which, in my submission, gives cause for great concern, and that is the long delay that may take place before these measures are put into full operation—a delay largely on financial grounds. I hope that the Select Committee will do nothing to postpone but will rather expedite the full establishment of this Constitution. We wish it well. We shall support the Government in their efforts. We regard this Measure, not as a surrender of Britain's task in India, but rather as its consummation and its triumph.

6.26 p.m.

Sir REGINALD CRADDOCK: I am speaking with a deep sense of responsibility such as the conditions of the service to which I had the honour to belong, dictate. I have been told sometimes in the Indian Press that I am untrue to my salt. On the contrary I am true to my salt, because I did not eat the salt of only one section of the people of India—and that the noisiest one. I ate the salt of the whole mass of the people, and it is for that reason that I speak here as I do to-night. Those who have served abroad for some time and have then retired, if they do not agree with everything that is put forward, are called "diehards," and when that expression is applied to them it seems to be taken for granted that one need not trouble any further to disprove their facts or to answer their arguments. They are swept aside as so many Rip Van Winkles who have been slumbering ever since their return from abroad. I resent that term, as applied to myself, if it means that I am just a blind reactionary. On the other hand, if it means that I stick to my principles and to the facts which I have acquired during many years of service, I do not object to it at all. I had sooner die hard on *terra firma* than tumble as some of the idealists will, from a castle in the air.

In the course of my service I warmly supported the first reforms of Lord Minto, so much so that a paper of mine on the subject met with the commendation of a Radical statesman, Lord Morley, and when my provinces, the Central Provinces, were left out of the Morley-Minto scheme, I was the first to protest before any of the politicians raised their voices at all. At a later period I signed a despatch on the ultimate goal of self-government for India, but I was not so rash and never have been so rash as to suggest any form of democratic government for a country with so many warring races and jarring creeds. Democracy in India is a double sham. It is a sham because the people are totally unfit for expressing their opinions. They have no opinions on any question outside their immediate vicinity. It is also a sham because it gives a handful of men, of one section and class, the power to say, when they exercise their authority on councils, that they represent people.

The Indian Press always attacked me, not so much for things that I had not done, as for the way in which I could never tolerate dangerous sedition, and it was my policy, wherever I was and where it lay in my power, to crush such sedition whenever it showed its head, for I knew very well that otherwise it would spread like a noxious weed and would choke the progress of the crop of prosperity and contentment, upon which India's happiness and progress depend. If I am not so enthusiastic about Indian politicians as I may have been in those days, and as is shown by certain extracts from my reports brought out by present-day Indians to justify their ambitions, it is because I learned by experience. I saw which way those early reforms were going, that the men into whose hands the power would fall were misusing it to their own benefit, that they did not care about

the interests of the poor, however beneficent their statements might be.

In changing my mind, I did exactly what that indomitable patriot, the late Lord Sydenham, did when he changed his mind. It may not be remembered by the House that in the early days of his Governorship he was constantly accused of being ultra pro-Indian, of being far too conciliatory, of neglecting British interests, and so on. Half way through his Governorship he learned by experience that it was perfectly useless to attempt to placate the extremists, who were implacable and who used every conciliatory act in order to base upon it new and arrogant demands. Then I had my last 20 years' experience when I was in the thick of Indian politics. I was home member for over five years, of which three years were years of the Great War, so that I had experience of both sides of the shield, both as Governor under the Government of India and as a member of the Government of India over the Governors.

I suppose I shall be told that since I left India the cobra has lost his venom and the tiger his teeth and claws. No, the change has not been in the tiger and the cobra; the change came in the unfortunate British lion. The British lion began to suffer about 1927 to 1931 from a severe attack of neurasthenia, and during that time he was unable to assert the influence to which the people of India had been accustomed in the past and which they welcomed; and now, when I see this White Paper, I fear very greatly that that noble beast may have a severe relapse of the neurasthenia which before afflicted him. I hope the disease may not prove fatal. I am, however, able to give this much thanks to the Government, because I find from the White Paper that what I had anticipated would be a political Bible for India has, at all events for the moment, been relegated to the status of the Apocrypha.

I sympathise very greatly with my right hon. Friend the Secretary of State. I am glad, and I fancy every Member of this House is glad, not to be at the moment in his shoes. He is in a very difficult position, and it was not exactly of his own creating; he was forced into it by the policy that had been followed by his immediate predecessor. The policy that he had to follow was a dual policy, the policy of advancing with a big stick in one hand and a bag of sugar plums in the other, and he was obliged to follow that policy simply because no other policy for the time being seemed open to him. But in many respects that dual policy was self-destructive. I am afraid that a great many of those to whom the sugar plum is being offered shrewdly suspect that it may end by making them deadly sick, and, on the other hand, those who are beaten by the big stick will eventually get the most out of the bag of sugar plums, and the acquisition of power will be used by them both to avenge their beating and to get hold, not merely of more bags of sugar plums, but of the whole sweet-shop.

We are told, and we see for ourselves, that the White Paper bristles with safeguards. Well, safeguards do not always work. The ill-fated R.101 was simply full of safeguards. But in spite of what the Secretary of State has said about the safeguards and the strengthening of the Executive which will accompany them, I feel that the position is not quite as he has described it, because one requires experience of the working of these things in the districts, the divisions, and the Provinces before one realises what assaults are made on the Executive. It is as if a great masonry dam had been built across the valley, confining the waters of the stream, with its great sluices distributing prosperity and contentment to those below, and its waste weirs disposing of the surplus water due to the storms and floods; and it is as if that masonry dam were now to be destroyed by the action of the people who made it and who have maintained it, and that, to the expostulations raised, the answer is, "Never mind, we are making temporary mud banks higher up the stream, and they will serve to stem the flood when it arises." The mud banks are temporary, mind you, because we hear that all these safeguards, and even the reserved subjects, are merely for a period of transition, whatever that may mean. It is a dangerous, a fatal phrase, because no one knows what a period of transition is, and it is open to anybody to argue that the time has come to end that period of transition and to bring pressure on the Government accordingly.

That great dam or barrage which has stood all this time has stood firm against many assaults, seditious movements,

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mutinous movements, revolutionary movements, anarchy, non-co-operation, and the violent manifestations of non-violent civil disobedience. It has stood against all those, and we are now demolishing that dam and are imagining that we shall have the same power as when that dam existed. Take the security services which made the strength of that dam. They have to be made secure themselves, and the Secretary of State believes that he has made them secure. He has proposed a number of safeguards which are apparently meant to make the services as secure as they were formerly, but the services do not feel that security. Hitherto, the security of the services has been based on the fact that everyone recognised confidently, quietly, and with peace of mind that as long as he did his duty honestly, he would have the support of the Government. Once that confidence is shaken—and it has had some rude shocks already—the whole of that belief of security of the services melts away.

Take the case of the Governor-General. Under this scheme he has lost his home department, that important department which was the repository of all the information about movements below, underground, overground, which kept watch over movements like non-co-operation and civil disobedience, which was the watchdog over the rights and the duties and the protection of all the services. That has all gone, so far as I can see. Gone also is the Central C.I.D. organisation, which had control, not only over conspiracies in one Province, but over their ramifications throughout the country. That is an essential safeguard for the Government of India and the Governor-General, if they are to exercise those special responsibilities. Above all is the fact that the Central C.I.D., in conjunction with the provincial C.I.D's., co-ordinated and looked after the constant attempts made to interfere with the loyalty of the Indian Army. The Army, of course, has its own intelligence branch, but the difficulty is that it is not a case so much of dealing with men who come within the lines of the troops, as of protecting the Indian soldiers on furlough. That is the opportunity which the agitator enjoys and which it requires very alert and zealous police, both ordinary police and C.I.D. men, to deal with.

The Governors, then, have no experienced administrators as their advisers. A Governor may go fresh from England knowing nothing of the country and he has only the Ministers to advise him. They may not be too friendly; they even may be anti-British, or they may be timid or irresolute and the Governor has only their advice to depend on. There will, of course, be the secretaries of the local government in each case, and they will have to be chosen by the Minister. Otherwise you will not give responsibility to the Minister. The secretaries therefore owe some little loyalty to the Minister who selects them, and it is not possible for the secretaries constantly to go tale-bearing to the Governor about the intrigues of the Minister under whom they are serving. Moreover, these secretaries may make themselves obnoxious and be removed to the districts. The Governor cannot interfere with that under a scheme of responsibility. Experience shows that a Minister is able to transfer a man or to make it justifiable that he should be transferred on various pretexts.

The position in which the three Round Table Conferences and the two White Papers have put us is this: it appears to us to be disastrous to advance so far, but we are told in effect that it is dishonourable to retreat. That is the position in which we who object to going so fast and so far in this brief interval find ourselves. What was it that Mr. Montagu anticipated? He must have had some idea of the rate of progress. He was extremely disappointed at the reaction to his liberal reform, and what he anticipated is perfectly clear. There was to be a Statutory Commission after 10 years, which was antedated in this case by two years; further than that, every 12 years there was to be a further Commission to examine into the question of Indian progress. That was supposed to cover 36 years and here we are, in 14 years from the last Government of India Act, suggesting an advance of Parliamentary institutions which it took us nearly 600 years of progress in this country to attain. How did we come to this pass? Nobody anticipated this extraordinary jump in 14 years. When Lord Reading laid down his office in 1926 he certainly did not anticipate it. Directly the announcement of Dominion status was made in 1929 Lord Reading

was surprised and was one of the earliest to make a protest. The right hon. Gentleman the Member for Carnarvon Boroughs (Mr. Lloyd George) did not expect it either. He described the proposed Constitution-making as jerry-building for a crash. I do not know what the views of the right hon. Gentleman may be now, but that was his view in 1929.

I am the last person to want to say anything in disparagement of the high qualities of the late Viceroy or of his sincerity and deep conviction, but the rot set in when he first became convinced to a headstrong degree that he could conciliate what everybody knew were implacable elements by his great trust and confidence. There is no race or sect in the world that so closely compares with the Pharisees of old as the Brahmins, and their daily song might well be, "Oh, God, I think thee that we are not as other men are." We have the highest possible authority for not trusting the Pharisees. In spite of that, Lord Irwin came, he saw, and he thought that he could win by trust, but in the opinion of all India, at all events, it was not he but the Pharisees who conquered.

What is this Congress of which we hear so much, and of which a great many know so very little? I feel that I cannot explain my attitude in this matter without a few words on the subject of what the Congress is and for what it stands. The Congress was really started by an Englishman in 1885, and continued for a great many years to have its annual meeting about Christmas, and to pass a bundle of resolutions, not very serious, but most of them impracticable. It was quite a loyal body and kept up the practice for a long time of ending its proceedings with three cheers for the King. That went on without much happening until 1905, when the Bengal partition exacerbated the Congress. It was then that anarchy started among the Bengali youths, and the newspapers at that time were full of talk about the Indian nation. The idea that they were one nation had never dawned on them; the Bengali nation was the only nation they thought of. In 1906 the Congress first put before itself a definite goal, of what was then called Swaraj on the Colonial system. In 1907 the extremists got out of hand and there was a free fight in Congress; and it is interesting to note that the moderates and the extremists were not allowed in the Congress and did not recover their place for eight years.

As it was an Englishman who started the Congress, it was an English woman who started the Home Rule outcry in advance of the Indian politician and of her time. Her paper gave great trouble, and in 1927 she was interned. That was just a little before Mr. Montagu made his famous announcement, and as a measure of conciliation he ordered the release of Annie Besant. The general result, in spite of what was supposed to be a calmer atmosphere, was that extremism greatly increased. In 1919 and 1920 the Congress became openly seditious, and in 1928 came that insolent ultimatum demanding that if full Dominion status such as was enjoyed by the Dominions were not given by the end of the year, Congress would declare absolute independence and would enforce that demand by wholesale civil disobedience. The Viceroy and his Government made no answer to that ultimatum except to pursue more zealously than before the policy of conciliation. This policy was again stultified by the fact that the next thing that happened after the announcement of Dominion status and of the Round Table Conference was the dastardly attempt to murder Lord Irwin himself, the chief conciliator, and the revolutionary Congress of 1929 in Lahore.

The year 1930 was the real period of humiliation for the Government. It was time given to the seditious and the revolutionaries to spread their organisation and to collect their funds, and even when they made their outburst there was very little done. At last action was taken somewhat apologetically, but the whole good that had been done was once more undone by a fresh gesture to promote a calmer atmosphere by releasing all the rebels in the country, including the firebrands of the North-West Frontier and the officer of the Gurkhas who had been interned for tempting troops to mutiny. The result of all that was a renewed outbreak of civil disobedience, which was not finally dealt with properly until Lord Willingdon became free from the effects of the Irwin-Ghandi pact. It fell to him to destroy the violent Congress movement and to restore once more that confident trust in the Government which 90 per cent. of the people always had and still possess. The Congress was

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scotched, but it is not yet killed and may revive if more calm atmospheres with similar releases of rebels should follow now.

The Congress as it is now has three sections. There is the extreme left wing which consists of the Bengali youths party, a murder gang whose objective is to drive us out by terrorising our officers and intimidating the Government. Then there is the ordinary central party which consists of those people who are revolutionary in name but pretend to be non-violent, and who think they can sweep the Government out by a campaign of civil disobedience which will paralyse all the Government's powers. Then there is the right wing which is nominally not inside it. It consists of people who have exactly the same aims as Congress, and who call themselves Liberals. The Liberal politicians have exactly the same objective in front of them as the centre of the National Congress. Their idea is by craft, and by the hoodwinking of the British nation, to attain those powers at which the Congress is aiming by other methods. I want to make a few remarks about the origin of the Federal scheme. I do not think many hon. Members remember Lord Irwin's despatch on the Simon Commission's proposals. In paragraph 16, All-India Federation is commended as an ultimate objective, but is dismissed as

"an ideal that is at present distant and cannot be artificially hastened."

In this they agreed with the view of the Simon Commission. Paragraph 212 is headed

"The Federation of All India a Distant Ideal."

It ends with the following words:

"In short, the time has not yet come, for a choice to be made. A Federation of all India is still a distant ideal and the form it will take cannot now be decided. The duty before us at this stage is to assist in arranging the preliminary setting and in removing obstacles from a still untrodden path. Without indulging in remote speculation, we think it more profitable and necessary to examine the concrete proposals which the Commission make for immediate action."

These quotations show one of two things—either that the Viceroy and his Council, who were most interested in this subject, were kept ignorant of the adherence of the Princes to the Federal scheme—that it was a sort of dark secret not disclosed to them—or that the whole scheme was hatched on the voyage home. It is an admitted fact that Lord Irwin, with all his councillors to help him, was ignorant of this magic move. How will Governors-General of the future be able to get information in time of political movements and objectives? Now the explanation of that somewhat dramatic announcement is also clear. It must be remembered that at the time the Princes were sailing, and the delegates arrived in London, there was no idea of responsibility to the centre. The Simon Commission had not recommended it. Lord Irwin's Government had not recommended it. The European Association in Calcutta directed its own delegates to resist that to the last. What happened—this scheme of the pundits? They wanted to get round that objection to responsibility at the centre. The only way they could make an assault on that wall was by invoking the aid of the Princes and making this dramatic announcement about the Federal scheme.

The Princes became almost lyrical over this new idea. The pundits cautiously approved it, and some of them pretended to be recent converts to the idea. It was got up with that objective, and that is proved by Lord Irwin's entire ignorance of all that was going on, although he was in close touch with the politicians. There was still something more wonderful. For some reason I do not pretend to explain, Lord Reading made a sudden announcement that in these circumstances he would accept responsibility at the centre and the Federal scheme. How he came to make that announcement, and how many of his fellow-British delegates he told and explained it to before he made the announcement, is difficult for anyone now to decide. In yesterday's "Observer" Mr. Garvin, who is a friend and admirer of Lord Reading, said:

"All former engagements were superseded at the Round Table by Lord Reading's formula of Parliamentary Federalism with a powerful Executive."

I agree that that has been the effect of Lord Reading giving up the pass. I do not think it has made the executive more powerful: it has utterly weakened the executive. Wonder of wonders! No sooner had this speech been made than

the Prime Minister, the Lord Chancellor, and then the Secretary of State and a number of British delegates, fell down and worshipped this new image which the Noble Marquis had set up. The right hon. Gentleman, who is now the Secretary of State, hesitated. Its feet were shrouded. He said he would like to see the image more closely before he became one of its worshippers. He rather expected that close scrutiny would disclose that the image had feet of clay. Apparently he is reconciled regarding the feet of the image. He has not only become a worshipper, but invites the whole House to become worshippers with him.

Many things have happened lately. There is hesitation among many of the Princes. They cannot make up their minds whether the hidden dangers through entering the gate are greater than the hidden dangers if they stay outside. That rather triumphant, lyrical song which they sang is rapidly becoming a dirge. It is impossible for us at this moment, and I think it is even impossible for the right hon. Gentleman himself, to say what the final result will be with regard to the Princes. We may be going on with this discussion while the Princes have not decided anything? For them the way is still open until the Bill has been finally passed into an Act, and they have signed their engagement whereby they hand over powers of various kinds to the Governor, in order that he may hand them over to a Federal Assembly of politicians.

There is another matter which requires some comment. We are told that the present administrators most heartily approve of the policy of provincial autonomy, accompanied by responsibility to the centre. It is very difficult to find what are the real opinions of people in the Services. They are almost muzzled by the conditions in the Services. If they say anything at all, they must speak in favour of the reform. When the Secretary of State and the Governor-General have laid down a particular policy, how can a Governor get up and make a speech doubting its validity? Many of the Governors, and many of the ranks of the Services, were disheartened and disgusted by the terrible degradation and humiliation of the British Raj in 1930-31. A number said: "We have not long to wait; we have got to the end of our service; we have run down this slope and there are no means of getting up it again. We have got so far and we had better go on." Whatever they may say, none looks forward to the future with the slightest confidence. The right hon. Gentleman himself made an announcement which told the Civil Service that there are to be opportunities to retire on proportionate pensions. That is a very necessary step to restore confidence in the Service. They will not have to stay in the Services they find intolerable. At the same time, the fact that you have to given a pension and special bonus to those getting out of the Services because conditions are too unpleasant, is a terrible discouragement to new recruiting.

It is a little rash to assume that the rank and file have decided for reform. Would any Minister suggest that, by reason of their silence, the whole of the Civil Service turned Socialist when my friends on the benches below me were in power? Why should it be assumed that the people in India warmly support the policy of the White Paper? I have seen, under a pledge of secrecy, letters from men in the Services which show that the iron has entered into their souls. They have expressed their view to their wives, mothers and other members of their families. Some hon. Members have seen letters of that kind under a pledge of strictest confidence. We do not know what will be the future of the Services. I hope that whatever happens they will not turn to positions for people who go out to shake, if they can, the pagoda tree—to try to make as much money as they can in a short time and return to England to spend it. Many persons have said they fear that is what will happen to the Services. If there is any risk of that happening, I would rather that the Services came to an end with all their traditions and fine reputation intact than that men should go out in the future as an adventure, and in search of their fortunes.

There are a few things I still wish to mention, because I can perhaps give knowledge which is not otherwise available to the House. There is a statement which I have often seen made in the newspapers that all classes of people in the country are demanding this scheme of reform, and that they want self-government. That statement is not strictly true. A great many people will say that who do not mean it. They think they

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ought to say it because they are poor people, and it is the policy of the Government to hand them over to "these Pharisees," and they had better say the same thing. Though it is quite true that Moslems want equality with Hindus, the Moslems never joined the Congress, and the only demand they ever made for Home Rule did not occur until 1916. Then all they asked for was an ultimate goal of suitable self-government, by which they meant a Government which would suit an Oriental country, but when they found that the Government scheme, with the Constitution which it proposes, was likely to put them into the power of the Hindus, whom they entirely despise, and from whose religion and creed their own religion is absolutely poles apart, they naturally said, "We must have the same powers as you give the Hindus." They looked to having those powers and exercising them, especially in the provinces where there are Moslem majorities. That is exactly where the Hindus do not want such powers to be given to the Moslems, because the Hindus will not be in the majority there. The Hindus do not want the powers given to the Moslems in the Moslem provinces, and the Moslems do not want the powers to be given to the Hindus in the Hindu provinces. The Sikhs are disgruntled now. They want Sikh-raj. I think that almost every other class, those three excluded, do not want Swaraj. It is not that for which they are asking, they want safeguards. They say, "If you are going to give those powers, for God's sake give us something to save us; if you are not going to protect us as you did before, give us some way or other of holding our own."

The Artisan Association in Madras, which purports to represent 30,000,000 or 40,000,000 people, who are non-Brahmins, workpeople of all sorts in the arts and crafts, and the lower classes as well, put before the Simon Commission a somewhat elaborate proposal. It was in the form of a Bill to grant them Dominion status under the name of "Home Rule" —to make them a free state. Five stipulations were attached to that Bill. The first was that the British Parliament should continue to exercise exactly the same control as it always had done—in spite of their having Dominion status. The second condition was that the British officers in the Indian Army should remain in the same proportions as at present. The third condition was that the British officers in the Indian Civil Service and in the Civil Services should remain as they were then and should not be reduced. The fourth condition was that the Executive Council should continue, the Europeans to have either two or three seats, about one-third of the seats on the Council, and there were to be no seats at the disposal of the Brahmins. The fifth condition was that the Viceroy was to have the power to nominate as many aristocrats as he chose to his Senate in order to check the tyranny of the elected members, a suggestion that might be considered by the House of Lords.

I would point out to the House the way in which the Gandhi fast has done away with much of the benefits of the representation of the depressed classes. At the Round Table Conference they were given their communal seats, which assured to them that they would be elected by their own people. As a result of the Gandhi fast, and under superstitious pressure of his fast, there has been an agreement under which the representatives of the depressed classes, in exchange for more seats, agree to be elected by the general electorate from a panel and to give up their communal election. They were, in fact, "done in the eye" over that, because any further members of the depressed classes will be elected not by their own representatives but by the general electors, in which Hindus predominate. The Brahmins were getting alarmed lest with all these separate electorates they might not be able to get the majority they desired against the Moslems and they saw that they must get the depressed classes on the Hindu side. I do not suggest that the Government gave in through being afraid of becoming an object of Divine displeasure which might reflect unfavourably on their future life in another world, but as a matter of fact the Gandhi fast broke the Indian penal code, on the principle of sitting dhurma as it is called, by which you frighten someone into conceding something which he otherwise would not agree to. The position is that if you do not give the concession the man will fast, his death will be on your head and on your children's, and in an extreme case your future in the next incarnation will be to become the lowest creature that it is possible to con-

ceive, which is generally described as a maggot in Hell.

We are told by Lord Lothian that the only cure for irresponsibility is responsibility. That is a very specious phrase. The only cure for unemployment is employment, but that does not get us much further. It all depends on whether the people of whom we are talking have really a sense of responsibility or not. Sir Basil Blackett, a distinguished member of the British Civil Service sent out to India to manage the finances, a task which he accomplished with signal success, was for six years in the Legislative Assembly. Certainly one could not say that it had no responsibility, for it dealt with the Budget and could carry legislation or not as it pleased, but Sir Basil Blackett said of the Legislative Assembly in his final speech:

> "My difficulty to-day is that I feel that at every turn this Assembly is to all appearances trying to commit political suicide. Every opportunity that is given to it of showing that it has a responsibility and can use it is taken to prove that it is irresponsible."

We have had municipalities and local boards in India for 50 years, and they have had, especially in the last 10 or 15 years, any number of responsible powers and they have been literally almost non-controlled—there is less control over them than similar bodies in this country. Almost all the control has been removed. In the Bombay Government's report before the Simon Commission there was a little table at the end dealing with municipal management. This table disclosed that embezzlements of local funds numbered between seven and eight a year before the reforms and had risen to 51 a year in 1925, that is, in a period of five or six years. The arrears of revenue in municipal towns during that period had mounted from three lakhs to over 11 lakhs. The number of municipalities with a bad record of collections had risen from seven to 64, out of a total of 155. Lastly, the Bombay Government added the information that in 1924 the municipalities in which councillors had refused to pay taxes or evaded payment numbered 10, and in 1925 there were 27; that is, in one-sixth of the municipalities councillors had refused to pay their taxes. The Behar Orissa Government made a report to the same Commission that the elections were not based on anything except appeals to pecuniary and religious motives, and they stated that the misappropriation of public funds was generally regarded more as a subject of mirth and envy than as one for reprobation. That was the spirit in which these people had acted.

The time is short, but I want to say a few words on the atmosphere in which we are introducing this new Constitution. In the case of agriculture money prices and money values have been halved. The industrial people, the mill-hands, have been threatened by red flag agitators, who merely made temporary terms with Congress but promised that later they would resume their activities. Only some major prophet like Isaiah or Daniel could prophesy what will come to pass. Certainly no one now alive in India or in England can possibly prophesy the course of events. There are pools which may become maelstroms, and currents which may go in unexpected directions. We are taunted about not producing alternatives. Most of us have produced schemes at various times, but they were not listened to, they were thrown aside, and that before the Government or the parties concerned were committed. In fact, what has happened is that because the Government proposals lead into an abyss they will accept no alternative from anyone unless it leads into the same abyss. That is preventing many alternative proposals being put forward.

The Government should never have departed from the principle of executive councils, which is the form of council best known in India, and has stood many tests. Also, responsible Ministers were not wanted; but there are many persons in India who are rubbing their hands at the prospects of the rich harvest that will be within their grasp when they get law and order handed over to them. What is the alternative? Is it machine guns? Machine guns have never been used against the civil population in India, although they may have been against turbulent tribes. There has been rifle fire, but never machine guns. I see no reason why machine guns should be used. One who put that point never tells you against what people machine guns are to be used. If they are meant to be used against the politicians, no politician will come within miles of machine guns. The turbulent races will have to be dealt with as they have always been dealt with

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before by the police, provided that there are some trusty European sergeants behind them.

What are we going to do? About the only thing that we can do is what the Simon Commission recommended in the matter of provincial autonomy, and in the case of law and order. At least we should revive their proposals to have official ministers chosen for their administrative ability. The Governor must have some adviser and must have someone behind him to help him to carry out his special responsibilities. How is he going to get the advice of the Ministers over whose head he is acting? That does not mean that we shall have responsibility at the centre. The Simon Commission were against it. The federal scheme is still a thing of the future. It will have to be considered on its merits when it occurs. Very few are in favour of it. There is an old quotation that I should like to read to this House before I close. It comes from one of the essays of Carlyle and it is entitled: "Shooting Niagara and after." He wrote:

> "All the millenniums I ever heard of heretofore were to be preceded by 'a chaining of the devil for a thousand years' laying *him* up, tied neck and heels, and put beyond stirring, as the preliminary. You too have been taking preliminary steps, with more and more ardour, for a 30 years back; but they seem to be all in the opposite direction; a cutting asunder of straps and ties, wherever you might find them; pretty indiscriminate of choice in the matter; a general repeal of old regulations, fetters and restrictions (restrictions on the Devil originally I believe, for most part; but now fallen slack and ineffectual), which had become unpleasant to many of you—in the loud shouting from the multitude as strap after strap was cut, 'Glory, glory, another strap is gone!'—this, I think, has mainly been the sublime legislative industry of Parliament since it became 'Reform Parliament,' victoriously successful; and that sublime and beneficent by some, so that now hardly any limb of the Devil has a thrum or tatter of rope or leather left upon it."

That was what Carlyle said about Democracy, and it applies with great force to what is proposed in India. I implore the Government to take heed before they commit themselves to a policy which not merely surrenders British interests and obligations, but may prove a great betrayal of a sacred trust that has been committed to us almost, you may say, by Providence.

7.35 p.m.

Miss PICKFORD: I feel very much my inadequacy in addressing the House after my hon. Friend the junior Member for the English Universities (Sir R. Craddock), who has such a vast experience and who has served India with so much distinction. I could wish that in the speech that he gave us of destructive criticism he had done more, just at the very end than rather half-heartedly to suggest as a constructive alternative that we might return to the Simon Commission's Report. That is to return to a position which no longer exists. The Simon Commission recommended that a Federal Government should be the ultimate goal and that a conference should be summoned to deal with the question of federation; therefore to set up for British India alone a Constitution which they suggested was a policy which no longer could have any reality. It is not with that question that I wish to deal at the moment. I want to say something about that part of the White Paper which deals with the franchise proposal, because that part embodies in general effect the recommendations of the franchise committee of which I was a member. The report of that committee was in the hands of the House some nine months ago, and no doubt has led to a great deal of criticism, some of which has been misinformed. There has not till now been any opportunity of speaking in this House on those proposals. Although the question of the franchise does not take up a very large part of the Government's proposals in the White Paper, yet that question must form the basis of any system of responsibility, whether in the provinces or in the centre. Therefore, the question of the franchise is of some considerable importance. It may be generally agreed that the existing franchise under the Montagu-Chelmsford reforms, which enfranchises some 6,000,000 in the provinces, or rather less than 3 per cent. of the population, and which enfranchises for the Federal Assembly only a little over 1,000,000, is too narrow a basis and too small a foundation for responsible government, and therefore some extension of that franchise is essential.

The problem that lay before the franchise committee was, how best to increase that franchise. Three courses

were open: To extend the existing system of the direct vote and direct representation; to introduce in its place some form of adult franchise based upon indirect election; to combine the two methods, leaving to the existing voter his direct vote and bringing in the rest of the population by some indirect method. It has been urged that since the panchayat system was indigenous in India that something of that kind might have been utilised for building up an Indian system of voting, and that that would have been more suitable for the oriental mind and custom. It is doubtful whether the panchayat system ever existed throughout the length and breadth of the country and it certainly does not so exist to-day; there are panchayats in less than 12,000 out of 458,000 villages in India. Some system of group election was proposed by which we take groups of 10, 25 or 50 voters and they choose a representative. Those second electors in their turn choose a representative for a provincial council. That was the system which had been discussed at the franchise sub-committee of the Round Table Conference and to which our Committee was directed to pay very special attention. When we came to consider this matter in detail, which we did at very considerable length, we found two great difficulties. First of all, generally speaking, the offiical opinion was against the adoption of such a system. It was felt that unless the relatively senior officers of higher rank dealt with the primary elections, there would be a good deal of jerrymandering. Against that, it was pointed out that it was not possible to spare the time of senior officers from their other important tasks for what would be the greater part of the cold weather, before the general election took place. Official opinion was that they were only prepared to try to a limited extent for certain classes of the population as an experiment.

That was not the only thing. We have set out at some length in the report that Indian public opinion was against any system that was a hybrid system, partly direct and partly indirect. Apart from the other risks, with which I will not weary the House because they are set out in the report, the general public opinion was that the method would be considered in India as reactionary, that India had enjoyed direct election and that that was the system which obtains in the West and in this country. It was stated that to suggest that they should adopt the indirect method would be to ask them to adopt some system which we did not consider as the system which we enjoyed here. The argument used frequently was, "If you consider indirect election so good, why is it that you have direct election in your own country?" That might appear to be a very powerful argument. It must be remembered that India has been led to believe in the general goodness of Western, and particularly of British, institutions. There is no doubt that even those Indians who are least friendly, or perhaps I ought to say most hostile, to British rule, have a faith that is almost pathetic in the effectiveness of British institution. That is a fact of the situation, quite as well as the other facts, such as the communal question and the general illiteracy of the country, that affect the questions with which we are to deal.

The Committee as a whole, both the English members and the Indian members, felt that the best thing was to extend, so far as was reasonable and practicable, the system of the direct vote. The Simon Commission had recommended as a general guide that the percentage should be increased from rather less than 3 per cent. up to about 10 per cent., and the Franchise Sub-committee of the Round Table Conference had suggested not less than 10 per cent. or more than 25 per cent. It should not be thought that in working out our proposals we worked to any particular percentage, or that we felt that it was necessary to raise the numbers to any artificial figure of that kind. What we did was to take, in each province, the official opinion from those best able to give it—officials who had themselves worked elections—to find out what number they felt was reasonable in order to ensure the efficiency of elections, and, within those figures, to find out what number we could bring upon the electoral roll.

We had also to have regard to the instructions laid down in the Prime Minister's letter, which formed our terms of reference, that no important section of the community should be left without the power and means to make its

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opinions felt. We therefore tried to see that no important section of the community was left out. Under the existing practice the towns are rather heavily weighted as again the country districts, and the Southborough Commission accepted that deliberately, saying that they had done so because of the greater intelligence of the people in the towns as compared with those in the country. We, on the other hand, felt that it was our duty to try to adjust that balance, and to give, so far as we could, a fair proportion and an even percentage of votes to both town and country, because, after all, more than 90 per cent. of the inhabitants of India are dwellers in the country villages and small towns.

We tried, further, so far as possible to enfranchise those who had had some previous experience of voting. For instance, in Madras, the proposals put forward by the Madras Government and the Madras Provincial Committee working together—proposals which, with very small modifications, are incorporated in the White Paper—were to enfranchise for the Provincial Assembly the people who had already the vote for local elections, and who, therefore, had experience of voting and knew what they were about when they voted. It was not possible to adopt that system entirely in other provinces, but in many cases those who will be enfranchised under the proposals put forward will be those who already have the vote for local elections, and who, therefore, will have had some previous experience. The result of the proposals which we put forward, and which have been in the main adopted, would have been to enfranchise about 14 per cent. of the population, but those proposals have been to some extent modified, and not such a large number will be enfranchised. Therefore, I think that the White Paper is somewhat exaggerated in saying that about 14 per cent., or 27 per cent. of the adult population, will be enfranchised under these proposals. I do not think that the number will be so large. The number, taken throughout the provinces of British India, will amount to some 35,000,000 or 36,000,000, and on this point I think there has been very considerable misunderstanding. It has been put forward in the Press and elsewhere that these absurdly Radical proposals of ours are going to involve an electorate of 35,000,000 or 36,000,000. That, quite clearly, is a misrepresentation of the fact, because the 35,000,000 is not a single electorate, but is the sum of all the electorates in the provinces of British India. In no one province will there be an electorate of more than 8,000,000.

In Bengal, which will have the largest electorate, the number will be between 7,500,000 and 8,000,000. Moreover, even at present, and still more under provincial autonomy, the issues before the different provinces will be very different. For instance, in the Punjab, probably for some generations to come the political issue will be between the agricultural and the non-agricultural tribes. In Bengal, with the Permanent Settlement, very probably the main political issue will be between the landlord and the tenant. There will be very different issues in different provinces. Assam, with its electorate of something over 1,000,000, will neither know nor care on what issues Madras is voting. It is a complete misrepresentation to suggest that there will be, for the provincial assemblies, an electorate of 35,000,000; there will be a number of electorates no one of which will exceed 8,000,000. Surely, as the Secretary of State said, it is all-important that under provincial autonomy there shall be built up within each province its own political consciousness and its own particular aims which are laid before its own electors, and that it shall not be necessary, as at present, that matters which are peculiar to each province shall have to go to the centre for settlement, but rather that each province shall work out its own salvation.

Before I pass to the question of the franchise for the Federal Legislature, I want to say a word on one detail in connection with the provincial electorates, and that is on the question of the women's franchise. This was one of the most difficult problems with which our committee had to deal. I need hardly remind the House that at present women have the same electoral qualifications as men, with the result that to every 20 or 21 men only one woman gets the vote, because the franchise is at present, and will be in the future, based primarily upon the property qualification, and Indian women, particularly Hindu women, do not hold property. It was therefore necessary, if we were to adopt the recommendations of the Simon Com-

mission and also to fulfil our terms of reference, that we should look for some special qualification in order to bring more women upon the electoral roll.

We followed, to a certain extent, the recommendations of the Simon Commission by bringing on to the electoral roll the wives of a certain class of really highly qualified electors, even although they were not qualified as regards property. But there was a further proposal, namely, that, instead of having the same educational qualifications for men and for women, the qualification for men should be, so far as was possible, the upper primary standard, but that for women the qualification of literacy should be sufficient. That proposal does not appear in the White Paper, and I think I may say it is the only substantial proposal put forward by our committee which has not been adopted. I fear that its non-adoption will lead to very great disappointment among the women in India. We must frankly admit that there is not unanimity about having a special qualification for women at all, either among the men or among the women; but as regards this qualification of literacy there was almost complete unanimity. It is, perhaps, the one point on which the women throughout India are substantially agreed, because it does give a chance to the woman who has been educated, and it is a direct encouragement to proceed with education among women. It is not only that the non-adoption of this qualification will reduce the numbers by probably about 1,250,000, but the ratio of women to men voters will be reduced from one to about four or five under our proposals to one in seven under the proposals of the White Paper.

Furthermore, it is suggested that, in the case of those who have only the educational qualification, both men and women, and in the case of the women who are qualified in respect of their husbands' property, their names shall not be placed on the roll by the official responsible for preparing the roll, but that they shall have to make application in order that their names may be placed on the roll. That, again, will undoubtedly diminish the number of women who will come forward. Those who are keen will do so, and, undoubtedly, some would not exercise their vote even if their names were on the roll, but it will diminish what is probably the most important class, namely, those who are a little doubtful, who would vote if they had a right to do so, but who very probably would not take the initiative themselves, because they would receive considerable discouragement from their own friends and relations. Even if it be necessary, for administrative reasons, to lay it down that application must be made by these classes of voters, I think that the argument against the difficulty of the literacy qualification entirely disappears, because, if the woman has to make application herself to the responsible authority in order that her name may be placed on the roll, there can, I should have thought, be little or no difficulty in putting her through some simple test to see whether she is able to satisfy the qualification of literacy, that is to say, whether she can read a letter and write the reply. Therefore, I hope very much that when the Joint Select Committee consider the proposals, they will bear these points in mind, and will realise the very great disappointment that will be felt and, I hope, voiced in India at the disappearance of this qualification, which would have helped women very much and which was the one to which they attached the greatest importance of all.

Coming to the qualification for the House of Assembly—the lower House of the Federal Legislature—the qualification there will be the existing qualification for the provincial assemblies as they stand to-day. That, therefore, will secure that those persons who in future will vote for the Federal Legislature will be persons who have had more than 10 years' experience of voting. They will be a category who have for more than 10 years enjoyed the vote, and will have had experience in exercising it. Added to them will be a class qualified under an educational qualification, approximately up to the matriculation standard, and who, therefore, even though they may not have had previous experience, will by their education and ability be in a position to inform themselves on the questions on which they are asked to vote, and to form an opinion on those questions. Something has been said about the electoral methods which we recommend, and a certain amount of scorn and derision has been poured on the suggestion of having coloured ballot boxes and devices of that kind. These are not suggestions

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which have been put forward for the first time by the Franchise Committee. What the committee did was to examine the existing polling methods, which vary enormously from province to province. In some places they are unnecessarily complicated, and in others they do away entirely with the secrecy of the ballot. After examination, we came to the conclusion that the system of coloured boxes, which already obtains in at least two provinces, was the best, for the reason that it was simple administratively, that it was useful for the illiterate voter because there was no necessity to mark his ballot paper, and because it preserved absolutely the secrecy of the ballot. It is the system which obtains in Ceylon, where there is practically adult suffrage.

Where there is a multi-member constituency and, therefore, a large number of candidates, it is perhaps not always possible to have a sufficient number of boxes of really distinct colour so that the voter will be able to distinguish. In those cases, and where voting is taking place for both the Provincial and the Federal Assembly at the same time, some system of symbols, as explained by the Simon Commission, may be better. The symbol system already obtains in the Province of Madras, and not only there but in the greatest country of the world which enjoys a federal form of government, the United States, the symbol system is in use although there is compulsory education and there can be few illiterate voters in that great country. So, though I am sorry to deprive hon. Members of a source of innocent merriment, I do not think there is anything very novel or peculiar about the coloured box method of voting.

May I say a few words upon the broader and more important issue as to whether this franchise will be the basis for responsible government? It must be admitted that there has been in the minds of many Indians suspicion of the good faith of the Government. Many have thought, in spite of the talk of responsibility as the ultimate goal, that there was very little intention of implementing those promises. I believe those suspicions to be absolutely without foundation, but we must recognise that they exist. The policy that has been persistently pursued since the present Secretary of State has held that high office has been the dual policy of maintaining law and order while continuing constitutional advance. The civil disobedience movement struck at the root of government and, therefore, had to be met and defeated and, if it could not be defeated by the ordinary law, it had to be defeated by special methods. No Government worthy of the name would not have met that challenge. In January of last year over 3,600 persons were convicted under the Ordinances, no fewer than 1,200 of them in the United Provinces. In the following month the number rose to nearly 5,000, of which 1,500 cases came from Bengal. That was evidence that the Government intended to preserve law and order. At the same time, the arrival of these three committees was an ocular and a tangible proof that the Government also intended to continue constitutional advance. After February the figures of convictions for civil disobedience fell month by month throughout the year, and in January of this year the number of persons throughout the length and breadth of India who were undergoing a term of imprisonment either under the ordinary law or under the Ordinances was less than 14,000, a proportion so small of the population of British India that it can only be expressed in a percentage in three points of decimals.

That is a proof, I think, that the dual policy has succeeded. But if, after the success of that policy, Parliament should now say, " We cannot consent to any form of responsibility at the centre; we cannot consent to the handing over of law and order in the provinces," can we think that the suspicions of those Indian politicians would not have some foundation? Is it likely that, after that, the good word of an Englishman would be believed as it has been in the past? There is a situation to-day when moderate opinion is prepared to co-operate, when a section even of the Congress party realises that it will be better to abandon civil disobedience and to co-operate in the reforms. If now Parliament should say, " This is the time to draw back," not only would those members of Congress take up again civil disobedience but all the more moderate elements which have legitimate national aspirations would be thrown into the hands of Congress, and probably the Moslems as well. It has been said that to give way to public clamour is a sign of

courage, but surely the grant of a measure of self-government to those who have genuine national aspirations is the height of political courage and is in the best Imperial tradition. One of the wisest and most long-sighted Indian statesman, who was over for the Round Table Conference and who was also a member of our Committee, said: "Make your safeguards as real and as effective as you can, because it is our intention so to govern that they need not be used." Surely we can reply in the same spirit; "We intend to make those safeguards as real and as effective as it is possible to make them because, if you govern in the spirit and the letter of the constitution, these safeguards will be no hindrance to you in your government, but they will be a security both to us here in this House and to the British people outside, who still have a legal and moral responsibility for good government in India, that good government will be continued and it will be a security that you will continue to enjoy the good government which British rule has brought."

8.11 p.m.

Mr. HALES: The Secretary of State, at the commencement of his speech, made the very serious remark that he sometimes thought a solution of the Indian problem was almost hopeless. I can well understand his giving vent to that opinion because, being so intimately connected with India as I am and have been for 16 years, I can thoroughly understand the many and diversified factions that he is up against. To bring them all together and to satisfy them so that we can bring a working constitution into being will be, if he succeeds, well nigh a miracle. It is very easy for one who was in India, say, 20 years ago to visualise what it was then, but it is a very different matter to bring yourself up-to-date, so to speak, and to speak of India as it is at the present moment. I was in India three or four months ago, and I found a totally different India from what I left the year before. The term "unchanging East" has lost its meaning. India is slowly but surely awakening to the fact that she must now take her destiny into her own hands. Even Mr. Gandhi said, about a year ago, that he would prefer to bring India to chaos under her own rule than have a perfect Government under alien rule.

It will be as well to go back a little to see the events which have led up to the present state of affairs and to go back to the Simon Commission, which has been admitted on all hands to be the most thorough and fair examination of the Indian position that has ever been made. It had one defect. It contained no Indian members and, while that may have been justified from the standpoint of Great Britain, it was looked upon as a slight to India. Then you had the Round Table Conferences. They were damned from the very inception by the fact that each member of the Commission was furnished with an irreducible minimum of demands from his particular community and that he could on no account take less. Naturally, the minimum could not be given, and the Committee went back with very little accomplished. As time went on, and India found that this new Federation was to be established, there came the scramble for power, each community saying that it must take care of itself. We found the Anglo-Indian community making representations to the Simon Commission that their members must have 50 years' guarantee of their present occupations. You had the Moslems afraid of the superiority in numbers of the Hindus, but the Hindus, on the other hand, knew perfectly well that if it came to force of arms the Moslems would be victorious. The Untouchables felt that they were being neglected entirely and would be literally the submerged tenth. Every community in India at that time was trying to force its claims upon the Commission so that it would not be submerged when the Federation came into operation.

We have to consider, firstly, whether the White Paper contains what the Indians want. Is Western democracy such a success in Europe that we can safely apply it to an Oriental race? We see at the present moment Europe as an armed camp, with the distrust of one country towards another, and fast drifting into dictatorships, as you see in Germany and in Italy. India, in my opinion, is the last country in the world that will adapt itself to Western democracy. It has always been under a dictator, and further—this will not be palatable to Members of the House—I do not consider that any government forced upon India will be satisfactory unless you obtain the good will of the Congress party. Their leaders are now in gaol.

[Mr. Hales.]

If this proposal comes into operation, what will be the position when they come out again? Will they work it, or shall we have a repetition of the boycott which has played such havoc with our trade for several years past?

The time has come when both sides are weary of this interminable struggle. India generally is suffering from a mistaken idea of injustice, that she is being exploited, and that her money has been squandered by the million in unnecessary works. I would mention the building of new Delhi. In contrast to the mercantile community throughout India, who remain in the plains the whole year round, the officials at Delhi migrate to Simla for seven months in the year, and for the rest of the time the place is like a deserted village. About £100,000 is spent upon that migration. The Indians ask, "Why is this done? Why cannot they work like we do in the plains without this migration every year?" That is one grievance.

I will try to give, as far as I can, the Indian feeling as it exists to-day amongst the great trading community with whom we in England are chiefly concerned. I do not speak of the agriculturists, because I know very little about them, but I want to give the feeling which exists among the trading community in the bazaars, and among the people one meets every day in the streets. When I got back to India on the 4th August the communal award was just about to be made. It may be remembered that I had expressed the opinion that the Government were making a mistake in forcing the communal award on India, and what I anticipated proved to be the fact. When, on 17th August, the award was published throughout India and simultaneously in England, the whole of the country was in an uproar. Every newspaper was complaining of the award, which was looked upon as a diabolical plot of the British Government to split up India into watertight compartments and to prevent any real nationalism of the country.

Immediately I landed I could see that, although I had no right or authority to speak for the British Government, there was something which I could do as a private Member in the way of trying to remove the mistrust and misconception which no doubt existed. The next day I saw Mr. Jayakar, one of the leading Liberals in India, and asked what it was they wanted. He said: "On no account, Mr. Hales, will we co-operate with your Government unless we have a fair Round Table Conference in London." That was his message in short after a two hours' conference. That being the case, and thinking that it would make matters easier, I wrote immediately to the Secretary of State for India. Three weeks later this was agreed to. Whether my letter ever reached him, or whether it was acted upon, it is not for me to say. I wanted to show the people of India that the National Government, although chiefly composed of Conservatives, were absolutely anxious and desirous of giving India that for which she was asking.

I arranged to address a series of meetings and also wrote to the papers throughout India. Later a rather curious thing happened. On 27th June last I said a few words in an Indian Debate, and the Secretary of State for India, at the close of his remarks, said he welcomed the contribution from the hon. Member and he would consult him as to the next step. The Secretary of State for India, of course, is of such a disposition that whatever he says must be taken at its face value. On no account could he ever be accused of facetiousness or sarcasm. I found that this had been telegraphed to India and that I was looked upon as the unofficial spokesman for the Government. That was really a great advantage to myself, the Secretary of State for India and the Prime Minister. Believe me—I say it seriously, and without speaking in any light manner—the Prime Minister and the Secretary of State for India will be everlastingly indebted to me for what I did for them in India. I had some magnificent meetings there. I wish that the Lord President of the Council had been there. He would have appreciated me a little bit, because it will be remembered that when I first came into this House I asked him to wear a different coloured tie so that we should not get mixed up in the Division Lobby, as we are very much alike.

I found that in India the Secretary of State for India and the Prime Minister were looked upon as the villains of the piece, who are out to ruin this poor nation. The very first words I heard

when I spoke was, "How can you, a Conservative Member, have any sympathy with India?" That was the trouble. Rightly or wrongly, the Conservative or National Government are looked upon as not being willing to do anything for India unless they are compelled. I can assure the House that at meetings at Madras, Calcutta, Bombay and other towns I had great trouble in persuading them to show confidence in the Conservative Government. They told me that they were looking to the Socialists to give them their rights. I said to them: "Looking to the Socialists! Why? The Socialists directly they get into power either become good Conservatives or go to the House of Lords. What possible chance have you in looking to the Socialists, when we shall be in power for another three years? Put that clearly out of your mind. Do not think about it." I say this with no disrespect to the Socialists who sit on the Front Opposition Bench. There are some of the finest intellects in the House to be found there, and it is a treat to listen to them. Sometimes I feel very much inclined to walk into their Lobby, if only they were right on the tariff question. I have great respect for those hon. Members. The point that the Indians made to me was summed up in the question: "What are your Government going to do for us?" We have to deal with a problem which is almost beyond the wit of man to solve. I have said before, and I was laughed at for saying it, that I know India probably better than any other man in this House. That is true. I have lived there for 16 years and I am in constant touch with India. The moment the long Recess comes along I shall go out to India by aeroplane and stoy there for three or four months. To understand India thoroughly you must keep in touch with it. It is no use looking at India over a space of 6,000 miles without direct touch, and then claiming to speak with authority about it.

I asked the Secretary of State for India to allow me to see Mr. Gandhi. No. Keep off. If he had given me that permission I could have done some good. The time has come when the personal touch only is the solution of your problem. In Calcutta, I interviewed Malavayi, the leader of the Congress party since Mr. Gandhi has been in prison. I had 2½ hours' talk with him in Calcutta. He was very sincere. He was distressed almost beyond belief at the way things were going. To make matters worse, Mr. Gandhi announced his fast. To emphasise my reason for saying that we must deal with the Congress, if we are to have a final solution, I would point out that immediately Mr. Gandhi announced his fast the whole of India was in an uproar. If Mr. Gandhi had died, I do not like to think what the possibilities would have been for the continuance of British rule in India. Although he is an idealist, and although he is impractical in his ideas, he has the confidence of the great mass of his fellow-countrymen, although it is perfectly right to say that he does not represent India. If hon. Members will imagine the Members of the Front Treasury Bench all in gaol, which is the position of the leaders of Congress in India, and the Prime Minister, the trusted representative of the nation, confined within four walls, they will realise what is the position in India to-day. What should we say if all our leading statesmen were voiceless and not allowed to contribute to the discussions in connection with the formulation of our Constitution? I know that in what I am going to say I shall tread on some corns and that I shall be very unpopular, but I did not come here to be popular. I came here to give of my best and to tell what I have seen and heard while I have been in India.

I made an attack on the extremist Press. I interviewed their editors. I interviewed the editor of "The Hindu," the most powerful journal in Madras. We had some good solid talk, with the result that next day instead of having four or five lines in the "Times" I had a whole column of leader, saying at last here is an Englishman who understands India. I am glad that the Prime Minister is now in his place, because really his stock is far higher in India than it was when I went out. They are beginning to understand him. They are suspicious of this country. They think that it was only when everything else had failed, when they could not come to a settlement among themselves, that we reluctantly, after exhausting every other means, finally decided that some steps must be taken to give India self-rule, and that we had to make the communal award as the

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best thing we could do in the circumstances. That is the position to-day.

I am going to make some constructive suggestions. If I as a trader in India go down, this country goes down too. I am only one unit of the many units which represent British trade with India. I represent 30 manufacturers, but I am not speaking of myself but of business. When you take away all the froth, we want India for the salvation of our trade. If we lose India, we become a third-rate nation. Nothing can save us if we lose the Indian trade. I believe really and sincerely that if you will only take the bull by the horns, so to speak, and go out there you can settle matters. There will be no settlement of India in England. It is the personal touch that is required. If the Prime Minister thought it was necessary to go to Italy and France, I say that it is a thousand times more necessary to go to India. If he went out there, and if the Prince of Wales and the Lord President of the Council went and interviewed the leaders, we should have a settlement in a month. It can be done. I was almost going to say that I could do it myself if I had the power. I have known these people for 16 years. I have travelled all over the country and I have lived with them and know them very intimately. They know me well enough to come and borrow money from me. That is the greatest test of friendship. Traders come to me and say, "Sahib. Do tell your people at home that we want fair play. We want to give you our trade. We want to open our hearts to you and we want to cement our friendship."

I should like to tell the House something about the 10 per cent. preferential tariff. India was dead against that preferential tariff. They think that everything we do is in our own favour. They are suspicious of every move that we make. I got hold of the leaders. I interviewed Sastri, Mallavayi and the different leaders. I did a good deal of work for which I am not making any charge to the Government. I earned my salary in India. That 10 per cent. preferential tariff has been given to England not because of the benefit that India is going to get, but because, as I put it to them: "Show them a gesture. You have never made a move to show that you wish to co-operate. Let it be hands across the sea, and it will settle the communal question and bring the two nations together as never before." One man said to me: "Sahib. If they were all like you!" I am not joking about it. Of course, there are black sheep in India just as there are black sheep in England and elsewhere. They are tired of the fight in India. They want to come across with us into friendship, and if we can only leap the gulf we can get a settlement. Let us show that we trust them.

On the other hand, we want to be sure that there will be no repudiation of debt. The Indian is a most trustful man if he gets your confidence. One of the firms which I represent sent out the son of one of their directors to develop their trade. My customers looked upon it as an insult. They would have nothing to do with him; they thought he was there to take away my trade; and he was frozen stone dead. They would not look at him. They said: "We know you; you are our friend. We do not want him. Send him home." I have their confidence. You can get their confidence; but you must go to India. They have a feeling that whenever they come here they are being juggled with, mystified; and it is most difficult to remove that impression.

Now about this Select Committee. It is expected that the persons who will be appointed on the Select Committee will be in inverse ratio to what they know about India. It is no use sending out committees to India with young persons on it. They may be well connected and capable, but to send out young men is looked upon as an insult by Indians. Age counts in India. The filial piety of children to their parents is one of their characteristics. If you send men to India you must send older men, men of mature judgment, not send what, I think, the "Morning Post" described as "frightened innocents." To send out to India to solve the greatest problem in the British Empire young fellows of between 23 and 25 years of age is asking for trouble. Indians feel insulted, and ask: "Are these the men who are coming out to solve our problems?" It is a mistake.

The country to-day is dissatisfied with the National Government. Close this House for two weeks, and let every Member go back to his constituency and the

Members of the Cabinet to the distressed areas. If the Prime Minister will do that, then I say that the stock of the Government will go up 100 per cent. But that is by the way. We on the back benches have a little bit of truth and common sense among us sometimes. That is what should be done, instead of our having to go back to our constituencies and apologise for the Government. With the greatest majority ever known in this House we are disappointing the nation. Let us give confidence to the people at home as well as in India. The man who will take his courage in both hands and save England is going to be the finest man who ever sat in the House of Commons.

I hope that the Government will listen to the advice of a man who has been on the spot and who is in close touch with India continually every week. Send your Select Committee to Delhi. The Round Table Conference at Allahabad was my doing. I said to Malaviya, "Work out your own salvation. Bring wour own scheme before the British Government, and they cannot refuse you." They went to work immediately, got together; and the Allahabad Conference was the direct result of my talk with Malaviya. I have said all I want to say. I want to get the Government to realise the magnificent possibilities. You must pick your Select Committee carefully, and put upon it people who know India. Do not do the work in this country; do it in India, and you will solve your Indian problem and furnish the greatest and most brilliant piece of legislation that has ever been written on the Statute Books of this country.

8.40 p.m.

Mr. MOLSON: The House has been privileged to receive a report from one who appears to have constituted himself the unofficial but extremely successful ambassador of this country to India. He will excuse me if I do not follow him further in his speech, because we have heard to-day two speeches in criticism of the White Paper to which I should like to refer for the few moments at my disposal. In the first place, may I say that I listened with great regret to the statement made by the hon. Member for Limehouse (Mr. Attlee) on behalf of the official Opposition. In the past it has always been the desire of political parties in this country to keep India out of party politics, and the hon. Member was one of the selected representatives of his party on the Simon Commission and signed their report. Since that time the National Government, following the general lines of the Government of which the hon. Member was a Member, have, owing to the proposal of federation by the Indian Princes, been able to go a great deal further towards meeting the aspirations of Indians. It was, therefore, with some surprise that I found the hon. Member on behalf of his party disassociating himself from what had been the agreed policy of all parties and criticising in detail some of the provisions of the White Paper, which in themselves go a great deal further than the Simon Report.

I had thought that we should not hear anything from any member of that commission about Dominion status. It is hardly an exaggeration to say that India has enjoyed Dominion status for the last 10 years. What she has not enjoyed is responsible government, and it is a complete fallacy, as I thought was generally recognised by Indians and Englishmen, to talk about Dominion status. Indians are concerned with the kind of internal government which they are going to get. The hon. Member referred to the proposals in the White Paper as putting vested interests in a privileged position. I could not quite follow how he reconciles that with what he said about the need for meeting the aspirations of educated Indians. Reference has already been made to the importance of the toiling masses of India; and it is the Socialist party which, quite rightly, always emphasises the fact that where you have a nationalist movement it originates and begins in the educated classes. If you are going to introduce reforms in order to meet their aspirations it is illogical to complain at the same time that you are putting vested interests in a privileged position, because, after all, it is the wealthier people who are the leaders in a nationalist movement.

I wish this evening to refer chiefly to the criticism of the White Paper which comes from the extreme right wing of the Conservative party. At the end of a long survey of the past and present history of India, the hon. Member for the English Universities (Sir R. Craddock) told us that his constructive suggestion

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was that we should return to the Simon Report. But they are not prepared to carry that out to the full because they object to the transfer of law and order. If I may weary the House for a few minutes, I should like to give an explanation of why it was that the Government of India, in its despatch upon the Reforms, was unable to accept the recommendations of the Simon Commission in regard to the Centre. The Simon Report is now regarded by many people who have never read it as though it were verbally inspired, a claim which has never been made by its signatories. When the Simon Commission came out to India the Associated Chambers of Commerce made their representations to that body. When referring to the Centre they pointed out that the position of the Government was almost intolerable, in that it was charged with the responsibility of governing India and was required to pass all its legislation and its budgets through an Assembly in which it had no stable majority. It was President Lowell who said that an irremovable Government and a popularly-elected Assembly were a contrivance for causing friction and perpetuating it.

That is the position in which the Government of India has been for the last 10 years. It has on some occasions actually admitted that certain amendments to the law were desirable; yet it had not dared to introduce legislation in order to carry those amendments because when once a Bill dealing with the matter was introduced into the Assembly there was no guarantee that it would not be so amended, against the wishes of the Government, that the final state of the law would be worse than at the beginning. So the Associated Chambers of Commerce and a number of other bodies also represented to the Simon Commission that with regard to the Centre there were two things that could be done and one thing that could not be done. The Commission could either go back and give the Government of India a stable majority in the Assembly, so that it would be able to make its view effective, and effectively to discharge its responsibilities for governing India; or, on the other hand, the Commission could go ahead, make the Government of India responsible to the Assembly and impose upon the Assembly the responsibility of maintaining a Government in power and of giving that Government the legislation that was necessary for it to discharge its duties. What we maintained could not be done was to leave the position as it was: where the Government had to resort to every form of wheedling and cajoling in order to get its budgets passed, obtain its votes of supply, and get its legislation through.

What the Simon Commission actually recommended was not only that the constitutional position should be left very much the same, but that the 25 nominated officials should be withdrawn from the Assembly. I think that the Government of India was to blame in its evidence when it emphasised to the Simon Commission that in spite of the fact that it was without a stable majority in the Assembly, it had on very few occasions had to avail itself of the Viceroy's power of certification. What it ought to have pointed out was that as a matter of fact it had frequently only avoided that deadlock by not introducing controversial legislation, and that, when it had introduced such measures, there were very few important divisions in which, on a controversial measure, it had a majority as much as 25. With the withdrawal of the only 25 votes in the Assembly upon which the Government could always rely, instead of always facing the possibility of a Government defeat, it would have been confronted with a certainty of a defeat on almost every occasion. It was for that reason that the Government of India, and also nearly everyone who had any experience of the working of the Government of India and of the Legislative Assembly, felt that the recommendations made by the Simon Commission, as regards the Centre, would make a difficult and embarrassing position an absolutely impossible one.

That fact was, in a way, recognised by the Simon Commission. At that time the Commission was confronted with this dilemma: it either had to go back, which many people felt was quite impossible and would certainly be very dangerous; or to make the Government of India responsible merely to British-Indian politicians—and everybody recognised that that would be merely a leap in the dark, and that there was no certainty at all that the experiment would be successful. The whole situation underwent a very great change when, at the first Round Table Conference, the Princes

made that offer to come into a Federation which the Simon Commission, with extraordinary foresight, had regarded as the only ultimate solution of India's political problem. It was from that time onwards that the possibility of giving responsibility at the Centre became a reality. When my hon. Friend the Member for the English Universities (Sir R. Craddock) refers to the opposition which existed in the European community in India at that time against giving responsibility to the Centre, he should have said that it was an opposition to transferring it entirely to British Indian politicians. When afterwards the Princes came into this great adventure, as ballast and as centre-board, into the ship of State of India starting off upon a new voyage, then the position underwent a great change. To-day in India the Associated Chambers of Commerce, the European Association and the Royalists are all behind the Government in supporting the general principles of the White Paper.

The hon. Member made the statement that Governors who were now holding office were not in a position to criticise the Government's proposals. I know very well that when he was a Governor he did not hesitate to express his doubts about the Montagu-Chelmsford proposal. It is known as a matter of fact, and he knows also, that Governors as distinguished as Sir Malcolm Hailey have constantly been advising the Government from the very beginning. Now Sir Malcolm is coming home once more in order to assist the Joint Committee.

Since we have had all these statements about what the attitude of the Civil Service is, perhaps I may be allowed to inflict upon the House a very short quotation from an Indian Civil Servant, a judge in Bengal, with whom I have been in correspondence ever since I have met him in India. He wrote to me the other day upon this subject:

> "It is all very well for the Churchill group to fulminate against the Round Table Conference. Are they prepared to come out here and run the country? That is the acid test. Civilians are not all fools; indeed, we are usually possessed of fairly good brains—to begin with, whatever they may become later—and we have not been let down by the politicians all the time. . . I should like to hold out this warning to the Conservative Members who follow Churchill. If their policy were realised, they would paralyse the administration of India, send into the opposite camp thousands who now trust England, and condemn to death civilians and police officers who are trying to help. England has moved since 1918, and India has not stood still."

The Conservative Members of this House who are opposing these proposals attach a great deal of importance, and rightly so, to the transfer of law and order. Anyone who takes the trouble to read the Simon Report will see that of all the questions which came before them there was none to which they gave longer or more anxious consideration than the question of whether it was or was not possible to transfer law and order. I am not surprised that the Government have come to the same conclusion as the Simon Commission. To give so-called provincial autonomy without transferring law and order would mean giving a mere sham. We have heard a great deal about the destruction of the morale of the police if they are transferred. I suggest that one of the great difficulties in the past has been that Indian politicians have not been responsible for seeing that the Indian police were supplied with adequate money. They have always been able to pass "cuts" on the police and pander to the general hostility which does exist in India towards the police. They have always been able at the same time to rely on the power of certification of the Governor in order to make certain that the police were maintained.

If the police are transferred they will no longer appear in the unpleasant light of minions of an alien bureaucracy. The Indian politicians will have to accept responsibility for supporting the police and enabling them to carry out their duties and seeing that they are supplied with decent barracks and proper living conditions. It is all very well to say that it is only a phrase but it is true that the only way to bring about a sense of responsibility is to impose responsibility. I believe that the police, when they have been transferred to the Indian ministers, will be spared a great deal of the opprobrium which exists at present when the administration of the police is a reserved subject.

At the same time, I am just a little uneasy at the rather vague language of the safeguard in the White Paper. The Services Sub-committee at the first Round Table Conference referred to the need for protecting the police against

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undue interference by politicians and the possibility of retaining the Police Act of 1861 which gave Inspectors-General in the Provinces certain powers of administering police without interference from above. I hope that the Joint Committee will carefully consider whether it is not possible, without unduly withdrawing the police from political control, to make certain that there shall be no undue interference. I ask therefore that the Joint Committee should consider the possibility of tightening up that safeguard.

There is another safeguard, as to which I wonder whether it is really necessary for the Government to insist upon it. I refer to the requirement that the Governor-General should give his previous sanction before the introduction of any legislation dealing with currency and exchange. It would be rash and unwise for any Government to introduce legislation dealing with those subjects and I feel that as this question can only arise after the Reserve Bank has been set up and is in operation, it is unlikely that any Indian Government would introduce legislation of that kind against the advice of the Reserve Bank and the Viceroy's financial advisers. But even supposing that were done, the Viceroy would still have the power of veto and he could announce in advance, and would no doubt make it clear, that he would not allow legislation of that kind to be passed. I am anxious that the safeguards which are necessary should be strong and effective but I hope there will be no safeguards which are not essential.

I apologise to the House for speaking at such length—although I am only following the example of some of my predecessors—but I should like to refer to the question of second chambers before I conclude. It is a remarkable thing that the White Paper only proposes second chambers for three of the provinces yet it is on record in paragraph 381 of the Lothian Report that in five provinces, both the Governments and local committees were in favour of setting up second chambers. We are making a vast change. We are transferring almost entirely the responsibility in the provinces to Indian politicians and a new and untried electorate. I hope that hon. Gentlemen on the Socialist benches will not think I am actuated by a desire to entrench for ever vested interests if I say that, when you are starting an experiment of this kind, it is important to have a chamber in which the older and more substantial public men of the province may be able to have seats and exercise some restraining and controlling influence.

I have read with great care and attention the proposals of the Government with regard to commercial discrimination. I hope again that the joint committee will give that matter careful and anxious consideration. It is one of the most difficult of all these problems. It is of vital importance not only to the trade of this country but to the future prosperity and welfare of India that India should continue to be regarded as a country in which trade and enterprise can look for fair treatment and can in the future, as in the past, expand and develop the natural resources of the country.

In conclusion, I must express my disappointment that the response which has so far come from India to this White Paper is less warm than I think the Government were entitled to expect. There is an Amendment dealing with the release of Mr. Gandhi and other leaders in the civil disobedience campaign. We are all united in regretting that, at a time like this, when great changes are being brought about, Mr. Gandhi, so long a leader of Hindu opinion, should be in gaol. I would join with those who appeal for a change of heart, but on whose part? Mr. Gandhi is not kept in gaol by the Secretary of State or the Government. The doors of his gaol are open provided he will recognise the indisputable fact that the Government, having been forced to take up the challenge of civil disobedience, have broken that campaign. If only he would now turn his mind to constructive work and call off the civil disobedience campaign, he might render great services to his country.

Even among those who have co-operated with us in the past, and still intend to co-operate with us in the future, I am sorry to see that this White Paper has been criticised. Sir Tej Bahadur Sapru has said that it is not in accordance with the recommendations of the Round Table Conference. That

seems an extraordinary statement. I have compared the two carefully, and, with one possible exception, I am unable to find any difference between the proposals which the Government are now putting forward and those agreed upon at the Round Table Conference.

Now that we have abandoned the old position of domination in India I hope that our Indian friends will not go to the other extreme. After all, we are still entitled to be called partners and to have some voice in determining the future constitution of India. I am sorry when the Secretary of State has during the last few months had to face misrepresentation and opposition from certain Tory extremists in this country, that those for whom he has been labouring and with whom he has been co-operating should not express greater gratitude for what has been done. If one throws one's mind back two years, to the first Round Table Conference, it will be seen that the Conservative party and the Socialist party and this House generally have all taken a very great step forward. If the present proposals had been put forward then, although they could not have been, because they were not then prepared and the ground was not explored, they would have far exceeded anything which Indian opinion at that time expected.

I trust and hope that in the deliberations of the Joint Select Committee, which I am glad to think will have the benefit of the assistance of members of the Socialist party, it will be possible so to examine—in co-operation with Indians and, if necessary, in small matters to amend—this White Paper, that upon it may be framed a Bill which will satisfy the legitimate aspirations of India and will, at the same time, afford effective and ample safeguards for all the minorities and all the interests in that great sub-continent, and that this Parliament and this National Government may be found to have been the parents of a permanent and stable future constitution for India.

9.8 p.m.

Major-General Sir ALFRED KNOX: I have been much interested in the speech of the hon. Member for Doncaster (Mr. Molson), who has spoken, as he always does, as a consistent supporter of the Government policy in India. I was particularly interested in the quotation which he gave from a letter from a friend of his, a judge, in Bengal. I gather that from that letter he wanted to give the impression that the officials of India were entirely in agreement with the Government policy. Certainly the officials of India must have changed. I have here a quotation from a book published only the other day by one of the members of the Simon Commission, who writes this:

> "Not a single authority, British or Indian, whose advice we could respect and rely upon, in all our extensive experience, ever spoke with any degree of optimism on the rapid and spectacular advance; on the contrary, one and all counselled caution and restraint."

Of more recent interest is the fact that last Friday I went to a small meeting in my constituency and was introduced to an Indian civil servant. I asked him if he had retired, and he said "No, but I am going to; it is hopeless to go out there again." He came from Lahore, and he said, "Our position is impossible." I do not know what his politics are, and I have never seen him before and do not know his name. I spoke to his wife, and I said, "You were in the Punjab. Have you ever met any of your friends who were in favour of the Government policy?" At first she said, "No"; then she said, "Yes, one man." I only give that for what it is worth. The other day there was a dinner of the European Association in Bengal given to the Governor, Sir John Anderson, and at that dinner Mr. Carey Morgan said he had sent round a plebiscite to all the members of the European Association in Bengal, asking whether they were in favour of delay or advance. The unanimous opinion was in favour of delay. That is very recent, about two months ago.

I would like to make some remarks now about the most excellent and lucid statement of the Secretary of State. I think he is very practised in this work of Agag. He is in a very difficult position. When he is speaking to us, who are called extremists because we dare to say what we think about India, because he has to address himself at the same time to the people of India, who are, some of them, politicians with the opposite point of view. He made two general reflections. The first was that ever since the beginning of the 19th century we have been promising self-government to India. Yes, but only in a very modified form. That

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proclamation of Queen Victoria's in 1858 only promised the Indians an increasing measure of participation in the government of the country. We have never fixed any date, and certainly there has never been any excuse for the landslide of the last three years. In the last three years we have been proposing to go further than the people of this country went in about 500 or 600 years.

The right hon. Gentleman's second reflection was about the new tide in China and about general feeling in India and Asia moving towards democratic Government. But what democracies are there in Asia? I think he mentioned Turkey, but if my memory serves me rightly, the head of the Turkish Government on one occasion executed some of the opposition. That is hardly what we would consider to be democracy. Then there is Persia, but I do not think the Government of Persia can really be called democratic. There is also unfortunate China, which was infinitely more happy under the autocracy of the Dowager Empress, which ceased in 1911, than she has been ever since. There is one town in China, I believe, that has been looted and counter-looted 72 times in one year. If that is democracy, God save us from it.

To what extent, after all, is there a democracy in India? I would like to quote Lord Snowden, not as he is at present, but as a Socialist. He wrote, in 1927:

> "There is no such thing as a democracy in India. There are 300 millions of people in India who are illiterate, who knows nothing about political government, and whose training for self-government must necessarily be a slow process. The people who now speak in the name of India, or in the name of any of the various races and religions and castes, are an oligarchy of wealthy and educated people, comparable to the classes which governed England until the latter part of the last century."

If they only had the moral stamina and the patriotism of our great families, who governed this country till democracy became ripe to take it over, I should be in favour of giving them self-government with both hands, but it is the lack of moral stamina in India and of the courage to stand up to an adverse opinion which makes me so doubtful about this whole experiment.

To-day we have to consider the setting up of a Joint Select Committee, but it all depends on what the composition of that committee will be. We are to discuss that question on another Motion, I believe. I remember that I spoke to two members of the Joint Select Committee on the Montagu reforms, the late Lord Sydenham and the late Sir Henry Craik, and they both told me that their work was perfectly hopeless, that they could not do anything. They could put their point of view, but what does that amount to when you are out-voted always? As to Indians being brought into consultation, everybody knows that it is difficult to get a really honest opinion from Indian witnesses, and that is the great obstacle. I have been told that Lord Birkenhead advised this, but he never in his wildest moments imagined that there would be three sessions of a certain thing called a Round Table Conference, at which all the Indians would say what they wanted to say and a mutual admiration society would go on for weeks.

Then there is the question of setting aside the Simon Report. It is always put, I think, somewhat dishonestly by Government spokesmen that the origin of the Round Table Conference was a letter written by the Chairman of the Statutory Commission. But it was decided long before that. It was decided by the late idealistic Viceroy, and was put up to him by that white-headed boy, Sir Tej Bahadur Sapru, who started the idea, and the Princes were set up to say that they wanted Federation. Then Lord Reading, as a real Liberal leader, was attracted by the Princes because they were Conservative Unionists. He said, "Here are Conservative Unionists; I will make the whole Government stable." But what stability is there when the Great British Raj is driven out of India by the force of Indian propagandists? How long will the poor Indian Princes stand that? They will be wiped aside, and they will have to understand that their only hope of safety is in helping us to prevent this abdication of British authority.

The White Paper has not had a very good Press India, and one gentlemen calls it "a damnable piece of British villainy." I find that the Indian Princes are not very satisfied, and one of their number was rather snubbed by the Viceroy because he ventured to put the point of view of the Princes against it. I suppose that it is the new democracy in

India that the poor Prince is not allowed to give his case. The White Paper has one great assumption. The proposals have the basic assumption that every endeavour will be made by those responsible for working the Constitution to do so in a spirit of partnership in a common enterprise. If that be true, why have any safeguards? If we are all going to be splendid partners and do what the other person wants, why have any safeguards? We are going to have a Viceroy and 11 Governors of provinces. I wonder if even among the soft characters of post-War politicians in this country you would get enough wheedlers to carry out those positions? You want the Viceroy to kow-tow to everybody, and you want the Governors to do the same. Will you get the people with patience enough to undertake those thankless jobs?

The Secretary of State pointed out that Lord Zetland wrote an interesting letter to the "Times" pointing out the difficult position that the Viceroy would have with nothing except three councillors to depend upon. I was surprised at the "Times" putting that letter in such a leading position; it seemed against their usual policy of putting any letter which is against ideas of abdication in India at the very bottom of the worst page. However, the position of the Viceroy is comparatively happy. After all, he has three councillors and also a financial adviser. But think of the position of the 11 governors in the provinces. So many Robinson Crusoes, as somebody put it, will be ruling without a single Friday. They have no one to depend upon at all. We have been told by the Secretary of State and by other people that the Government have followed in the Provinces the recommendations of the Simon Commission. Why do they not follow the recommendation on page 48 of the second volume of the Simon Commission's Report? There it says:

"We are unanimous in presenting the view. . . that the Statute should be in such form as to make it possible for such a Government"—

that is, provincial governments—

"to include an element drawn from official or other non-elected sources."

There, I suggest, you have a possible solution of the problem of this handing over of law and order. If you go back to the Simon Commission and allow to be included under the governor or deputy-governor, and possibly under each provincial governor, the power of appointing one or two official or non-elected members, and give him the possibility, if he wants to do it, of placing the police under such an official, you might solve the question of handing over the police. I do not think it is fair to talk as if we were going back on the Simon Commission.

The Secretary of State said that it was practically impossible to have a Congress majority at the centre. I allow that that is true, if you go on the principle that all the Moslems and all the representatives of the Indian States are invariably going to be on the Government side. I do not know what ground there is for assuming that. In the Bengal Council of 1924 the 47 Swarajists included no fewer than 21 Moslems. A large majority of the Indian States were Hindus. Can you guarantee that they are invariably going to be on the Government side? I allow that they will cut each others' throats when they get into the bazaar, but the joy of attacking the Government brings together people who otherwise would be enemies. In this country, for instance, we remember how the bookmakers and the Nonconformist preachers came together over the Betting Tax. The same thing will happen in India. You will have Moslems and Hindus co-operating against us.

As to safeguards, the White Paper provides for a general breakdown of government. Suppose we have a repetition of the position which led to the frightful massacres in Cawnpore. We remember how the last Viceroy communed for 10 days with Mr. Ghandhi, which led to what is called the Irwin-Gandhi Pact, and how a lot of enthusiastic Members of this House sent them a telegram of congratulation. The Viceroy with proper modesty replied that, at any rate, the atmosphere was somewhat sweeter. Five days after that sweeter atmosphere set in, we had the massacre at Cawnpore, when officially 500 Moslems were murdered; unofficially, it was stated that 2,000 were murdered. When these reforms are working, people tell me that there is likely to be a Communist majority in the United Provinces.

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Suppose that in Cawnpore the Hindus start a massacre of Moslems, and the Minister in charge of the police is a Hindu, can he take sufficiently strong measures to nip a thing like that in the bud? I allow that it is open to argument. In the dreadful case a couple of years ago there was a British man in charge, but after all he had an example from high quarters in Simla, and he would not be encouraged to take the initiative to put down disorder. If things go from worse to worse, the unfortunate Governor, who will probably be a sentimental Radical politician, will be willing to do all he can, and he will see his Minister and say, "We must do something about it." But what will happen? He cannot move troops; even if he had enough backbone to order them out, he has to apply to the Viceroy first. Before he is able to do that thousands of innocent lives will be lost.

Suppose in a place in the provinces or in Bombay there is a general strike—a general strike, not run by the Trade Union Congress as here, but by your Government. What is the Governor going to do? You have the civilians going to the Governor, but if he is carrying out his proper constitutional functions he will only be talking to the Ministers. It would put the Ministers in an impossible position if he listened to stories brought in by civilians, patriots of his own home whom he trusts. He cannot do that. He must talk to the Ministers. Suppose that the Ministers join in the whole thing and carry it on? You suspend the whole Constitution and you order a dictatorship. That is laid on the Table of the House of Commons. Imagine the opposition in this House, whichever side is in office—if it is a Socialist Government in power it will be our side—attacking the Government for this brutal militarism of the Governor who has suspended the Constitution. You will only just have given this power to the people, a taste of freedom; the cup is put to their lips, and you are dashing it away from them.

For that reason I think the safeguards are bound to break down. The Secretary of State spoke of Ireland. He said no one could compare Ireland with India. But Ireland is far easier. England is the only market for Ireland, and with our Customs duties we have her in the hollow of our hands. How are you going to deal with India like that? You may say you are leaving out the Army. Nothing would induce me to reflect upon a cadre Army, for I have spent 25 years in the Army, but the Army in a civil situation of that sort is useless. It will be the responsibility of the Indian Ministers, and the Army will not be of any use.

I want to say one word about the cost. The main thing about India is that it is a very poor country. You will have a multitude of these Ministers, and they are going to cost money. With only three Upper Chambers you will have 2,620 useless politicians getting salaries and allowances. Bombay, Bengal and Assam are already in debt. You are going to have a Federal Reserve Bank, a Federal Supreme Court and general elections, but all these things must cost money. Democracy is a very pretty thing, but it costs money, like everything else. India is an agricultural country, with something like 90 per cent. of her population in that occupation, and unless you change the whole surface of the country and make it into an industrial country it cannot afford any system like this. Over-governed as the country is, what you want is to concentrate on helping the people to some sane kind of agriculture, and teaching them how to run it, and starting some kind of social service. You do not want of these expensive systems of government which are totally out of place.

May I say this word in conclusion? The Government is sure of the support of the Liberal party in this House, and it also has the support—but not a very good support—of the Socialist Opposition. The opposition to these proposals comes from within the party, which accounts for 460 Members in this House, and it is this Conservative party which must bear the whole stigma of the failure of these reforms, as fail I am sure they will. We, for our part, are determined to oppose this abdication of authority in the centre by every means in our power. If the Joint Select Committee, in its final conclusions, says it agrees, we will go on fighting. We will try to rouse the nation and the country against it, because we believe it is not in the interests of the people of India or in the interests of this country.

After all, what is the main question? You have to consider not what the politicians of India want, but whether

this is going to make for the happiness and contentment of the people of India as a whole. By the people of India I mean her 353,000,000 inhabitants, of whom 230,000,000 live in the villages. These people, under this scheme, will be handed over to the Indian politicians. Will that make for their comfort or for the absence of corruption or for greater efficiency? Is it a thing for their improvement or not? The other day a Conservative politician who, perhaps more than anyone else, has misled our party in this matter, spoke on the experiment with India as a great act of faith. Last week I committed two acts of faith. I backed horses in the Lincolnshire and in the Grand National, and I lost my money in both. It was a gamble and a silly one, but this so-called act of faith is a gamble which is wicked and dishonest.

9.31 p.m.

Mr. R. LAW: The hon. and gallant Member for Wycombe (Sir A. Knox) has given us a consistent, downright and forceful speech. I have always marvelled at the hon. and gallant Gentleman, who seems to start always from more or less the same premises as I do myself, and to end up always with such diametrically opposed conclusions. On this subject of India I think I have far more in common with him than I would suppose from listening to his speech. For example, I expect both he and I will agree that during the last 120 years the peoples of India have enjoyed a more stable and more beneficial Government than they had ever enjoyed before in their long history. I believe he will agree with me, too, that the policy which was adopted by this country in 1919 was in some respects a mistaken policy.

I expect he will agree also that if the proposals embodied in the White Paper are put into effect there will be no sudden and immediate improvement in the conditions of the Indian people. But the consideration which the hon. and gallant Gentleman mentioned towards the end of his speech, when he said the one consideration which should guide us was the consideration of what was best in itself for the people of India, is not, I believe, the only consideration which should weigh with us. There is another consideration which, to my mind, is equally important. We must not only decide what is best; we must also decide what is possible. I believe that the attitude of the hon. and gallant Gentleman, sincere and reasonable as we may all admit it to be, is an attitude which it is really impossible to maintain in this brave, new world in which for our sins, or perhaps for the sins of our fathers, we find ourselves living.

I have tried, therefore, to study this White Paper in the light of what is practically possible, and I believe that the possibilities of the situation are governed by certain quite definite and fairly easily ascertainable facts. One of these facts, and the most obvious of them, is the pledge which this country has given to India not only since 1917 but during the hundred years or so before that date. The House will very well remember that some 18 months ago the right hon. Member for Epping (Mr. Churchill) made a most brilliant speech in which he proved, with a subtlety which I think a Kashmiri Brahmin might envy, that we were, in fact, bound by no pledges at all. The right hon. Gentleman must have convinced himself on that point, but certainly he did not convince me, and, if I may say so with all respect, I very much doubt whether he convinced the House.

Sir H. CROFT: Did not the Secretary of State distinctly state that there was no pledge?

Mr. LAW: I am aware that the Secretary of State said that, but he also, I think, stated that we were bound not perhaps by anything so definite as a pledge but that we were morally bound by an attitude. We are bound by that attitude and we are bound not only by considerations of honour but by considerations of expediency, for if we give the impression to India that we are in fact going back on pledges which they may think we have given, even if we think we have not, we are depriving ourselves of the most powerful instrument of Government which we possess, and that is the belief of the Indian people in the good faith of our race. There is one other fact which it seems to me should especially govern our consideration of the possibilities of the situation to-day, and that is the condition of the world as a whole. The state of the world has changed very much indeed since the time of the Indian Mutiny. In those days we were perfectly entitled to regard

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the Indian problem as a problem isolated, by itself, and we could regard India as a sort of private estate in which we tried to be the good landlord. But I believe that time has passed. The world has grown very much smaller and we can no longer adopt that attitude. We can no longer confine our activities in India to within the borders of India.

I ask the House to look for a moment at the position of Germany to-day. There in Germany is a Government which is pursuing a purely domestic policy within its own borders and yet that domestic policy seems, as far as one can tell, to be arousing the most fierce resentment in nearly all parts of the world, and as such it must inevitably have the most damaging repercussions upon German interests wherever they may be in the world. I think we shall find ourselves in exactly the same position in India. We cannot confine our policy to within the borders of India, any more than the Germans can confine their German policy to within the borders of Germany. So, when I hear speeches like that of the hon. and gallant Member for Wycombe and the hon. and gallant Member for the Combined Universities (Sir H. Craddock) I am inclined a little bit to distrust them. That is not because I distrust their knowledge of India, I do not deny that they have a most complete knowledge of their subject, but what I do say is that there is a possibility that their knowledge may be too complete and that they may be concentrating upon India too exclusively and ignoring the possible reactions of the policy they advocate upon our interests in every other part of the world.

I would like to say a word or two about the question of law and order. Law and order seems to be a very good instance of the kind of thing on which we should try, if we can, to avoid giving a false impression. We are not bound to give control of law and order to the autonomous provinces, but, equally, it is certain, I think, that Indian opinion considers that we are bound to give it. And if we refrain from giving it we will, in fact, antagonise Indian opinion, and Indian opinion is very vocal not only within the boundaries of India; it is a great sounding board which sounds all over the world, and if we give the impression to Indian opinion that we have betrayed them, that impression, I think, will inevitably permeate throughout the whole world with the most damaging effects to our interests. I believe that if the House considers this matter it will come to the conclusion that it must, simply must, give control of law and order to the Provincial Government. If that is so, what is the position as regards the question of Central responsibility?

My right hon. Friend the Member for Epping has made many most brilliant speeches on India since I have been in the House and I, like the rest of the House, have been attracted and almost mesmerised by those speeches. On the other hand, my Noble Friend the Member for Hastings (Lord E. Percy) has made only one speech on India during that time, and yet that one speech wiped out from my mind the effects of all the other speeches from the right hon. Member for Epping. I would like to quote one passage from the speech of my Noble Friend the Member for Hastings. He was considering the question of responsible autonomous provinces combined with an irresponsible centre, and he said, what I think most of us must agree with, that such a position was really an impossible one. I think these words were his words: "That it would only mean a succession of struggles between popularly elected assemblies and popular Governments against one lonely man, the Viceroy." That obviously is a very unsatisfactory position and a very dangerous position; and if we consider the position in which independent provincial Governments have got control of law and order it might be a very dangerous position indeed. We might very easily have a situation amounting almost to civil war, a situation in which the Viceroy and the British Army were opposed to the popular Governments in the provinces backed by the police. That would be a very dangerous situation and one which, I think, would be very likely to come about if there were an irresponsible centre combined with responsible Governments in the provinces.

Mr. CHURCHILL: By an irresponsible centre my hon. Friend means a centre responsible to the House of Commons, to the British Parliament?

Mr. LAW: Yes, I mean a centre responsible to the British House of Commons, but the House of Commons is here and the actual Executive Govern-

ment in India would be 6,000 miles away and the Viceroy would still be, as he was described by my Noble Friend a "very lonely man."

I would like to say one or two words about safeguards. My right hon. Friend the Secretary of State referred this afternoon to the ordinary dilemma with which we have become very familiar, the dilemma that either safeguards or the responsibility must be unreal. I think he showed that that dilemma was not a very real one, and I would add that it seems to me to be based upon a false assumption. It is based on the assumption that these safeguards, these emergency powers, are part of the normal machinery of Government which will be functioning all the time, instead of being special powers, which will only be called into use in emergency and might never be called into use. So long as Indian Assemblies and Indian executive Governments show themselves capable of responsibility, those safeguards will, practically speaking, be non-existent. I would like to suggest this to the House: It does not necessarily follow that government at the centre, responsible to this House of Commons, and not responsible to a central Assembly, will be a strong Government. It does not follow that a Government at the centre, which is responsible to an Assembly at the centre, will be a weak Government. The Secretary of State pointed out that by the terms of the White Paper, and the constitution of the Assemblies at Delhi, it was most unlikely that there would be an extreme majority in the Assembly.

The hon. and gallant Gentleman who spoke before me disputed that, but it is clear from the White Paper that what we might call the Conservative element in the Assembly will be on the side of the Viceroy rather than on the side of the extreme Congress party. One of the fundamental causes why the Congress party has the hold on India which it has at the present time, is that the Viceroy and his Government were fighting against the Congress party absolutely single-handed. But if you have responsible Government at the centre, responsible to an Assembly at the centre, the Viceroy is immediately given allies, because it is to the interests of the members of the Assembly and, for different reasons, equally to the interests of the Viceroy, to see that the extreme wing does not get control of the Assembly, of the Government and of the country.

For these reasons, which I have tried to express to the House, I am not alarmed by the White Paper which the Secretary of State defended in so able a speech this afternoon. I do not say that that White Paper embodies an ideal policy. I believe that it embodies the best possible policy at the present time. For that reason I earnestly hope that the Government will go ahead with the policy which it embodies in the White Paper with courage and determination, and that it will not be too overawed by the very vocal expressions of opinion which come from time to time from sections of the Conservative party.

9.49 p.m.

Mr. CADOGAN: The right hon. Gentleman the Member for Darwen (Sir H. Samuel) announced earlier in the Debate that he and his party were going to vote for this Measure. I was not aware that there was a Measure before the House. That is counting the Government's chickens before they are hatched. I hope that this solecism is not indicative of any prejudice which he and his party are likely to import into the deliberations of the Joint Select Committee. The Secretary of State's proposal is a much more modest one, to set up a Joint Select Committee. The Secretary of State has been so overwhelmed with felicitations during the last few months on the skill and dexterity with which he and his colleague have conducted the proceedings of the Round Table Conference, that I will forbear to cause him any additional embarrassment in this respect; but I cannot refrain from paying a tribute on another account. He has made it manifest that he gives ample credit to all those who, like myself, are not prepared unhesitatingly to accept the proposals in the White Paper, for our sincere and conscientious ambition to do our best for the welfare of the Indian people. Far from deprecating our attitude, he welcomes the most searching analysis and exhaustive scrutiny of the Government's proposals on every opportunity afforded to us for this purpose. I should like to go further and to say that if I were in his place I should regard any hon. Members who accepted these proposals precipitately, without any apprehension or demur, as those who could not be aware

Mr. Cadogan.]
of the formidable responsibilities that a reconstruction of the Indian Constitution imposes upon them.

The issue which this White Paper raises differs in one important respect from the major issues which come up for discussion and decision in this House, and that is that it is impossible for any hon. Member to claim that there is a widely-expressed mandate from the electorate to guide us in the course which we should pursue. My experience has been that the average elector, far from evincing any disposition to dictate to us, if he is not actually hostile is in a state of mild bewilderment over these proposals, a condition of mind from which I should imagine the White Paper is hardly calculated to release him. It might be urged with some plausibility, and the right hon. Gentleman has urged it, that we have a mandate from the people of India. By what process the will of the people of India can be ascertained passes my knowledge to determine. That mandate is an oft-reiterated pledge, renewed by successive Governments at various times and in various places, but I venture to point out to hon. Members that this pledge is vague and indeterminate. The Secretary of State earlier in the evening said, "Yes, but we have a moral obligation." A moral obligation to the Indian intelligentsia? The moral obligation is also to the vast millions for whom we are the trustees.

Therefore I maintain that in spite of the fact that ultimately the Whips will, no doubt, have instructions to make up our minds for us, we shall come to a decision on the merits of the proposals which the Government have placed before us. The Secretary of State has, on several occasions, dwelt upon the importance of the co-operation of critically-minded Indians and upon the necessity of creating an atmosphere of good will. India has contributed to the achievement of that desire. That is the real motive which urges the Government to what I regard as such hazardous lengths. That is the motive which induces many hon. Members and many people outside to support the Government, many people who two or three years ago would have deprecated in no unmeasured terms so rapid an advance. It is, of course, vital that we should retain the good will of the Indian people, but to take it for granted that these proposals, when they come to be carried into practice, will sustain that good will, is a very broad assumption.

Dyarchy in the provinces may work much more smoothly and successfully if we had a proportion of Indians to assist us in the practical work of government. Examining the Government's proposals in the light of past history of reforms I should say that it seems more than probable that the moment of crisis when the united strength at the centre is most needed, and when we must require the co-operation of Indians in those reforms, will be the moment when they will be most lacking. We are all most anxious to create an atmosphere of good will in the reforms that we have decided upon. I appeal to hon. Members who are supporting the Government with no less good will to Indians, to examine the proposals from that angle, and to examine whether the reforms will amount to very much, and whether they will give to the centre that cohesion without which provincial autonomy will be nothing short of disaster.

At this point it might be well to ask ourselves how far these proposals are acceptable to the main body of Indian political opinion. I am not at all clear how far the delegates who came to the Third Session of the Round Table Conference were able to speak for those who may be in a majority in the Central Legislature, and, therefore, in a position either to frustrate or to facilitate the operation of the reforms. It is significant that, when what used to be called the only effectively organised party in India was requested to serve on the Round Table Conference, the proceedings were comparatively unfruitful, while, when it was excluded, a measure of agreement was achieved. Only three or four years ago we were told that the refusal of the Congress party to co-operate with the Statutory Commission rendered the labours of that body nugatory. Now we are told that the Congress party is of no account, and can be safely ignored. I would point out to the House that those two statements are mutually exclusive. Presumably we should have to wait for a general gaol delivery before we could appreciate what the situation would be.

An ominous silence has brooded over India in the most recent stages of the

preparation for the reforms. I am afraid that this is an exception to the rule that silence means consent. I am not stressing that point, but I wish to point out that we are told that the Indians will not accept any alternative to this scheme. I think we should make quite sure that they will accept the scheme that we are offering. The Noble Lord the Member for Hastings (Lord E. Percy) made an appeal to us on the last occasion, to which the hon. Member who has just spoken alluded, that we should clear our minds of phraseology about responsible government and the form of controversy which used to take place in former days, and that we should address ourselves to devising a new scheme of government altogether for India. That is exactly what the Government are precluding us from doing. We are being asked to build upon a by no means original model, which was largely borrowed from by the joint authors of the Montagu-Chelmsford Report when they laid the foundations of the structure which we are now erecting. We are asked to build the edifice with material provided by Royal Commissions, fact-finding Committees and Round Table Conferences; but, for good or ill, we do not seem to be able to get away from the plan of a Western democracy, and so it is our exclusive task to make democracy as safe as we can for India. The main discussion will centre, not upon whether this plan or some other plan is the best, but on the basis on which we build, and whether we are hastening to build the building before the foundations are secure.

I should like to refer to the Statutory Commission. In order to ensure that the foundations should be capable of bearing the weight to be superimposed upon them, we suggested testing their capacity as a preliminary to the completion of the structure—a not altogether unwarrantable precaution. A Member of the Cabinet, addressing a Conservative mass meeting recently, observed that to pursue a standstill policy—the grammar is his, not mine—was an impossibility. No one would be disposed to take exception to that observation. But he more than hinted that those who criticised the Government's plan were those who had no alternative except to do nothing at all. While I am not at the moment suggesting any alternative to or modification of the Government's plan, I must protest that, for instance, to call the recommendations of the Statutory Commission with regard to provincial autonomy and the transfer of law and order a standstill policy is simply fantastic. Government representatives crowding over conference tables in royal palaces in London, remote from the exigencies and realities of the situation in India, have surely lost all sense of proportion. Three or four years ago, the recommendations which had been made were regarded by all those whose opinion was respected as being of so hazardous a nature, and attended by so many and such grave risks, as hardly to justify our making them. Now they are called a standstill policy. Let us recapture our sense of proportion. Let us regain our balance and address ourselves to realities.

We are also told that it is without precedent and impracticable to establish provincial autonomy and to allow the Centre to develop before bringing federation and responsibility into force at the Centre. Apart from the consideration that on page 9 of the White Paper it is more than hinted that provincial autonomy would have to function for a period in advance of reforms at the Centre, and before the accession of the Princes, that statement has no sanction from history, even in our own Empire; and, as to its being an anomaly, I would reply to the constitutional purists that we on the Commission were presented with a set of conditions and circumstances which were without analogy or parallel in the history of the whole world. We had odds and ends which seemed to have no affinity, and to be incapable of being welded into any coherent whole. Therefore, to call our recommendations anomalous is the merest cant.

The whole of India is one vast anomaly. What could be more anomalous than the scheme with which we are presented to-day—a scheme which, while affecting to give responsibility, withdraws all responsibility just at the moment when the supreme test of whether Indians are capable of bearing responsibility must be applied, which involves a member of the legislature representing a constituency the size of Scotland, and which places the Governor of a province in splendid but most embarrassing isolation at a moment of crisis which, in spite of what

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the Secretary of State said, postulates for the office of Viceroy an individual with the versatility of the right hon. Gentleman the Member for Epping (Mr. Churchill) combined with the temperament of the Archangel Gabriel? I am not for a moment criticising the Government's proposals on these grounds. I should certainly never condemn any solution which, while it did not conform to the standards to which we are accustomed, at any rate was capable of being translated into the terms of India's peculiar needs; but I claim the same indulgence when the findings and recommendations of the Statutory Commission are attacked as being anomalous and without precedent.

The worst of a paper constitution is that we are apt to test it by purely academic standards. Judged by that criterion I am prepared to admit that the proposals of the White Paper are unexceptionable, but that is not the end of our task. What we have to assure ourselves of is that the real and actual circumstances of India have been taken into account, and, judged by that standard, the problem becomes much more difficult of solution. It is that consideration which makes many of us hesitate before accepting these proposals without very full discussion. In connection with the circumstances of India, I would like the House to bear in mind one point which is of supreme importance. We must not look upon these reforms in terms of legislation. The government of India is essentially one of administration. In no other country in the world does the population depend so much on the efficiency of the administration. The peculiar circumstances of a country mainly composed of indigent smallholders render it imperative that administration should take the place of private enterprise at numerous points where, in other countries, private enterprise operates exclusively and without interference from the administration. The work and responsibilities of administration touch the life of the inhabitants of India at every juncture in the normal routine of human existence. Therefore, any constitutional change which affects the administration should only be embarked upon with the utmost caution. A breakdown in administration would be visited with the most appalling consequences to millions of the inhabitants, and that is the reason for advocating a gradual change, and that seems to be the chief merit of the recommendations of the Statutory Commission.

Let me take the argument a step further. I should like to ask whether those safeguards are so effective that a breakdown of administration is insured against, because that is the supreme test of whether we can accept them with a clear conscience. What are the circumstances which render safeguards so essential? I should like to illustrate my argument with one or two incontrovertible facts. One section of the population depends upon land which owes its fertility to a most elaborate system of irrigation, a system which depends for its smooth operation upon a cadre of officials of tried experience and unquestioned integrity. Another and a larger portion of the population depends upon land which, if the monsoon fails, yields no subsistence whatever. Then famine can only be averted by the most elaborate system of transport and of railroads. Again, the pestilences which devastate the land periodically can only be held in check by the vigilance, the energy and the resource of the officials concerned. I should like to ask, Does this scheme which we are now examining ensure the continuance of a sound administration and an efficient personnel? Surely these considerations—there are many more that I could adduce—demand caution and a gradual advance.

It might be legitimate to ask me why, if I am so solicitous about the efficiency of the administration, I was one of the signatories of a recommendation to transfer the reserved departments in the provinces? I can only reply that we made those recommendations on one condition, and that was that the Government at the centre should be unitary. There is no passage in the whole of that report which is more emphatic. We laid down without hesitation the proposal that dyarchy at the centre, or any system of divided responsibility resembling dyarchy, is quite impossible. Unity in the central executive must be preserved at all costs. We laid that down because we thought that only with unity could we ensure that administration should continue to be efficient. It is true that it is in the provinces where the administration is at stake, but it is the central Government

which is responsible for the ultimate conditions of internal security throughout the country. It is the central Government that is responsible for the amount and the disposition of the military forces that are required. It is the central Government that keeps intact the general structure of criminal law and procedure, and it is the central Government which co-ordinates information and policy with regard to subversive movements. I am not saying at the moment that our recommendations were right or wrong, but I am pointing out why it was that we made these recommendations, which seemed so hazardous to so many at the time, because we believed that, so long as there was unitary government at the centre we could safely make those recommendations. I am convinced that the safeguarding of the administration is of supreme importance, and it is that consideration which will, I hope, never be lost sight of during the protracted process of examination of these proposals.

Is this scheme for the centre sufficiently gradual to ensure the continued efficiency of the administration during the transitional period? I notice with some misgiving that the recruitment for the All-India services by the Secretary of State, which I regard as the lynch pin of the safeguards and which Sir Tej Sapru regards the the ugliest, most reactionary and indefensible feature of these reforms, is to come up for review in five years' time. In the nature of things the Governor-General's special powers can only be exercised when there is an imperative need, and the imperative need can only be recognised probably when the administration has already begun to deteriorate. It is not enough that we on our part should recognise that the safeguards must be real and effective. We must convince ourselves that the Indians do likewise. On a perusal of the Round Table Conference report it is clear that the British and Indian delegates are putting a perfectly different interpretation upon what many of us regard as the main, essential condition upon which any advance can safely be made. Take, for instance, the question of defence. The Indian very properly argues that responsibility at the centre is impossible unless and until the Legislature can withhold or grant supplies to that service, and there is a Minister for Defence responsible to the Legislature. That is a perfectly feasible proposition on paper, but how can we correlate it to the actual circumstances and conditions of the defence servies of India to-day? It is essential, so long as the British Army remains in India, and so long as the Indian Army is not competent to undertake the service of internal and external security, that that department must be reserved to the Governor-General, but the Indians, apparently, are chafing under these reservations and pressing for a time table which shall determine the actual date upon which those safeguards shall terminate.

There are many other evidences that the minds of the English and the Indians are not *ad idem* on the subject. It is imperative that we must make it clear beyond equivocation that the safeguards are not merely going to be effective but that there is no chance of their being removed for some time to come. They are also necessary, not only, or even especially, because a type of Indian politician has arisen since the institution of the reforms who demands to be trusted, and in the same breath threatens to penalise all the institutions of government. Even if all Indians were favourably disposed towards co-operation in these reforms, the safeguards would be indispensable. There are, it is true, many Indian leaders, statesmen of the highest order and the widest experience, men who certainly are qualified for the highest posts in the executive or the administration. Doubtless, too, there are many untried hands, not of equal experience but of equal abilities, who, in time to come, will prove that we have nothing to fear from the Indianisation of the Services provided they will consent to pass through a period of probation which, in view of the responsibilities incidental to their trust, must be a protracted one. That there will ultimately be no shortage of Indians who are capable of shouldering the responsibilities of government when the final stage of self-government is reached there can be no doubt, but at present there is one over-riding obligation for the British which excludes any idea of prematurely dispensing with the safeguards.

We have heard a great deal about this dilemma. As to whether it is a true dilemma or not, I am not prepared to

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give an opinion beyond saying how we can reconcile responsibility with safeguards, how we can ensure that those safeguards will be effective and will endure until such a time that there will be no risk of a catastrophic breakdown in the administration, I for one cannot appreciate. The onus is upon the Government to furnish us with an explanation and, until it is forthcoming, neither the seductive blandishments of the Secretary of State nor the eloquent rhapsodies of the Lord Chancellor are going to avert my attention from those inexorable facts which make our task one of such unparalleled difficulty. For the moment I am content, as I have no doubt most hon. Members are content, to allow the Joint Select Committee to lend a hand in the elucidation of one of the most complex problems which the Imperial Parliament has ever been called upon to solve.

10.16 p.m.

Major MILNER: We have reached the first day of a Debate which is likely to lead to one of the most momentous decisions which this House has ever taken. I am sure that the hon. Gentleman the Member for Finchley (Mr. Cadogan), who has very great knowledge of the Indian problem, will forgive me if I do not follow him into all the intricacies of the subject of which he has spoken and the matters of detail to which it will be right and proper for the Joint Select Committee which it is proposed to set up to address itself. I hope that the Joint Select Committee will have the advantage of the presence of the hon. Gentleman maybe as one of the members of the Committee.

My party, however, are of the opinion that the House must speak in no uncertain voice in approving the Motion on to-day's Order Paper. We believe that the Joint Select Committee should be set up, in the first place, because we are pledged in favour of proceeding towards responsible Government. On my return from India after a short stay there as a member of the Franchise Committee I had not the best of impressions of the tenure of office of the Secretary of State for India and of the matters for which, in part at any rate, he had been responsible in India. But I am bound to say that since my return, with the knowledge I acquired there and the interest I have since taken in Indian matters, although the Secretary of State may in many matters and in other ways be mistaken and wrong, and has committed errors of judgment, I cannot do other than pay a tribute to his straightforwardness, sincerity and downrightness in the views he has expressed to the House, and to his actions generally in regard to Indian matters. It is proper that I should pay that tribute to him when at one time I entertained rather different views.

Something was said by the hon. Member for Finchley, and also by the hon. and gallant Gentleman the Member for Wycombe (Sir A Knox), as to Indians desiring self-government, and so on. One of the objects of the Committee which we are hoping to set up as a result of this Debate is to give representative Indians a further opportunity of sitting in consultation with members of the Committee and giving their views of the precise details put before them in the proposals which we are considering to-night. They have not had these precise proposals in terms previously. It is for representative Indians to decide for themselves which of the proposals they approve and which they disapprove. It is also essential that we should pass the Motion by an overwhelming majority because of the great necessity of carrying not only our own people in this country but the greater proportion of thinking Indians with us in regard to this matter. We must show them by our vote on this Motion and by our vote on the Bill which will eventually come before the House, that we are determined to go forward and carry out the pledges, whether they be moral or legal pledges, which have so often been given by the representatives of succeeding Governments in this country.

We have had to-day opposition in the main from an hon. Member who has had special experience as a civil servant in India, and the hon. and gallant Member for Wycombe. As a younger man following the hon. Member for the English Universities (Sir R. Craddock), I cannot but feel that he does not represent the views of his constituents. It is a little difficult to follow him in many of his observations. As I understood him, he is of opinion that this Government and

preceding Governments have suffered from neurasthenia. It seems to me that the hon. Member himself has an attack of neurasthenia or the nerves on this particular matter. If he will forgive my saying so, I think that he has allowed it to prey a little too much on his mind. I do not think that his objections are relevant to the proposals in the White Paper. He seems to disregard the lessons of history and to disregard also the developments in our own country and our own Dominions who, in a short space of time have passed from complete dependence to complete autonomy. He seems to disregard the wave of nationalism which has come over the countries of the East, and he seems also to disregard the matter which was gone into in some detail by the right hon. Member for Darwen (Sir H. Samuel) as to the deferred grant of Home Rule for Ireland, which was given as a result of force rather than as a voluntary right willingly granted by the Parliament of the United Kingdom. He also seems to disregard the pledges to which I have referred, which in honour not less than in our own self-interest demand that we should keep.

Much has been said about alternatives, but no alternative has been volunteered to the House by the hon. Member for the English Universities or the hon. and gallant Member for Wycombe, or by any other hon. Member who has spoken. Those who oppose the proposals in the White Paper on the ground that they go too far appear to me to wish grudgingly and parsimoniously to grant some small measure of power to India. They seem to desire that the Indians, who number one-fifth of the whole population of the globe, should be kept in an undetermined period of tutelage and a period of ever present and little less than continuous insult to the honour and respect of all thinking people in India. I cannot accept the views expressed by these two hon. Members as representing a large body of opinion in this country, or indeed a large body of opinion among civil servants and officials in India.

A year ago, when some of us were in India, these matters were largely discussed, and my impression as to the feelings of the great majority of civil servants was that while naturally, seeing the possibilities ahead, they demurred a little at proceeding with responsible government, they recognised the justice of the claim which Indians made and also the propriety of the action taken by this House in advancing the cause of responsible government. On many occasions they said to me that the matter having gone so far the only course, and the right course, was to proceed with such speed as was possible and with such reasonable safeguards as were thought proper, and that they would willingly fall in and help on the work. I found no such strong opposition as has been suggested from officials or civil servants of any class. One very high civil servant said to me at the commencement of the travels of the Franchise Committee, "I am an optimist; you go ahead, and push the other members of the Committee as far as you can." To the best of my ability I followed that advice, and I am sorry that the Government in some respects have departed from the recommendations of that Committee.

My hon. Friend has read the declaration of His Majesty's Opposition in regard to the policy which they think should be pursued. That policy goes much further than the proposals in the White Paper, but there are others in India, and some in this country, who are not even satisfied with the proposals of the Labour party. I refuse to allow myself to be blinded to the facts of the present situation. I am not going to refuse half a loaf because I cannot at once have the whole loaf. It was Burke, I think, who said that all Governments depend on compromise. While I do not agree with everything that Burke said, there is a considerable amount of truth in that statement. The proposals in the White Paper contain many disappointments, many omissions. They lack imagination and faith, and they lack generosity, in my judgment, in many respects, but they make a definite advance towards the full pledge of responsible government. We on this side of the House shall fight by every constitutional means in our power for those changes and amendments to the present proposals which we believe are just and right, but when, in fact, decisions have been taken I hope we shall assist in working the constitution which is set up until other changes take place. If that is done by all concerned then, if I know the people of this country, they will not be slow to respond and that earlier rather

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than later, at no distant date, all things will be added unto India.

I was much impressed on reading the other day some words of Benjamin Franklin's at the time of the signing of the newly-framed American Constitution. I hope the House will forgive me if I read them:

"I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For having lived long, I have experienced many instances of being obliged by better information or fuller consideration to change opinions even on important subjects, which I once thought right, but found to be otherwise. It is, therefore, that the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others . . . I doubt . . . whether any Convention we can obtain may be able to make a better Constitution. . . . Can a perfected production be expected? I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded, like those of the builders of Babel. . . . The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born and here they shall die. If every one of us, returning unto our constituents, were to report the objections he had to it, and endeavour to gain partisans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favour amongst foreign nations as well as amongst ourselves from our real or apparent unanimity. . . . I hope, therefore, that for our own sakes, as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution . . . wherever our influence may extend, and turn our future thoughts and endeavours to the means of having it well administered."

To the Government I should like to make an appeal. They know that "righteousness exalteth a nation." It must be apparent to all quarters of the House that the first essential to both the consideration and the eventual success of these proposals is the willing co-operation of the whole of the people of India. To obtain that is the essential preliminary. I care not whether it is called a gesture or what it is called, but I urge the Government to take some step towards releasing Mr. Gandhi and such political prisoners as are not guilty of violence with a view to obtaining their co-operation in the work of the Joint Select Committee. Whatever our views may be, human nature itself is such that if any of us who hold views of our own were prevented from taking part in, considering or coming to decisions upon those views, our human nature would cause us to oppose the decisions arrived at by others. For that very reason it would be wise in our own interests to perform some act—I care not how that act be done, by mediation, negotiation or in any other way—to put an end to the present state of affairs.

I also hope that the Government of the day will realise its responsibility with regard to the Joint Select Committee and will see that Indian labour is represented amongst those invited from India to consult with the committee. Our great concern on these benches is not only with the nature and extent of the transfer of power, but with the persons or classes to whom that power is going to be transferred. It is of no advantage merely to substitute an Indian autocracy for the present British autocracy. Power must be transferred to the representatives of the masses of India, and for that reason I urge the Government to invite to the committee Indian Labour representatives, who have hitherto sat in the Round Table Conference—in small numbers, it is true. There are many other reasons why Indian Labour should have representatives. Every subject concerning India that comes before this House—finance, taxation or social services—vitally concerns the masses of India.

My hon. Friend the Member for Limehouse (Mr. Attlee) dealt with the objections which we have to the White Paper, and it is not necessary to repeat them in detail. But some stress must be laid on the necessity for giving some indication of further progress in the direction of real self-government. I am sure that Indian opinion will not be satisfied unless, at no distant date, some definite indication is given, such as has always been anticipated, that the way is clear for such progress, an indication not merely of the probability or the possibility, but of the certainty of Dominion status or full self-government in some other form. I believe that that would be most valuable in obtaining the co-operation of Indian representatives.

With regard to the safeguards, at first glance I must confess they seem to be the very negation of self-government, and I think there are too many, but one who

has been in India must recognise the many competing forces there which have to be considered. One must also recognise that the value, strength and effect of these safeguards entirely depend on the extent to which and the way in which they are operated. If they are operated in the interest of India, then there may be no great harm done in the last resort and I hope that they will be so operated. I regret to see that the franchise proposals, particularly in regard to women, have been so much reduced as compared with the recommendations of the Franchise Committee. I would have preferred had they been largely extended and I put in a Minority Report containing a recommendation to that effect. I hope the Joint Select Committee will have regard to that matter. I notice that for some reason the Government state that the question of the franchise in regard to labour is as yet undecided and it is, presumably, under consideration. Perhaps before the Debate ends we may know whether there is any serious conflict of opinion on that subject.

These are, I must admit, largely Committee points. We of this party hope that the Motion with our Amendment will be approved, and that the deliberations of this Joint Committee will result in the transfer of real power to the Indian people. If we in this House are sincere in wishing India to be a partner with us, in the fullest sense of the term, in the British Commonwealth of Nations, with the right to work out her own destiny, then we ought to take our courage in both hands. We ought to scorn selfish and material ends and make the new Constitution a living proof of our desire, not to continue to dominate India, but to liberate her and to make India, not merely the brightest star in the British Crown, but the crowning monument to our boasted love of freedom not only for ourselves but for all peoples.

10.40 p.m.

Viscount WOLMER: I, unlike many hon. Members who have taken part in this Debate, cannot claim any intimate knowledge of the great sub-continent which we are debating. I am in the position of a great many other hon. Members of this House who have the terrible responsibility forced upon them of having ultimately to give a vote on this question, and we cannot escape that responsibility. The issues are so great that we cannot leave the responsibility to others. This is a matter which has to be decided by the laity of the House of Commons, the non-experts. If it had been left to the experts entirely, I venture to say there never would have been a White Paper, but upon the rank and file of the House of Commons is cast the terrible responsibility of giving a decision in regard to the fate of 350,000,000 of our fellow subjects in India.

In studying the White Paper which the Government have prepared, I should like to pay a tribute to the enormous amount of work that my right hon. Friend the Secretary of State has put into this business and to his most able able speech this afternoon. It seems to me that the White Paper contains every possible safeguard that he can put upon paper, but when I had read the White Paper and tried to visualise in my mind how these safeguards would work, I could not possibly see that they could work without landing this country and India into the most terrible difficulty and disaster. What I want my right hon. Friend the Secretary of State and the Government to explain to us is how Parliamentary government can possibly work with safeguards such as he has put into this White Paper, and I want him to tell us where Parliamentary government has worked under such conditions. I agree with a great deal that fell from the hon. Member for Limehouse (Mr. Attlee) in that respect, and I believe that the Government, in setting forth these proposals, are attempting something which is essentially imcompatible and must essentially fail and land us in greater difficulties than those from which we are trying to escape.

When I read the White Paper I could not help being reminded of a very interesting book that I read last year, and that I expect a great many other Members of this House read, and that was the "Life of Charles II." You had there a constitutional position in many respects analogous and similar to what the Government are now proposing. The evolution of the English Constitution in the reign of Charles II was something very like what the Government are now proposing in the White Paper for India; that is to say, that you had Parliamentary government admitted as a fundamental principle of the Constitution. But it was

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also part of the Constitution that the King had a policy of his own. King Charles had a foreign policy. He had a religious policy. He tried to protect minorities—the Roman Catholics—and in doing all these things he was acting entirely within the British Constitution as it then stood. Nobody accused him of illegality, but the experiment broke down although it was tried under the most favourable circumstances. We had, in the first place, a King who was a man of exceptional ability and enormous personal popularity, a man who, if ever there was one, was qualified to play the part of a patriot King.

The experiment, however, was a hopeless failure, and as soon as the Throne was occupied by a less able man there was a revolution. It appears to me that that was so for fundamental reasons, for where you have a Parliamentary Government, the whole working of the machine depends upon the fact that there is an Opposition able to take office the moment the Government loses its popularity. Every Government in time loses its popularity. Every Government, in the end, in the Parliamentary system, is defeated and has to be replaced. The swing of the pendulum is the great safety of our Constitution, but once we identify the Sovereign with the Government of the day, the swing of the pendulum necessarily knocks the Sovereign off his Throne and brings him into unpopularity and forces the whole issue to a revolution. That was what happened to the Stuarts, to King Alfonso of Spain, to the Kaiser, and in every case where they tried a form of Parliamentary Government in which the Sovereign has been personally identified with the responsibility for policy.

Yet that is the type of Constitution you are now trying to impose upon India. You are giving the Governor responsibility and rights and privileges which will inevitably bring him into conflict with his Parliament. You are also giving the Governor something which the Stuart Kings never enjoyed, which even the other foreign Kings to whom I have alluded never enjoyed. You are giving to the Viceroy an army from England and the right within the Constitution of raising taxes and enacting laws. But what a vista that opens up. Directly the Viceroy employs any one of those safeguards it will antagonise Indian political opinion a thousand times more than it has been antagonised here. You are going to give them the form of power and responsibility; you are telling them you are giving them responsible self-government and leading them on to Dominion status, but the moment there is a serious conflict with the Viceroy with regard to one of the reserved subjects or one of his special responsibilities, they find that responsibility is filched away from them.

Just conceive what state of affairs will then exist. The right hon. Gentleman spoke about the spirit of partnership, but the spirit of partnership will be shattered into a thousand fragments. You will arouse bitterness through disappointment and disillusion. We should be accused of having played false and having broken our pledges, and roused false hopes. We shall not find a friend to defend us in India, and we shall arouse the antagonism of constitutional Liberals who are without political experience to be able to follow the Viceroy's action, and they will feel that their whole constitutional dignity has been outraged. The Secretary of State to-day drew a contrast between what he is now proposing for India and what was enacted for Ireland in 1921. He said he had every safeguard in his Constitution, and that in Ireland there were no safeguards; but I should like to ask him how would his safeguards have worked in Ireland if the Viceroy of Ireland, Lord Fitzalan, or whoever he was at the time, had tried to employ the safeguards which my right hon. Friend has put into this Constitution? What would have been the result? You would have had an impasse at once, with the British Army being used, and how much further would you have got with a settlement in the Irish question. Try to translate the situation which would then have arisen into the vastly greater and more complicated field of India, and you will see where you are leading the people of this country. We shall be put in the position of the man in Stevenson's story who had unloosed a bottled imp—a spirit of democratic responsibility—and then will find that it has got entirely beyond control.

You cannot combine safeguards with Parliamentary Government. Parlia-

mentary Government means one thing and government by the Viceroy means another. That was very clearly pointed out by the Simon Commission itself. The commission condemned dyarchy in the most outspoken terms, but you are instituting dyarchy at the centre in this Constitution. All the evils of dyarchy which the Simon Commission pointed out will inevitably arise under this Constitution. The first and most obvious bone of contention is the division of opinion as to how much money should be spent on the Army and defence. Directly the Viceroy insists on proper provision being made for the Indian Army, you will have exactly the forces put into motion and processes put into operation which the Simon Commission have so eloquently portrayed as obtaining in the provinces.

We have seen what Lord Zetland thinks about the difficulties of the Viceroy. I will not repeat them, but merely remark that an opinion like that, coming from such an authority, is not one that ought to be lightly weighed by Members of this House. There are a great many of my hon. Friends who seem to think that the whole nature of the problem has been entirely changed and revolutionised by the idea that the Indian Princes will come in and give you a working majority in your central Assembly. Upon my word, the idea that the British Raj should hide behind the petticoats of Indian Princes is to my mind the most humiliating argument we have ever heard. If we have not got, I was going to say the "guts," but possibly that is not Parliamentary—if we have not got the stamina to stand up against agitation in India, what right have we to get the Indian Princes to act as a buffer for us? I believe that any plan, let alone any Constitution, built on the notion that we can get those Indian gentlemen to shoulder responsibilities and to face unpopularities which we are afraid to face will be a Constitution built on more than shifting sand. I would remind my right hon. Friend of the words of the Earl of Strafford on the scaffold: "Put not your trust in princes."

It is for these reasons that these proposals seem to me to be the most appalling gamble with the future of 350,000,000 of our fellow creatures, and, unless I am converted in the course of the next few months, I could not possibly make myself responsible for any such proposals in their present form. The gravity of the issue is so great that it far transcends any question of party loyalty, and imposes an obligation upon every one of us to come to what we think is the right and the safe decision, and to act accordingly. My hon. Friends may ask, I think anyone is entitled to ask, "What is your alternative in the circumstances?" I do not wish for one moment to ignore all that has gone before. I do not wish to ignore the path down which we have been led, however much I may resent the way in which, I believe Conservative principles have been betrayed. We cannot ignore what has gone before, but it has been emphasised again and again this evening that the House of Commons, as far as the White Paper is concerned, and as far as the new Bill is concerned, is uncommitted, and therefore we are free to take a decision without breaking any pledge provided that decision is a step in the process of the education of India in constitution reform.

It does seem to me that the wise and the proper thing to do is to take the advice of the Simon Commission fully. I would carry out every one of their recommendations with regard to law and order, and all the rest of it, but I would make the experiment in one or two provinces first. After all every one of those provinces is bigger than England. [An HON. MEMBER: "Bengal."] An hon. Member says Bengal. All right, Bengal. If the thing is not going to work in Bengal, what right have you to apply it to the whole of India? I would not be in the least afraid of trying the experiment in Bengal. I would much rather it was tried first in Bengal than in the whole of India. I would try it on one or two provinces, I would give them the fullest powers, let them have the fullest responsibility, and then, at the end of 10 years or any other such period, I would appoint another commission and have another inquiry to see how that reform had worked.

It seems to me that the issues are so very grave that in a matter like this we ought not to allow ourselves to be hurried. What are 10 years in the life of a nation? The right hon. Member for Darwen (Sir H. Samuel) spoke about anything less than the White Paper not meet-

[Viscount Wolmer.]

ing the views of Indian political opinion, but that is not our conception of our trust. Our trust is to propose for India what we believe will work. We have got no right to vote for something merely because it will gain the consent of 2,000,000 or 3,000,000 inexperienced politically-minded Indians. What we have got to vote for is something which we believe will work and will bring improvement in or maintain the present state of prosperity of the peasants of India. We have got to avoid bringing political disaster on that country, and that is a consideration which comes long before any question of satisfying Indian opinion.

Ordered, "That the Debate be now adjourned."—[*Captain Margesson.*]

Debate to be resumed To-morrow.

ASSURANCE COMPANIES (WINDING UP) BILL [*Lords*].

As amended (*in the Standing Committee*) considered; read the Third time, and passed, with Amendments.

GAS UNDERTAKINGS ACTS, 1920 AND 1929.

Resolved,

"That the draft of a Special Order proposed to be made by the Board of Trade under the Gas Undertakings Acts, 1920 and 1929, on the application of the Swindon United Gas Company, which was presented on the 22nd day of February and published, be approved."

Resolved,

"That the draft of a Special Order proposed to be made by the Board of Trade under the Gas Undertakings Acts, 1920 and 1929, on the application of the Watford and St. Albans Gas Company, which was presented on the 6th day of December and published, be approved, with the following modifications and additions:—

Page 1, in title, leave out '1932,' and insert '1933.'

Section 1, page 1, line 2, leave out '1932,' and insert '1933.'

Section 1, page 1, line 5, leave out '1932,' and insert '1933.'

Section 2, page 1, line 8, leave out '1932,' and insert '1933.'

Section 4, page 3, line 3, leave out 'transfer,' and insert 'this Order.'

Section 4, page 3, line 9, leave out 'transfer,' and insert 'this Order.'

Section 5, page 3, line 18, leave out 'transfer,' and insert 'this Order.'

Section 6, page 3, leave out lines 46 to 48.

Section 6, page 4, line 1, leave out '(*b*),' and insert '(*a*).'

Section 6, page 4, line 4, leave out '(*c*),' and insert '(*b*).'

Section 6, page 4, line 5, leave out 'eight,' and insert 'three.'

Section 6, page 4, line 7, leave out '(*d*),' and insert '(*c*).'

Section 6, page 4, line 10, leave out '(*e*),' and insert '(*d*).'

Section 6, page 4, line 14, leave out 'transfer,' and insert 'this Order.'

Section 6, page 4, line 22, leave out 'transfer,' and insert 'this Order.'

Section 7, page 4, line 25, leave out 'transfer,' and insert 'this Order.'

Section 7, page 4, line 34, leave out 'transfer,' and insert 'this Order.'

Section 10, page 5, line 19, leave out 'transfer,' and insert 'this Order.'

Section 11, page 5, line 45, leave out 'transfer,' and insert 'this Order.'

Section 14, page 7, line 17, leave out 'transfer,' and insert 'this Order.'

Section 14, page 7, line 23, leave out 'transfer,' and insert 'this Order.'

Section 16, page 7, line 43, leave out 'transfer,' and insert 'this Order.'

Section 16, page 8, lines 7 to 10, leave out from 'except,' in line 7, to the end of the Clause.

Section 17, page 8, line 12, leave out 'transfer,' and insert 'this Order.'

Section 17, page 8, line 21, after 'Welwyn Company,' insert 'except that section thirty-nine (For protection of the Hertfordshire County Council) of the Welwyn and Hatfield Gas Order, 1925, shall extend to and have effect for the protection of the said county council throughout the Welwyn district.'

Section 18, page 8, line 29, leave out 'transfer,' and insert 'this Order.'

Section 18, page 8, line 44, leave out 'transfer,' and insert 'this Order.'

Section 19, page 9, line 1, leave out 'transfer,' and insert 'this Order.'

Section 20, page 9, line 13, leave out 'transfer,' and insert 'this Order.'

Page 9, leave out section 21.

Section 22, page 9, line 35, leave out 'transfer,' and insert 'this Order.'

Section 24, page 10, line 4, leave out 'transfer,' and insert 'this Order.'

Section 25, page 10, line 12, leave out 'transfer,' and insert 'this Order.'

Section 25, page 10, line 16, leave out 'transfer,' and insert 'this Order.'

Section 26, page 10, line 19, leave out 'transfer,' and insert 'this Order.'

Section 27, page 10, line 27, leave out 'transfer,' and insert 'this Order.'

Section 28, page 10, line 39, leave out 'transfer,' and insert 'this Order.'

Section 28, page 11, line 14, leave out 'transfer,' and insert 'this Order.'

Section 29, page 12, line 7, leave out '1932,' and insert '1933.'

Section 30, page 12, leave out 'transfer,' and insert 'this Order.'

Section 31, page 13, line 21, leave out 'transfer,' and insert 'this Order.'

Section 37, page 14, line 40, leave out 'as from the date of transfer.'

Page 17, at the end, insert the following provision:—

For protection of Hertfordshir County Council,

39. The following provisions for the protection of the county council of the administrative county of Hertford (in this Section referred to as 'the county council') shall, notwithstanding anything in this Order contained and unless otherwise agreed between the Welwyn Company and the county council apply and have effect with respect to the exercise of any powers of the Welwyn Company in or affecting any main road or any county or main road, bridge, or approaches thereto in the Hatfield district vested in the county council (that is to say):—

(1) All new mains, pipes, and works (not being replacements of existing mains, pipes, and works) to be laid in or along any such road or in or upon or across any such bridge or approach shall be laid in such position in or at the side thereof as the county council in writing under the hand of their surveyor may reasonably direct;

(2) The notice required by Section eight of the Gasworks Clauses Act, 1847, with respect to the breaking up of streets shall, as regards any such road, bridge, or approach, be not less than seven days instead of three days;

(3) Nothing in this Order contained shall interfere with the right of the county council to alter the level of, deviate, or improve in any manner they think fit any main road or the approaches to any county or main road bridge in or along which any mains, pipes, or works of the Welwyn Company shall have been laid, and the Welwyn Company shall with all reasonable despatch on receiving notice in writing under the hand of the clerk or surveyor to the county council so to do alter the position of any such mains, pipes, or works in the manner and to the extent prescribed by such notice or as in the case of difference shall be determined in the manner hereinafter prescribed and the county council shall repay to the Welwyn Company the expense reasonably incurred by the Welwyn Company in effecting any such alteration of the position of any such mains, pipes, or works;

(4) Nothing in this Order contained shall interfere with the right of the county council at any time to remove, alter, rebuild, widen, or repair any county or main road, bridge, or roadway over the same over or near or attached to which any mains, pipes, or works of the Welwyn Company are carried in the same manner as they might have removed, altered, rebuilt, widened, or repaired such bridge or the roadway over the same if this Order had not been made and such mains, pipes, or works had not been laid over or near or attached to such bridge, and the county council shall not make any compensation to the Welwyn Company for any expense or loss to which the Welwyn Company may be put by reason or in consequence of any such removal, alteration, rebuilding, widening, or reparation, and in the event of any such bridge or the roadway over the same over or near or attached to which any such mains, pipes, or works are laid being removed, altered, rebuilt, widened, or repaired as aforesaid the Welwyn Company shall, at their own cost in all things, alter the position of any works by which such mains or pipes are carried over, or near, or attached to such bridge or the roadway over the same: Provided that during the removal, alteration, rebuilding, widening, or reparation of such bridge or the roadway over the same as aforesaid the county council shall afford all reasonable facilities to enable the Welwyn Company temporarily to carry such mains and pipes across any stream or brook so as not to interrupt the continuous suply of gas or to diminish the pressure of such supply through such mains or pipes;

(5) All works shall be so executed by the Welwyn Company as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any such road or over any such bridge or approach, and the Welwyn Company shall not break up at any one time a greater consecutive length than one hundred yards of any such road, bridge or approach;

(6) If any difference arises at any time between the county council and the Welwyn Company touching this Section or anything to be done or not to be done thereunder such difference shall be referred to two justices sitting as a court of summary jurisdiction, who shall hear and determine the matter in dispute in all respects as if the same were a difference between the Welwyn Company and the county council under the Gasworks Clauses Act, 1847."—[*Dr. Burgin.*]

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at Three Minutes after Eleven o'Clock.

HOUSE OF COMMONS.

Tuesday, 28th March, 1933.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

London Midland and Scottish Railway Bill,

Staffordshire and Worcestershire Canal Bill,

As amended, considered; to be read the Third time.

TRAMWAYS AND LIGHT RAILWAYS (STREET AND ROAD) AND TRACKLESS TROLLEY UNDERTAKINGS.

Return ordered,

"of Street and Road Tramways and Light Railways authorised by Act or Order showing the amount of capital authorised, paid up, and expended; the length of line authorised and the length open for traffic, and number of cars owned at the 31st day of December, 1932, in respect of companies and the end of the financial year 1932-33 in respect of local authorities; the gross receipts, working expenditure, net receipts and appropriations, the transactions in reserve funds, and traffic and operating statistics for the year ended on the foregoing dates respectively (in continuation of Return to an Order of the House dated the 11th day of April, 1932); also similar particulars relating to Trackless Trolley Undertakings."
—[*Mr. Stanley.*]

ORAL ANSWERS TO QUESTIONS.

TRADE AND COMMERCE.

NEW INDUSTRIAL UNDERTAKINGS.

3. **Mr. PRICE** asked the President of the Board of Trade whether he can make a further statement concerning the progress which has been made in establishing new industries in the distressed areas for the purpose of mitigating unemployment?

The PRESIDENT of the BOARD of TRADE (Mr. Runciman): Certain information has already been given with regard to the establishment of new undertakings in this country by, or with the assistance of foreign concerns, in the replies to the right hon. Gentleman the Member for Chorley (Mr. Hacking) on 19th December, 1932, and to the hon. Member for Swansea, West (Mr. L. Jones) on 2nd June, 1932. These statements have not, however, included particulars of new undertakings established by British concerns and arrangements have been made by the Board of Trade, in co-operation with the Home Office, for the collection of information regarding all new undertakings, whether British or foreign, of substantial size established in this country since the beginning of the year 1932. This information is being collected primarily with the idea of ascertaining the extent to which new businesses are being established in the depressed areas where new industrial development is so urgently required. A considerable amount of work is involved, however, in the collection of this information, and I am unable at the present time to say when I shall be able to communicate it to the House.

Mr. BATEY: Have there been any new industries established in the distressed areas? Would it take any time to schedule them?

Mr. RUNCIMAN: Yes, Sir. There have been a considerable number established.

Mr. BATEY: In the North of England? I do not know of any.

Mr. MAXTON: Will the information be published in convenient form for use? Will it include a statement of the numbers of British workers who have been employed?

Mr. RUNCIMAN: I shall be ready to give as full information as I can. The most convenient way to do that would be in answer to an unstarred question, which could be circulated in the OFFICIAL REPORT.

Mr. CHARLES WILLIAMS: Have some of these new industries been established in Derby?

IMPORT RESTRICTIONS.

4. **Mr. MITCHESON** asked the President of the Board of Trade if he will furnish a statement showing the average

[Mr. Mitcheson.]
aggregate monthly importation of those goods which were liable to duties of 50 per cent. under the Abnormal Importations Act during the period in which all these duties were in operation, and also the average aggregate monthly importation of these goods during the subsequent months during which they have been liable to duties at lower rates?

Mr. RUNCIMAN: The precise figures asked for are not readily available. I am making inquiries whether the information can be obtained without an undue expenditure of time and labour.

5. **Mr. MITCHESON** asked the President of the Board of Trade whether, in order to enable this country to impose quantitative restrictions on imports without enforcing simultaneous control of home-produced supplies, he will consider recommending the denunciation of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions?

Mr. RUNCIMAN: The attitude of His Majesty's Government towards the Convention is under consideration, but I am not at present in a position to make a statement.

Mr. HERBERT WILLIAMS: Can the right hon. Gentleman say why in the Agricultural Marketing Bill he does not take powers to restrict imports without a marketing scheme?

EXPORTS.

6. **Mr. GRAHAM WHITE** asked the President of the Board of Trade the value per head of the population of the imports from Great Britain into Australia, Canada, Denmark, Holland and New Zealand in 1932 or the latest convenient year?

Mr. RUNCIMAN: Official particulars of the value of the imports in 1932 are not yet available for all the countries named. The values of the total exports consigned to these countries from the United Kingdom during 1932 per head of the population of each country were, however, as follow:

	£	s.	d.
Australia	3	3	0
Canada	1	13	1
Denmark	2	17	9
Netherlands	1	15	8
New Zealand	6	19	8

7. **Mr. WHITE** asked the President of the Board of Trade the circumstances in which a duty of 10 per cent. has been imposed on telephone apparatus exported from the United Kingdom to Canada which was formerly free of duty?

8. **Mr. HOLDSWORTH** asked the President of the Board of Trade the reason why the preferences granted by Canada to the United Kingdom on scrap aluminium, amyl alcohol, dyes and dyeing compounds, xanthates, nitrate of soda, olive oil, and other commodities, have now been withdrawn?

Mr. RUNCIMAN: His Majesty's Government in Canada recently suggested to His Majesty's Government in the United Kingdom that, in return for certain new concessions, some readjustments affecting United Kingdom goods should be made in the Canadian Customs Tariff. Consultations between the two Governments as provided for in Article 23 of the United Kingdom/Canadian Trade Agreement are still proceeding, and I am not yet in a position to make a full statement.

Mr. WHITE: Can the right hon. Gentleman intimate the nature of the concessions at this stage?

Mr. RUNCIMAN: I think I would rather leave that for a later statement.

Mr. HOLDSWORTH: Can the right hon. Gentleman inform us whether it would be possible for the Chancellor of the Exchequer to take the same steps as the Canadian Government have taken? Bearing in mind the Ottawa Agreement, will it be possible for the Chancellor of the Exchequer to put on the Free List things that are already subject to duty from the Dominions?

Mr. RUNCIMAN: I think that question might be left to the Chancellor of the Exchequer.

JAPANESE COMPETITION.

10. **Mr. CHORLTON** asked the President of the Board of Trade if the quota system that is being adopted in another Department to regulate and reduce imports will be considered with a view to using it to bring down the Japanese imports into Empire countries to the normal proportion of three years ago?

Mr. RUNCIMAN: All possible ways of dealing with this matter are being examined, and I am not yet in a position to make a statement.

Mr. CHORLTON: Will the right hon. Gentleman say how soon he will be able to make a statement, having regard to the fact that this competition is greatly affecting the interests of this country?

Mr. RUNCIMAN: I am afraid that I cannot give any promise when a statement will be made, but the hon. Member knows that this is a most complicated and difficult subject to deal with.

Mr. GODFREY NICHOLSON: Cannot the Dominions deal with this matter separately?

2. **Mr. HAMMERSLEY** asked the Secretary of State for Dominion Affairs if his attention has been drawn to the fact that there is a decided trend towards the use of cheap Japanese cotton and woollen goods in Australia; and whether he is in communication with the Commonwealth Government on the matter?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): If the hon. Gentleman had been in his place to put the question he would have been told that a full reply would be given to him by my right hon. Friend the President of the Board of Trade on a subsequent question. I do not feel that any useful purpose would be served at the present time by communicating with His Majesty's Government in the Commonwealth of Australia on the subject.

Mr. HAMMERSLEY: Do I take it from that reply that the situation in respect of the abnormal importation of cotton and woollen goods into Australia is well known, but that further action is being left over in view of the fact that the Board of Trade is looking into the whole matter?

Mr. THOMAS: My hon. Friend was not here to ask his question. If he had been here I should have pointed out that the full reply would have been given to him by the President of the Board of Trade in answer to a subsequent question by the hon. Member.

9. **Mr. HAMMERSLEY** asked the President of the Board of Trade whether he can now make a statement in respect to Japanese competition?

Mr. RUNCIMAN: I would refer my hon. Friend to the reply which I gave earlier to the hon. Member for Platting (Mr. Chorlton).

Mr. HAMMERSLEY: Arising out of that reply, can my right hon. Friend indicate the date on which it may be possible for me to put a question down and get a reply which will be more satisfactory, not only to this House, but to the country?

Mr. RUNCIMAN: My hon. Friend can, of course, put a question down whenever he likes, but I am afraid that I cannot promise him an earlier reply.

Sir JOSEPH NALL: Is my right hon. Friend aware that the indecision on this matter is causing great concern to the cotton trade?

Mr. RUNCIMAN: No, Sir; there is no question of indecision. The matter has been under review and examination for some little time past, and it would be a great pity to take a rash and probably mistaken step.

Mr. REMER: Is not the proper remedy to denounce the Japanese Treaty and Trade Agreements?

CUNARD STEAMSHIP 534.

11. **Mr. HANNON** asked the President of the Board of Trade if any steps are being taken to establish co-operation in ocean transport between the two chief North Atlantic shipping companies with the object of securing financial assistance from the Government for the completion of the Cunarder 534?

Mr. RUNCIMAN: I would refer my hon. Friend to the statement made by my right hon. Friend the Chancellor of the Exchequer on 22nd March in the course of Debate. I understand that conversations are proceeding between the companies concerned.

Mr. HANNON: Is the right hon. Gentleman doing anything to accelerate the progress of the conversations, and is it not essential that the work should begin as soon as possible?

Mr. RUNCIMAN: Yes, Sir. We have done everything we possibly can to accelerate them.

COUPON TRADING.

12. **Mr. THOMAS WILLIAMS** asked the President of the Board of Trade if he is now in a position to state the terms of reference and the composition of the committee to inquire into coupon trading?

Mr. RUNCIMAN: I regret that I am not yet in a position to give the information asked for, but perhaps my hon. Friend will put down a further question in a week's time.

TEA STOCKS (OFFICIAL RETURNS).

44. **Mr. PRICE** asked the Financial Secretary to the Treasury whether he is aware that the official figure of tea stocks at 31st January, 1933, was given to the trade by His Majesty's Customs on 28th February, as 289,591,000 pounds, or nearly 24,000,000 pounds less than the estimate of the trade; that the publication of this decreased figure caused a market rise in prices of common tea; and that the Customs on 14th March stated that 27,000,000 pounds should be added to their previous figure, causing another disturbance to prices; and what steps he proposes to take to avoid a repetition of such errors and consequent fluctuations in the market?

The FINANCIAL SECRETARY to the TREASURY (Mr. Hore-Belisha): All possible precautions are taken to ensure the accuracy of official returns; but in this instance information which should have been available when the return was compiled had not been furnished in full in the case of certain bonded tea warehouses. Immediately the discrepancy was discovered the return was amended. Steps have been taken which it is confidently expected will result in complete information being supplied to the Department in time to enable complete statistics to be furnished in future.

METROPOLITAN-VICKERS AND COMPANY, LIMITED (CONTRACTS, RUSSIA).

21. **Mr. ALAN TODD** (*for* **Mr. CLARRY**) asked the Secretary to the Overseas Trade Department what total amount of contracts obtained by Metropolitan-Vickers and Company, Limited, in Russia has been financed by the export credit facilities or any other Government guarantee arrangement?

Lieut.-Colonel COLVILLE (Secretary, Overseas Trade Department): No, Sir. The Export Credits Guarantee Department is pledged to treat its transactions with individual firms in strict confidence. I am not aware of any other arrangements by which firms could obtain Government guarantees for trade with Russia.

IMPERIAL PREFERENCE (CEYLON).

30. **Mr. HAMMERSLEY** asked the Secretary of State for the Colonies whether the assent of the Governor of Ceylon has been given to the proposals of the Ceylon State Council to exclude preferences on cotton piece-goods from the reciprocal preferences proposed at Ottawa; and whether, as such exclusion is contrary to Clause 4, Sub-section (11), of His Majesty's instructions to the Governor of Ceylon, he will say what action he proposes to take in the matter?

Sir VICTOR WARRENDER (Vice-Chamberlain of the Household): Clause 4 of the Royal Instructions limits the power of the Governor to assent to certain classes of Bills. It has no bearing on the Resolution of the State Council under which preferences on a number of articles imported into Ceylon were granted.

Mr. HAMMERSLEY: I regret the absence of the Secretary of State for the Colonies, and in view of the answer, I wish to give notice that I shall raise this matter at the first convenient opportunity on the Adjournment.

SCOTLAND.

HOUSING.

14. **Lieut.-Colonel MOORE** asked the Secretary of State for Scotland the number of slum-clearance schemes which have been put forward during the last six months by any Scottish burghs, giving in each case the name of the burgh taking such action; and whether any such schemes and, if so, how many are being held up owing to the difficulty of housing temporarily the dispossessed tenants?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): As the answer to this question is long, I propose, with my hon. and gallant Friend's permission, to circulate it in the OFFICIAL REPORT.

Following is the answer:

The number of areas declared by the local authorities of burghs in Scotland to be clearance areas under Part I of the

Housing (Scotland) Act, 1930, since the 1st October, 1932, and intimated to the Department of Health for Scotland in terms of Section 1 of the Act is 10. The names of these burghs are Armadale (2 areas); Bo'ness (4 areas); Denny (1 area); and St. Andrews (3 areas). In addition, many local authorities are dealing with insanitary houses by means of demolition and closing orders under Part II of the Act, but intimation of such action does not require to be made to the Department. During the period referred to the Department approved tenders for the erection in 47 burghs of 2,958 houses for the re-housing of persons to be displaced in consequence of action under Parts I or II of the Act. As regards the latter part of the question, alternative accommodation is generally available before the actual displacements take place, and therefore the need for making temporary provision for the accommodation of the dispossessed tenants either from houses in clearance areas or from individual houses dealt with under Part II of the Act does not usually arise.

16. **Lieut.-Colonel MOORE** asked the Secretary of State for Scotland the number of applications he has received after 7th December from any local authorities in Scotland for subsidies towards housing schemes which had already been discussed in part with his Department; and what has been his decision in such cases?

Mr. SKELTON: I have presumed, I hope correctly, that my hon. and gallant Friend refers to proposals under the Housing (Financial Provisions) Act, 1924, submitted by local authorities to the Department of Health for Scotland on or after 16th December, the date limit under the Scottish Housing Bill for the submission of proposals for the unrestricted subsidy at present available under the Act of 1924. This date is for Scotland the equivalent of 7th December under the English Housing Bill. The number of applications received on or after 16th December in respect of schemes previously discussed in part is seven, covering 62 houses. Of these applications, one covering two houses has been approved, and in the remaining six, covering 60 houses, a decision is still pending.

RELIEF WORKS.

15. **Lieut.-Colonel MOORE** asked the Secretary of State for Scotland the number of proposals put forward by the different Scottish burghs in favour of official sanction to reproductive works for the relief of unemployment; and whether he will mention in each case the name of the town concerned?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): My sanction is not required to reproductive works for the relief of unemployment, and accordingly no proposals are received by me.

AGRICULTURE (LAND PURCHASES).

18. **Mr. R. W. SMITH** asked the Secretary of State for Scotland how many acres of land have been purchased by the Department of Agriculture for Scotland since 1st January, 1932; whether the Department are at present negotiating the purchase of further land; and, if so, of how many acres?

Sir G. COLLINS: 1,166 acres have been purchased since 1st January, 1932. Negotiations for the purchase of 315 acres are at present in progress.

EMPLOYMENT EXCHANGES, GLASGOW (CLEANERS' WAGES).

31. **Mr. BUCHANAN** asked the Minister of Labour what are the wages paid to the cleaners at Employment Exchanges in Glasgow; when was the wage last reduced; and if it is the intention to restore the wages to their former level?

Mr. WOMERSLEY (Lord of the Treasury): I have been asked to reply. The basic hourly rates of wages paid to cleaners at Employment Exchanges in Glasgow are 7d. and 7½d. for men and 4½ and 5d. for women. Bonus at the usual rate is added. The hours worked per week vary from office to office. These basic rates have been in operation for many years. There has been no change in the hourly rates (including bonus) since the bonus was stabilised on 1st September, 1931. There is no present intention of varying these rates.

Mr. BUCHANAN: Is the hon. Member aware that the wages were reduced in 1931 by 10 per cent., and that a female cleaner now receives the handsome sum of 22s. per week instead of 24s. per week. Will not the Government take steps to restore the 2s. cut?

Mr. WOMERSLEY: My information is that there has been no reduction in the basic rates. The hourly rate was stabilised in 1931, but there has been no reduction since. Perhaps the hon. Member will convey to the Minister of Labour by letter the information he has now given to the House.

Mr. BUCHANAN: I beg to give notice that I will raise this matter on the Adjournment, and I hope there will be someone present to represent the Department.

AFFORESTATION.

20. **Mr. T. WILLIAMS** asked the hon. and gallant Member for Rye, as representing the Forestry Commissioners, the number of men who have been employed on afforestation work during 1932-33; the total number of trees planted, together with the cost, showing separate items for wages; the number of trees it is proposed to plant next fall, and the estimated cost; and the number of men to be employed?

Colonel Sir GEORGE COURTHOPE: The number of persons employed by the Forestry Commissioners on afforestation work during the last 12 months has varied from 2,450 to 3,000. The number of trees planted was approximately 50,000,000, which includes replacement of failures in existing plantations. The gross expenditure on all forestry operations was approximately £385,000 of which £260,000 was in respect of wages. The net expenditure on forestry operations was approximately £255,000. For the next 12 months the planting programme, the estimated cost and the consequent employment will be much the same.

Mr. T. WILLIAMS: Can the hon. and gallant Member say the estimated number of failures there have been out of the 50,000,000 trees planted?

Sir G. COURTHOPE: Up to the present the number of failures has been very small indeed.

SEVERN BARRAGE SCHEME.

22. **Mr. HALL-CAINE** asked the Minister of Transport whether the Government have yet come to any conclusion with regard to the advisability of taking any action with regard to the report of the committee of investigation on the Severn barrage scheme?

The MINISTER of TRANSPORT (Mr. Stanley): I would refer my hon. Friend to the answer given on the 14th instant to a similar question by my hon. Friend the Member for the Hallam Division of Sheffield (Mr. L. Smith).

AIR MAIL SERVICES.

23. **Mr. CRAVEN-ELLIS** asked the Postmaster-General by what amount in 1932 the receipts of the British Post Office from air-mail fees and from foreign postal administration exceeded the amount they would have reached had the pound sterling been at par rates with the currency of all European countries; what proportion of such profits are being devoted to the general encouragement of air-mail traffic; and what proportion was necessary to make up the loss incurred by the Post Office on the use of foreign air-mail services?

The ASSISTANT POSTMASTER-GENERAL (Sir Ernest Bennett): The additional amount collected during 1932 for the use of British air services directly attributable to the suspension of the Gold Standard by this country was approximately £16,000; the additional amount paid for the use of foreign air services for the same reason was roughly £7,000. As foreshadowed in the reply to my hon. Friend's question of 12th December last, my right hon. Friend proposes to devote a considerable sum to a special campaign for advertising the air mail during the year 1933-1934, and the amount so expended will approximate to the balance of receipts.

MOTORING ACCIDENTS.

24. **Mr. McKEAG** asked the Secretary of State for the Home Department if his attention has been drawn to the comments of Mr. Justice McCardie, at the recent Sussex Assizes, as to the restrictions placed by chief constables on the issue to interested parties of police reports of road accidents; and whether, in view of the dissatisfaction prevailing with the present system, he will have the same reviewed?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I would refer the hon. Member to the reply which I gave yesterday to a question by the hon. Member for Plaistow (Mr. Thorne), to which I am not at present in a position to add anything.

Mr. McKEAG: Is the right hon. Gentleman aware that many members of the legal profession, who are the real watchdogs of the public, are very apprehensive lest the method of using these reports may lead to an unwarrantable interference by the police in the administration of justice in the civil courts?

Sir J. GILMOUR: I cannot add anything to the answer.

CIDER (FOREIGN APPLES).

25. **Mr. SMEDLEY CROOKE** asked the Minister of Agriculture the estimated quantities of British apples and foreign apples and apple pulp or juice used annually in the manufacture of cider?

The MINISTER of AGRICULTURE (Major Elliot): I regret that I am unable to add to the reply I gave on 13th February to a similar question by my Noble Friend, the Member for Bristol, Central (Lord Apsley).

ENAMEL-WARE (ANTIMONY POISONING).

27. **Mr. HUTCHISON** asked the Minister of Health whether he is satisfied that the warning issued by the Ministry of Health in February last, in Memorandum Medical 171, is sufficient to give notice to purchasers of the danger of antimony poisoning due to the use of cheap enamelled vessels; whether he will consider introducing legislation to prohibit the sale of vessels in which this enamel is used; and whether these vessels are made in this country or in foreign countries?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): My right hon. Friend thinks the memorandum referred to and the wide publicity given to it should give sufficient warning of present dangers. A technical officer of my Department is making further investigations to enable my right hon. Friend to determine whether any further legislative or other measures are required. Enamelled hollow ware containing antimony is made both in this country and in foreign countries.

NATIONAL FINANCE.

LAND VALUATION (POSTPONEMENT).

22. **Mr. CRAVEN-ELLIS** asked the Chancellor of the Exchequer whether he is aware that employment in the building industry is being retarded by the continued existence of the provisions authorising the imposition of a land value tax; and whether he will consider supplementing the suspension of the tax, under Section 27 of the Finance Act, 1932, by legislation repealing Part III of the Finance Act, 1931?

The CHANCELLOR of the EXCHEQUER (Mr. Chamberlain): I would refer my hon. Friend to the answer given on 9th February to the hon. and gallant Member for Newbury (Brigadier-General Brown).

COMPANIES' CAPITAL DUTY.

33. **Mr. MITCHESON** asked the Chancellor of the Exchequer the amount of ad valorem duty received on the registration of new companies so far this year; and how it compares with the average for the last 10 years?

Mr. CHAMBERLAIN: The net receipt of Companies' Capital Duty, including duty paid by companies already on the register as well as duty paid by new companies, was £893,000 for the 11 months to 28th February. My hon. Friend will find in Table 28 of the recently published 75th annual report of the Commissioners of Inland Revenue (Command Paper No. 4196) particulars of the net receipt for the past 10 years. The receipt of the duty is not recorded so as to distinguish the duty paid in connection with new registrations.

ENTERTAINMENTS DUTY.

34. **Mr. STOURTON** asked the Chancellor of the Exchequer if he is aware that the incidence of the Entertainments Duty in some cases discriminates against the poorest section of the community, as the tax on an admission charge of 3d. to a cinema is 33⅓ per cent., and on 4d. 25 per cent., whereas the percentage of tax on all higher-priced seats is, approxi-

[Mr. Stourton.]
mately, 20 per cent.; and whether he will consider revising the incidence of the tax so as to remove these grievances by abolishing the tax on admission charges up to and including 6d.?

Mr. CHAMBERLAIN: The scale of the Entertainments Duty is arranged in steps so that the duty is normally 20 per cent. of the price exclusive of duty at the top of each step. Representations have been made to me on this subject, but my hon. Friend must not expect me at this stage to anticipate my Budget statement.

Mr. STOURTON: Is the right hon. Gentleman aware that if the Entertainments Duty was abolished up to 6d. at cinemas and the estimated yield transferred to the higher-priced seats of 3s. 6d. upwards, the additional charges would be proportionately so slight as to be hardly noticeable?

Sir WILLIAM DAVISON: Will the right hon. Gentleman also take into consideration the question of a percentage tax, a 10 or 12 per cent. tax, on the total takings of a cinema for the week, instead of splitting it up in fractions on different seats?

Mr. CHAMBERLAIN: Yes, Sir.

35. **Mr. HALL-CAINE** asked the Chancellor of the Exchequer whether he has now considered the memorandum submitted to him on behalf of the theatre managerial associations, showing that during 1932 Entertainments Duty paid amounted to £340,716, against total profits during the same period of £95,150, with the result that the payment of this duty resulted in a nett loss of £245,566 during the year; and whether, in view of the number of persons who will be thrown out of employment if such losses continue, he will arrange to make some concession in this connection in his forthcoming Budget?

38. **Captain ERSKINE-BOLST** asked the Chancellor of the Exchequer whether his attention has been called to the fact that, as the result of the heavy Entertainments Duty, theatres in Great Britain have in the aggregate made substantial losses during the past year; and whether he will consider any modification of the present level of this duty?

Mr. CHAMBERLAIN: Representations put forward on behalf of the theatrical industry have been received, and I have arranged to see a deputation on the subject on Thursday next, 30th March. As regards the question of modifying the existing rates of Entertainments Duty, I am sure my hon. Friends will not expect me to anticipate my Budget statement.

DOUBLE TAXATION (RELIEF).

37. **Major NATHAN** asked the Chancellor of the Exchequer what agreements have been made and what agreements are in negotiation for reciprocal arrangements relating to taxation as envisaged by Section 17 of the Finance Act, 1930?

Mr. CHAMBERLAIN: Arrangements under the Section have been made with Sweden and Switzerland, and negotiations are proceeding with Finland in addition to the countries mentioned in the reply given to the hon. and gallant Member on 30th May last.

Major NATHAN: Can the right hon. Gentleman say at what stage these negotiations are now, and whether there is any expectation of their being brought to an early and satisfactory conclusion?

Mr. CHAMBERLAIN: I do not think it is possible to say at what stage the negotiations are, but they do not seem to move very fast.

BEER DUTY.

40. **Rear-Admiral SUETER** asked the Chancellor of the Exchequer whether, in view of the fact that the Beer Duty is levied on the materials of which beer is made and not on the alcoholic content, he will consider reducing the Beer Duty to prevent further loss to the malting industry?

Mr. CHAMBERLAIN: I am afraid that I cannot anticipate my Budget statement.

39. **Mr. A. TODD** (*for* **Mrs. WARD**) asked the Chancellor of the Exchequer whether the Government will encourage the Buy British movement by reducing the duty on British beer so that its alcoholic content is not taxed more heavily than imported wines?

Mr. CHAMBERLAIN: My hon. Friend will not expect me to anticipate my Budget statement.

FOREIGN-BUILT SHIPS (SCRAP).

41. **Mr. DENVILLE** asked the Financial Secretary to the Treasury the amount of duty received to date from foreign-built ships, whether British-owned or not, brought to be broken up for scrap in this country?

Mr. HORE-BELISHA: Imported ships are shown separately in the statistics only if they are new. Old ships imported as goods are included under the headings relating to the materials of which they are constructed, e.g., as manufactures of iron or steel.

Mr. DENVILLE: Is the hon. Member aware that the ship-breaking yards of this country have applied to the Customs; the Customs have referred them to the Import Duties Advisory Committee and the Advisory Committee have referred them back to the Customs? Meantime hundreds of men are out of work.

Mr. HORE-BELISHA: I am not aware of those facts, and I should be inclined to dispute them, because the Import Duties Advisory Committee have had the matter under their consideration.

Mr. G. NICHOLSON: May I ask, whether it was the original intention of His Majesty's Government that ships of 17 years of age on the British register should pay Import Duty on coming back to this country to be broken up?

Mr. HORE-BELISHA: It depends for what purpose they come back.

RUSSIA (DEBT).

45. **Mr. SMEDLEY CROOKE** asked the Financial Secretary to the Treasury the amount owing to Great Britain by Russia as at the commencement of the Soviet regime and that owing at April, 1932; whether the difference is made up entirely of accumulated interest; and what is the anticipated amount of interest due from Russia for the financial year ending 31st March, 1933?

Mr. CHAMBERLAIN: The net amount owing to Great Britain by Russia as at 31st March, 1918, was £508,122,000; the net amount owing as at the 31st March, 1932, was £1,006,480,000. The difference consists in accumulated interest after allowing for credits given in respect of gold surrendered by Russia to Germany under the Treaty of Brest-Litovsk and received by this country under Article 259 (6) of the Treaty of Versailles, and other miscellaneous credits. The net amount due including interest as at 31st March, 1933, will be £1,058,973,000.

INCOME TAX LAW (COMMITTEE).

46. **Major NATHAN** asked the Financial Secretary to the Treasury the position of the committee appointed to consider the redrafting of the law relating to Income Tax, the number of occasions upon which that committee has met during the past six months, the present state of their deliberations, and when it is anticipated that a report will be made?

Mr. HORE-BELISHA: The committee has been meeting regularly during 1932 and 1933 at intervals of a week or ten days except during the legal vacations. In the course of the last six months there have been 13 meetings of the full committee, and in addition a large number of meetings of the drafting sub-committee. Further substantial progress has been made with the work of codification and a draft of those portions of the Bill which deal with the substantive law (as distinguished from the administrative provisions) is now in proof print, but in view of the magnitude and complexity of the work still remaining to be done, it is unlikely that the committee will be in a position to make a report this year.

FOREIGN CUPS AND TROPHIES (TARIFF).

43. **Mr. EMMOTT** (*for* **Mrs. TATE**) asked the Financial Secretary to the Treasury the total amount received in duties since the imposition of a tariff on cups and trophies won by British nationals in competitive sports in foreign countries?

Mr. HORE-BELISHA: There is no separate tariff heading for cups and trophies as such. They may be chargeable with duty as goldsmiths' and silversmiths' wares or as manufactures containing metals such as platinum or copper, or again under other tariff headings according to the material of which they are made.

IMPORTS (REVENUE).

47. **Major NATHAN** asked the Financial Secretary to the Treasury if he is able to state the revenue received during the current fiscal year in respect of each

[Major Nathan.]

of the 43 categories of imports particularised in the monthly trade and navigation accounts?

Mr. HORE-BELISHA: The particulars required for the nine months ended 31st December, 1932, the latest date for which information is available, are given in a statement which, with my hon. and gallant Friend's permission, I will circulate in the OFFICIAL REPORT.

Following is the statement:

STATEMENT showing the approximate amount of revenue collected under each of the 43 categories of imports, particularised in the monthly trade and navigation accounts, during the nine months ended 31st December, 1932.

	£
I. *Food, Drink and Tobacco*—	
A. Grain and flour	479,000
B. Feeding stuffs for animals	254,000
C. Meat	632,000
D. Animals, living, for food	1,021,000
E and F. Other food and drink	6,134,000 / 25,623,000
G. Tobacco	51,480,000
Total ...	85,523,000
II. *Raw Materials and Articles mainly Unmanufactured*—	£
A. Coal	—
B. Other non-metallic mining and quarry products and the like	102,000
C. Iron ore and scrap ...	1,000
D. Non-ferrous metalliferous ores and scrap	2,000
E. Wood and timber... ...	1,679,000
F. Raw cotton and cotton waste	10,000
G. Wool, raw and waste and woollen rags	—
H. Silk, raw, knubs and noils	361,000
I. Other textile materials ...	57,000
J. Oil seeds, nuts, oils, fats, resins and gums ...	254,000
K. Hides and skins, undressed	3,000
L. Paper-making materials...	19,000
M. Rubber	4,000
N. Miscellaneous raw materials and articles mainly unmanufactured	338,000
Total ...	2,830,000
III. *Articles wholly or mainly Manufactured*—	£
A. Coke and manufactured fuel	1,000
B. Pottery, glass, abrasives, etc.	603,000
C. Iron and steel and manufactures thereof	1,237,000
D. Non-ferrous metals and manufactures thereof ...	246,000
E. Cutlery, hardware, implements and instruments	788,000
F. Electrical goods and apparatus	395,000
G. Machinery	818,000
H. Manufactures of wood and timber	468,000
I. Cotton yarns and manufactures	286,000
J. Woollen and worsted yarns and manufactures ...	199,000
K. Silk yarns and manufactures ... ... / L. Manufactures of other textile materials... ... / M. Apparel	*3,196,000
N. Chemicals, drugs, dyes and colours	590,000
O. Oils, fats and resins, manufactured	27,643,000
P. Leather and manufactures thereof	277,000
Q. Paper cardboard, etc. ...	1,178,000
R. Vehicles (including locomotives, ships and aircraft)	572,000
S. Rubber manufactures ...	181,000
T. Miscellaneous articles wholly or mainly manufactured	2,725,000
Total ...	41,403,000
	£
IV. *Animals, not for Food* ...	66,000
Total ...	129,822,000

* The Revenue statistics are not compiled in a form permitting of the allocation of the silk revenue to the separate trade groups.

GERMANY (BRITISH JEWS).

26. **Mr. BUCHANAN** (*for* **Mr. McGOVERN**) asked the Secretary of State for Foreign Affairs whether he has made any representations to the German Government regarding the safety of British Jews in Germany; and, if so, what has been the nature of the reply?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): Although I am unaware of any actual case of arrest or ill-treatment of a Jewish British subject, His Majesty's Ambassador at Berlin, on my instructions, spoke to the German Minister for Foreign Affairs on this question about three weeks ago, and I also took an opportunity of mentioning the matter myself last week to the German Ambassador in London. In both cases the replies were of a reassuring nature.

SHAMROCK (CUSTOMS DUTY).

36. **Mr. LOGAN** asked the Chancellor of the Exchequer whether he is aware that Customs Duty has been charged in some instances on shamrock sent from the Irish Free State by post to residents in London for wear on St. Patrick's Day, namely, 2d. on a small packet, together with 6d. Post Office fee for clearance; that in other instances shamrock from the Irish Free State was delivered by post in London without any demand being made for duty or fee; and whether he will say under what Statute was duty chargeable on shamrock, and why was it not charged on all imports of shamrock?

Mr. CHAMBERLAIN: Shamrock is liable to duty under the Import Duties Act, 1932, and the Additional Import Duties (No. 5) Order, 1932, made under the Act. If the hon. Member will give me particulars of the instances to which he refers where no duty was charged, I will have inquiry made and let him know the result.

Mr. LOGAN: Is the right hon. Gentleman aware that the old song may now read:

"They are taxing men and women for the wearing o' the Green."

Mr. BURNETT: Will the right hon. Gentleman point out that the shamrock is very well grown in Northern Ireland?

DISARMAMENT CONFERENCE.

Mr. LANSBURY (*by Private Notice*) asked the Secretary of State for Foreign Affairs whether he can make any statement as to the present position of the Disarmament Conference?

Sir J. SIMON: Yes, Sir. The General Commission of the Disarmament Conference yesterday adopted by a unanimous vote a resolution proposed by Monsieur Benes, the Rapporteur-General of the Conference, deciding to take the Draft Convention submitted by the United Kingdom Delegation as a basis for its subsequent discussions, the delegations retaining the right to propose modifications, amendments, or additions. The Conference then adjourned until Tuesday, 25th April, when it will proceed to the examination of the British Draft Convention, chapter by chapter and article by article. I would like to add that this British initiative, which involves the pursuit of a new method—the placing before the Conference of a comprehensive scheme in Convention form so that each question may be studied in relation to other necessary questions—has been received with general satisfaction as giving the best prospect for reaching an agreed solution.

INDUSTRIAL ASSURANCE.

42. **Mr. EDWARDS** (*for* **Mr. RHYS DAVIES**) asked the Financial Secretary to the Treasury whether he is aware that certain assurance companies issue industrial assurance policies without any provision therein or period of grace in respect of arrears before the issue of the statutory lapse notice; and whether he will introduce legislation to ensure in all policies the insertion of a provision for a period of 13 weeks' grace before issue of lapse notices?

Mr. HORE-BELISHA: The answer to the first part of the question is in the affirmative. As regards the second part, a Departmental Committee is at present inquiring into the law and practice relating to industrial assurance.

PHARMACY AND POISONS BILL [*Lords*].

Read the First time; to be read a Second time upon Monday next, and to be printed. [Bill 79.]

MESSAGE FROM THE LORDS.

That they have agreed to—

Indian Pay (Temporary Abatements) Bill,

Local Government (General Exchequer Contributions) Bill, without amendment.

WRITTEN ANSWERS.

SCOTLAND.

LAND SETTLEMENT ACT, 1919.

Mr. LEONARD asked the Secretary of State for Scotland whether he is aware that a small holding in the county of Berwick, on lands belong to the Depart-

ment of Agriculture, is about to become vacant and selected applicants from the Department's list have been invited to say what rent they are prepared to pay if preferred for the tenancy; and whether the outgoing tenant is sitting under a fair rent and, if so, under what authority is this holding now put in the market for a competitive rent?

Sir G. COLLINS: The answer to the first part of the question is in the affirmative. As regards the second part, Section 6 of the Land Settlement (Scotland) Act, 1919, requires the Department to let land acquired by them under the Small Holding Colonies Acts at such rent as in their opinion is reasonable, and in these circumstances I considered it proper to ascertain on the occasion of a holding falling vacant the rent which suitable and qualified applicants are prepared to pay. The information thus furnished is at present being examined and will, I think, prove to be of value. As instructed by Section 6 (1) of the Land Settlement (Scotland) Act, 1919, the holding referred to will be let in due course at a reasonable rent and it is proposed to offer a lease under the Agricultural Holdings (Scotland) Acts.

FISHING INDUSTRY, MORAY FIRTH.

Mr. STUART asked the Secretary of State for Scotland whether he has any information to give concerning the proposal that the Moray Firth should be closed to foreign trawling; whether negotiations on the subject with foreign Powers have taken place or are likely to be instituted; and, if not, whether he will take steps to institute negotiations to this end?

Sir G. COLLINS: I am unable to make any statement, except that the matter is receiving the attention of the Government.

UNEMPLOYMENT.

DUMBARTON, LANARK AND RENFREW.

Mr. D. GRAHAM asked the Secretary of State for Scotland the weekly expenditure in payment of able-bodied unemployment relief of each local authority in the counties of Dumbarton, Lanark, and Renfrew, burghal and county authorities separately, in the last week of August, 1931, and the last week in January, 1933?

Mr. SKELTON: I am sending the hon. Member a tabular statement containing the information asked for.

Mr. GRAHAM asked the Minister of Labour the number of men, women, and juveniles, separately, in each Employment Exchange area in the counties of Dumbarton, Lanark, and Renfrew whose title to standard benefit lapsed, and who were transferred to transitional benefit payments involving the application of the means test, in the years 1931 and 1932?

Sir H. BETTERTON: I regret that statistics giving the information desired are not available.

Mr. D. GRAHAM asked the Minister of Labour (1) if he will state the number of men, women, and juveniles, separately, in receipt of standard unemployment benefit in each of the Employment Exchange areas in the counties of Dumbarton, Lanark, and Renfrew in the first week of February, 1931, and the first week of February, 1933;

(2) the amount of money paid in standard unemployment benefit to men, women, and juveniles, separately, in each Employment Exchange area, in the counties of Dumbarton, Lanark, and Renfrew, in the first week of February, 1931, and the first week in February, 1933?

Sir H. BETTERTON: I am sending the hon. Member the information desired so far as it is available.

COAL INDUSTRY, LANARKSHIRE.

Mr. D. GRAHAM asked the Secretary for Mines if he is aware of the complaints of collieries in Lanarkshire drawing coal on Sundays as if they were ordinary days of the week; has any inquiry been made into the matter by his Department; will he state the names of the collieries at which this practice is carried on; and if he will take the necessary steps to enable his Department to put an end to such a practice?

Mr. E. BROWN: I have received no complaints on this subject except for the hon. Member's own representations. With regard to the second and third parts of the question, I am only aware of three collieries in Lanark where ordinary coal-drawing is being carried out on Sundays, namely, Auchengeich, Douglas Castle and

Wester Auchengeich, and I am informed it is done at these collieries to secure a full six afternoon shifts a week without entailing work on every Saturday afternoon. With regard to the last part of the question, I strongly disapprove of ordinary Sunday working which as the hon. Member is aware, is one of the questions dealt with in the draft International Convention which is receiving the consideration of the Governments principally concerned.

POOR LAW INSTITUTIONS (BACON).

Captain ERSKINE-BOLST asked the Minister of Health the number of poor law institutions to which British bacon is supplied in preference to imported; and what is the difference in price between British bacon and the comparable imported article?

Mr. SHAKESPEARE: The information for which my hon. Friend asks in the first part of his question is not in my right hon. Friend's possession. As regards the second part, he understands that wholesale prices of British and imported bacon are published in the Agricultural Market Report issued by the Ministry of Agriculture and Fisheries.

KENYA (INCOME TAX).

Mr. C. BROWN asked the Secretary of State for the Colonies whether, in view of the appointment of a committee in Kenya to investigate alternatives to the Income Tax, he still adheres to his decision to insist on the application of the Income Tax in accordance with the recommendation of Lord Moyne's Report?

Sir P. CUNLIFFE-LISTER: The Governor has decided, with my approval, that the Income Tax Bill shall not be carried into law until I have had the opportunity of considering it, as amended in committee of the Legislative Council, side by side with the alternative proposals for increased taxation which are at present being scrutinised by a local committee. As I am not yet in possession of the necessary materials I cannot anticipate my decision.

ORDERS OF THE DAY.

INDIAN CONSTITUTIONAL REFORM.

Order read for resuming Adjourned Debate on Question [*27th March.*]

"That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."—[*Sir S. Hoare.*]

Question again proposed.

3.20 p.m.

Viscount WOLMER: When the House adjourned last night, I had already had the privilege of addressing it for a few minutes on this question. I do not propose to occupy more than a very few minutes on this occasion, but as I have been asked to put forward the point of view of a number of other Members besides myself, and as I had not quite finished my speech last night, I should like to make our position quite clear. I am not going to repeat what I ventured to say yesterday. I gave reasons why many of us think that the Constitution which the Government are proposing for India cannot possibly work smoothly and cannot lead to that spirit of partnership which, I am sure, we all desire. I pointed out that a Constitution of this kind could not have worked in Ireland, and never has worked in any part of the world where a similar balance of constitutional rights has been attempted.

The only point I desire to make this afternoon is that, in view of the extremely hazardous nature of this experiment, to put it at the lowest, in view of the fact that such constitutions as this one, though they have been tried, have never been successfully worked in history before, it seems to us that to try such an experiment on a population of 350,000,000 people is an act of folly, and worse than folly. The fortunes, the homes, the lives of these people are at stake. It is a responsibility greater, I suppose, than any ever cast upon this House before. There is another aspect of the question which I would not mention in the same breath, which I do not think ought to be put in the same category with that to which I have just referred, but which is nevertheless of sufficiently grave importance to be taken into very weighty consideration by this House. It is the fact that hundreds of millions of pounds of British capital are invested in India. That is a consideration which the House cannot ignore, and have no right to ignore. They have no more right to gamble with the savings of the people of this country and other countries than they have to gamble with the lives and fortunes of the inhabitants of India.

I merely draw attention to these two facts in view of what I am now going to say. It seems to us that the issue is so grave that every Member of this House has to take action on his own responsibility in this matter, without regard to party ties, without regard to personal friendships, without regard to how his own personal fortunes may be affected. That is not only true of every Member of this House. It is true of the Cabinet as well, and the Under-Secretary. I cannot believe that all my friends in the Cabinet are happy and satisfied that they are justified in making this momentous experiment. I appeal to them to consider their responsibilities in the matter. I appeal particularly to the Chancellor of the Exchequer to consider his responsibility in the matter. I cannot believe that he feels happy in the issues that may result from this gigantic experiment and the repercussions which it must inevitably have on the finance and credit of this country if that experiment ends in disaster. I appeal to my right hon. Friend to "go over the top," as many of us have to "go over the top" in this matter, and put an issue of this magnitude above all other considerations that would normally weigh with us.

My final word is this? I hope that my right hon. Friend the Leader of my party will not take it in an unfriendly way, but I think that the Conservative party has been put into an intolerable position in this matter. As I listened to the very eloquent speech of my right hon. Friend the Secretary of State for India—received in icy silence by his own party—for an hour and a half, I felt that we had been led to the edge of a cataract, and that we were then being asked what was our alternative policy. It is not a

fair position in which to place the party. Looking back on the course of events during the last few years in this matter, I have come to the conclusion that the Leader of the Conservative party is really, at heart, a sentimental Liberal. With all the great qualities which have endeared him personally to us, I think he really does believe that a nation can be regenerated by being given the vote, that with the franchise comes an accession of grace and wisdom which cannot be obtained in any other way, just as he believed that giving votes to flappers would elevate the female sex of this country. Personally, although I respect all those sentiments, I profoundly distrust them, and I believe they are distrusted by the great majority of the party to which I belong.

Although it is our duty, and indeed we are bound, to lead India on in the path of constitutional progress, we have a far greater responsibility to the 350,000,000 people of India whose lives and interests are in our charge. Therefore, even at this eleventh hour, I would beg that we do not make the experiment on this gigantic scale, but that we make it on a much smaller scale. Give fuller powers if you like to the diarchy which you are setting up at the centre; give real responsibility to one or two selected provinces; make your full experiment, but make it on as small a scale as you can. Do not be afraid to go slowly, because I believe that slow progress in this matter is much more likely to be true and lasting progress than a step too rapidly taken.

3.28 p.m.

Sir ROBERT HORNE: At the end of the very lucid speech of my right hon. Friend the Secretary of State for India, he desiderated comments upon his plan from moderate men of good will and good sense. I hope the House will not regard me as being officious in venturing to answer that appeal. I believe myself to be moderate. I know myself to be of good will towards everybody who sincerely tries to find the right solution of this great problem, and the only question that remains is the question of my good sense. I hope that I possess some of that invaluable quality, but, at any rate, the House will judge. Hitherto I have taken no part in these Debates in the House upon this great question, and I have not gone into the Lobby in any of the Divisions connected with it. I have observed, I think, an attitude of comparative impartiality and of suspended judgment. But it is no longer possible for any Member of this House to remain in that position of quiescence.

I agree with what my Noble Friend said a few moments ago, that every Member of Parliament is bound by his very duty, after the Select Committee has reported, to take his place, if not in the discussion, at least in the Lobby, and he must have a reason for the faith which he then exhibits. It is true that there is a very great temptation to most of us to lean back upon the Government in this matter. We are inclined to take the view that this is a very complicated topic, which few of us have the opportunity to study, that the Government and their advisers are people upon whom great reliance may be put, that they can be trusted to weigh up all the considerations which should operate on one side or the other, and that we cannot do better than to trust them.

And let me make this avowal. If I had to surrender my judgment upon this question, there is no person in whose favour I would more readily yield it up than my right hon. Friend the present Secretary of State for India. His sincerity and his patriotism are beyond all question. He has, in my personal judgment, as great a political flair as any man with whom I have worked in connection with the Government and Parliament, and he adds to that quality a balance of mind and a coolness of judgment which are the admiration of all his friends. Moreover, we owe him—the Conservative party owes him—a great debt of gratitude, because he has demonstrated, as I think beyond all question, that it only requires sufficient firmness and courage in your administration to make India an orderly State.

But the truth is, as my noble Friend said a moment ago, that none of us can devolve on any other person this burden, which is firmly planted upon the shoulders of each of us. This is no question of loyalty to the Ministry. It never was in issue in the course of the last election. Our opinions and our votes upon it will exhibit neither favour nor disfavour to the National Government. The fact is that everyone of us is confronted with the greatest issue which has ever come before this or any other Parliament, and

[Sir R. Horne.]

upon our own individual consciences it rests to meet the issue squarely and honestly. To do him credit, the Secretary of State has faithfully recognised the position of the private Members of the Conservative party in this regard. There were many what are called by that hideous word "tendencious" suggestions, both in speeches and in the Press, to the effect that we were going to be jockeyed by the Government in this matter, and indeed perhaps it is not surprising that some people thought that some such effort might be made, because one thing which has hurt many of us in the contemplation of this great problem has been the way in which we have seemed to slither from position to position, and how at every stage at which it was attempted to apply a judgment to the question at issue we were always told, "You cannot go back; somebody has said this, some other person has said that; the Indians have put this interpretation upon it; your word as an Englishman is the thing that matters most; and, therefore, you must just accept the position as it is."

I, for one, am grateful to the Secretary of State that he has relieved us from all that trouble. He has not only given us the opportunity of discussing the White Paper freely, but he has thrown the whole question open. What the Select Committee is to investigate and report upon to this House is nothing less than the future Government of India, without qualification or trammel. To-day, and in the course of this Debate which goes on to-morrow, we are only approaching a very small fence, which is that of setting up the Select Committee. This is a fence which none of us would desire to avoid. The greater hurdle awaits us later. It is true that the speech of my right hon. Friend the Member for Darwen (Sir H. Samuel) last night seemed to show that he was anxious to ride his steed at the last fence six months before we come to it. I think perhaps he has taken the wrong form of quadruped for this event, and it might not be unjustiable if he got the reply that Balaam got in another adventure.

But we are now discussing something about which there is no difficulty. The question remains as to how we are to use this opportunity of discussion. Are we simply to wave a handkerchief of cheerful farewell to the Select Committee which is to be set up, or are we to give some indication of the things that are troubling our minds, which, after all, if they take the trouble to read our discussions, may give some guidance to them as to the difficulties with which we are confronted? We may be very ignorant. I, although I have a considerable personal acquaintance with India, which is kept up through multifarious duties, feel myself aghast at the amount of ignorance which inhabits my breast upon this vast problem. Nevertheless, it is people like myself, ordinary Members like myself, who ultimately have to decide this question, and accordingly it is perhaps well that the Select Committee should be made aware of some of the difficulties which are perturbing us.

I do not propose to give anything more than some preliminary impressions. I am not going to attempt to lay down any view dogmatically. I have not the courage of my Noble Friend who has preceded me, and, no doubt, of others who will also take part in the Debate, but I would like this afternoon to indicate some of the troubles and difficulties which seem to me to lie in the way. There is a great temptation to go back into the history of this great problem, but I shall not ask the House to do so to-day. I shall not go further back than November of 1930, when the Round Table Conference met, to that which is admitted—it was stated by the Secretary of State yesterday afternoon—to have been a crucial point in the movement towards this self-government in India. Up till then the Simon Commission Report held the field. It was the only plan of which anybody was thinking, and discussion was revolving around the proposals contained in that report. Then there met the Conference, at which everything was altered, apparently, by a speech of one of the leading Princes which indicated the readiness of the Princes of India to come into a Federal scheme.

That changed the whole atmosphere and the whole course of the discussion. Let us keep in mind that up to that point, while the suggestion of Federation had been indicated in the Simon Report, it was something far off, which nobody could contemplate for a moment. Not only the Simon Commission, but those upon whom the Secretary of State

now relies for indications as to the present feeling of officials in India, that is the Government of India at that time, with at its head Lord Irwin, the great protagonist of this movement for greater responsibility in India, declared that any Federal system of government was a very remote event which need not occupy the time of practical men for a long time to come. But everything was changed almost in the twinkling of an eye. I am going to start from that moment, and I am going to assume, what the Secretary of State asked me to believe yesterday, that owing to attitudes adopted by Ministers in the past something in the shape of representative government must be given to India. I am going to assume that, but I am also going to take into account the qualification which my right hon. Friend made when he said that we were still to be the judges of the time, of the degree, and of the opportunity.

If I were writing a memorandum for the Select Committee, I should make my first point that they have got to keep these circumstances clearly in view. What emerged from that particular conference? There emerged the Federal scheme, and along with it a series of safeguards. If the House will allow me, I should like to look first at the question of safeguards as a preface to the question which deals with the position of the Indian States in the proposed Federation.

As to safeguards, I should like to make one or two general observations. Safeguards in the setting up of a new constitution were never more necessary than in the present circumstances. You are giving a system of Parliamentary democracy to 350,000,000 people at a time when many countries in the world that have tried Parliamentary democracy are turning from that system in despair. Accordingly, it would seem to require a more meticulous examination than usual of this proposition before we decide the form the system is to take. If we look round Europe to-day we find a ring of dictatorships of various forms. There is one form in the Soviet in Russia; it takes another shape in Italy, and still another shape in Germany. Austria, Hungary, Jugoslavia, Poland and Turkey are all acting on parallel lines, each taking their own particular form of it, but all despairing of Parliamentary democracy and turning to some shade of dictatorship. A French friend of mine said to me some time ago, "You English people think, and have always prided yourselves on the fact, that you gave a great boon to the world in representative government. Believe me, you gave most of us a curse, because you are the only race that knows how to work the system."

Mr. MAXTON: And we are not doing it very well.

Sir R. HORNE: Reflect for a moment on the difficulties of democratic government in, for instance, France, which has had over 20 Governments since the War. I do not wonder that Frenchmen dislike the contemplation of party parliamentary democracy. Even we here, when we had more than two parties and a minority Government, know to what representative government tended to reduce us. There was a series of not very respectable bargains in order to keep the Government in power. Luckily in this country either we are too stupid to think of more than two propositions at a time, or we have usually the sublime political instinct which causes us to give at least one large party the majority in Parliament. We see from experience the terrible difficulties that are involved as soon as we have a series of groups in a representative assembly. What are we to say about making this vast experiment on a country of 350,000,000 people whose whole traditions are patriarchal in type and entirely contrary to those which we in the Western world have followed; where there are scores of races, castes and creeds and languages; and where the only cement is the British influence which, whatever you have to say for this particular scheme, must be weakened by what is done. I am not saying this as an argument for getting rid altogether of the theory that we are to give some form of representative government to India. I am not one of those much inclined to follow shibboleths. I do not believe in the kind of slogan that you cannot go back. I would always go back if it seemed the right course, unless the danger of not going back was greater than the danger of going forward.

With regard to this particular matter, it seems to me that we cannot entirely, even if we would at the present time, get rid of the obligations of the past, and that we are bound to consider a representative Government in some shape or

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form and in some measure and degree. That is my first general observation about safeguards. My second is this. It would be far better to have no safeguards at all than to have ineffective safeguards. There is something to be said for granting a Constitution without any safeguards as a great gesture of confidence to the people to whom you have given it. You might expect to get some response. There is more to be said for granting a Constitution in our particular circumstances which is carefully and efficiently safeguarded, but there is nothing to be said for granting a constitution with safeguards, which irritate and are not effective. In that way you get the worst of both worlds. Accordingly, I propose for a moment or two to apply my mind to the discussion of some of the safeguards which are in this proposed Constitution. I think that we have to consider with reluctance what we are safeguarding ourselves against in the Indian Constitution. I am not going to make a general attack on the kind of Indian Minister we will be likely to get. I believe that we will get very many good Ministers from the Indian community.

On the other hand, what we are safeguarding India, our fellow-Indian subjects, against is the attitude of those who have not hesitated to make their position known. After all, the safeguard is against the type of people who wish to destroy the system, and I regret to think that many voices come from India which declare in the most explicit terms what their object is. Only the other day we had this announcement, which is not in itself more extravagant than many others, from a very famous man, Sir Tej Bahadur Sapru. Although some people may think he has not now quite all the influence he used to have, none the less he is a very important person in the Indian community. He said:

> "There may be men who may say that the Constitution is not worthy of our acceptance because it falls short of our expectations. To them I would hold up the example of men like De Valera in Ireland and Hitler in Germany. De Valera was not half the nuisance that he is to-day before he entered the Government. It is not only good law but ordinary common sense, I say with all respect, that possession is nine points of the law. Either the progressive elements must capture the Constitution or they must be prepared to step aside."

It is plain that those who are represented by Tej Bahadur Sapru and such men as he are only ready to accept this measure in the knowledge that they are going to make it impossible to work except in their own way. I wish to make it perfectly clear that I am not making such a reflection upon all the people who will possibly be brought into Government in India. All I say is that we must count upon having men of that line of thought in office at some time or another, and it is against men of that type that the safeguards must be strong enough to preserve the Constitution which is being set up.

What are those safeguards? Let me take, first of all, what is regarded as the ultimate safeguard, that is to say, when Government is brought to a standstill, and the Viceroy and all those whom he can gather round him come in and once more take over the machine. I should not myself be very much disposed to rely upon that ultimate safeguard if these men were clever enough, as indeed they are, to select their own time. I can very well imagine a point in history when we might find it very difficult to get the Government which might be in power in this country to take any action which would support the Viceroy in the course he has adopted. In fact, they might be inclined from their general principles to wish that those who were thus usurping authority might be successful. It seems to me that if we are going to rely upon safeguards we must depend upon those which should come into play long before we come to that breakdown.

In the next place, as was pointed out by Lord Zetland in a letter to the "Times" in a far more complete way than I can do to-day, the burdens placed upon the Viceroy make it almost impossible that any one man could really give his attention to the situation and operate in time the safeguards which are supposed to be in his charge. I know that my right hon. Friend said yesterday, with a great deal more knowledge than I have, that under the new Constitution the Viceroy would not be more severely burdened than he is at the present time; but there is this great difference. At the present time the Viceroy has round him a set of Ministers upon whom he can absolutely rely, and information is always

at his disposal, but the very hypothesis of the position in which the safeguards are to be worked is that he has got a hostile Ministry who can stop the flow of information to the Viceroy, or can allow him to get it only at the last moment, when it is too late to act. Accordingly, I do not myself feel very great confidence in the Viceroy being able to use successfully the safeguards which are in his charge. I do not want to be dogmatic about this, but I would suggest that these are points which a Select Committee ought to investigate very thoroughly before they come to a conclusion.

I have no doubt the House will remember that I asked yesterday two questions of my right hon. Friend which are relevant to a point which I am now about to make. The Viceroy is to have control of the Army, by which it is supposed that he will be able to ensure peace and tranquillity in India. I do not think I am putting this proposition too strongly when I say that while the Army by itself is, no doubt, a powerful engine, I do not believe it can have one-hundredth part of its effect unless the Viceroy and the Governors of the provinces at the same time have control of the police. It was the liaison between the police and the Army which enabled my right hon. Friend to make so great a change in India during his term of office. We can easily see why this is so. The police go right down into the villages, they are the sources of information; they are also the guard, to some extent, of the means of transportation by which the Army moves, and I should not very much envy a Viceroy who sought to move some portion of the Army to a disaffected district if at the same time the police were against him and were unwilling to co-operate with the Army. At any rate, the effectiveness of the Army in such circumstances would be very greatly reduced.

My right hon. Friend sought to give me an assurance about the police. He said that for the next five years, at any rate, when the matter would be reviewed, the selection of the police would be in the hands of the Secretary of State. That goes a certain distance, undoubtedly, but let us look at it from a practical point of view. We are professing at least to transfer law and order to a Minister, and I cannot imagine that that Minister is not to have ordinary ministerial functions. He must, as I take it, move the police about according to his judgment as to where they ought to be. He also will have a very great influence on the prospects of individual policemen. He will make the reports as to their conduct, he will give a decision as to which part of his Province any particular policeman will have to go to, and the man may be made very miserable or comfortable according as he has the good will of the Minister or not.

While it is perfectly true that the selection of the police is with the Secretary of State, in actual operation the man to whom the police will inevitably look for all their future prospects will be the Minister. When there is trouble these Indian police, who have behaved in he most admirable manner under the present régime, will very naturally be considering who is going to win out, and from whom they are most likely to get the most advantageous prospects. This affects, also, the question of information. Whatever instructions may be given about police reports going to the Governor, the Minister, in the ordinary executive discharge of his duties, is in a position to say about what class of offences reports are to be made, and if the Minister is disaffected—and that, after all, is the hypothesis upon which we are arguing—it seems to me to be perfectly simple for the Minister who is in charge of the police to make it impossible for the Governor to discover what is going on in the way of offences in the Provinces, or at any rate to see that information gets to him only when matters have gone too far.

I am putting forward these things for the consideration of the Select Committee. I am now going to venture a remark with very great diffidence. I see that my right hon. Friend the Foreign Secretary is present and is obviously going to speak. He knows very much more about this question than I could ever learn, however hard I studied or however long I lived. But I have never been able to understand the reasoning by which the Simon Commission came to the conclusion that you had to give control of law and order to the native ministries in the Provinces. It is said, roughly, that if you did not do that the whole thing would be a mockery—not in language as strong as that, but there was

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a suggestion of that kind, that otherwise it was not really giving responsibility to them. At the same time it is obvious that the members of the Simon Commission had some doubt at the back of their minds upon this matter, because they provided for an extra Minister. They did not say he was to look after the police. It was always possible, we were told, for the Provincial Governor to use him for that purpose.

Of course that has disappeared in this plan, but I can well imagine your giving self-government in a very complete degree to a province, and even to the whole of India itself, without giving the popularly-elected body control of the police or the Army. Why should not one say, "Well now, we will give you a country in which to legislate"—I am taking this as mere assumption—"You will be able to carry out all the plans that you think are for the good of your people, and we will give you that country, guarded and looked after, so that you will not have to worry about keeping it in order." What is there detrimental to the pride of a people in that?

For my part I regard this question of the police as the linch-pin of the whole system of government of India. At least I so regard it until I am convinced to the contrary. I would hope, at any rate, that this whole question may be reviewed. I will put it like this: If I were the person responsible for the government of India I would rather be given the kind of Constitution at present proposed if you gave me control of the police, than have no responsible government at the centre with the control of the police in the provinces in the hands of native Ministers. I do not say that I approve of either of these alternatives, but I put it in that form to show how strong my view is about the necessity of keeping control of the police. These are the safeguards with regard to the orderly government of India and the preservation of the Constitution.

I wish to make a remark or two about two other items that arise in connection with the subject of safeguards. The first is in connection with the prevention of discrimination in trade. I would compliment the Secretary of State upon the way in which he has devised the paragraph dealing with the question of discrimination. It is in a form which, I think, will be regarded as suitable by most British traders. At the same time there is another paragraph which deals with subsidies, and I hope it will be kept clearly in mind that any Indian Government could entirely defeat your ideas with regard to discrimination in trade if they were allowed freely to grant subsidies to their own people who are in competition with your trade. I will give an example which will readily occur to everyone. Suppose that the Indian Government were to choose to give large subsidies to Indian ships on their coasting traffic—subsidies which are denied to ships which have been plying on the Indian coast for many years. It is obvious that they could ruin the chances of a profit being made from the running of British ships in those circumstances. Accordingly, I hope that this matter will be taken into account, and that some way will be devised by which this matter may be remedied.

There is another paragraph in connection with that which is worth a reference, namely, that the Governor-General may allow such discrimination if he regards it as necessary for the peace and tranquillity of India. I can imagine that provision being an incentive to making it a question of peace and tranquillity. These are smaller points, and I only mention them in order that consideration may be given to them. On the matter of finance, which is one of the questions of very grave importance, I do not propose to say much. I shall not venture to give any view as to the effect upon Indian credit of the proposals which are made, nor as to the efficacy of the safeguard for Indian credit. Irresponsible words dropped out in regard to such matters as these, which are of vast importance to many thousands of people, may create either pessimistic views or optimistic hopes which are unfounded, and I would prefer to say only that I hope that this is a matter which will be very carefully gone into by the Select Committee. I will only add, as another thing to which the Select Committee should give attention, the cost of this new government of India. We cannot exclude from our purview the fact that any form of government such as is now proposed will be

much more expensive than anything that exists at the present time.

I do not know whether the House is aware under our older system, before even the Montagu-Chelmsford reforms were made, India was run at a cheaper cost than practically any other country in the world, under the administration of the British officials who so admirably did their business. These costs have gone up very greatly during recent years, and since the reforms of the Montagu-Chelmsford time. You will find most harrowing stories in the reports of the effect of putting district boards into native hands, boards which have previously been controlled by the collector of the district. Many of those boards, which were previously not only solvent but prosperous, are now faced with bankruptcy.

It may be necessary to incur some expense in order that the Indian people may learn their business and methods of Government, but at any rate do not let us blind our eyes to the fact that this does mean more expense in India. You are setting up two new Provinces, which will themselves create new expense. I hope accordingly that the Select Committee, when dealing with the matter, will advert particularly to the amount of extra expense of administration and to the amount required in the way of new taxation. Taxation means a great deal to the people of India. I was talking to a native Price, who told me that at a representative gathering of his people he asked them if they wished to come into the Federation. They said they did not mind, provided it did not mean further taxation. In my belief out of the 350,000,000 of people in India there are at least 300,000,000 who would rather go on as they are with no higher costs, than have a Government of their own kind with higher taxation. All of the theory about people yearning to govern themselves, even at a higher cost, is entirely fallacious.

I have delayed the House too long, but if I may be forgiven I would like to turn to the second head of my remarks. That is the question of the participation of the Princes in this Confederation. We all remember the enthusiastic welcome which was given to the suggestion that the Princes were prepared to join a Federal Government of India. It was supposed that you could bring a Conservative element into the Government and that it would be the first and best safeguard for good Government. That was the theory. The question is whether this is founded upon fact and realities. In this connection it matters a great deal as to what representation the Princes are to have. I find that in the Lower House the Government propose that they should have 125 votes out of 375, and that in the Upper House they are to have 100 votes out of 260. I should not say that that unduly exaggerates the Princes' influence in those chambers. I find that very fallacious ideas abound as to how the votes are likely to go. For example, it is said by some—I have seen it in print—that you can add the votes of the Princes to the votes of the Moslems. The fact is that the Princes themselves are seriously divided as between Hindus and Moslems, and if it comes to a question which depends upon the religion of the communities of India you will undoubtedly find the Princes not voting in a block, but in a very divided way.

This matter becomes very pertinent when you look at the proposals of the White Paper. We all thought, at the time when it was first mooted that the Princes were coming in, that we should have the whole or a great majority of the States in the Confederation; but what is provided in the White Paper is that you may set up your Confederation with only a half of the population of the States in the system, and there is no provision for weightage in either of the Assemblies to make up for the Princes who are not there. That would seem to show that you might start the Confederation with the Princes having only 65 Votes in a House of 310, and in the other case only 50 Votes in a House of 210. I do not know what other Members of this House feel, but I confess that if this is your first safeguard it seems to me a very weak one.

I do not know what the particular ideas were that moved a meeting of the Chamber of Princes in Delhi on Saturday, but at any rate we are now faced with a situation which I am sure that none of us could have contemplated. We have been supposing up to now that the Princes were all the time in the Government's pocket. They are nothing of the kind. As we know, there was a some-

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what awkward episode at the meeting of Princes on Saturday last, between the Viceroy and a Prince who is very well known to us all, the Jam Sahib of Nawanagar, known everywhere in Britain affectionately as Ranjit Singhi. From intimate personal knowledge of that great Prince I can say that his devotion to India is only equalled by his loyalty to the Empire. I know no better British citizen than the Jam Sahib. When you find him in this kind of controversy it reveals a position of some disquietude. There was a part of his speech which he was not allowed to make—I see that it was reported in one organ of the Press here on Monday. I suppose he must have given it to the Press afterwards—in which he says:

"I would appeal to those British statesmen who look upon the Indian States as the strongest link in the British connection, to put themselves in our position and to ask honestly whether my apprehensions are not justified, and whether the Princes of India would not be upholding their traditional loyalty to the Crown more effectively by counselling caution than by involving themselves in entanglements which future generations may condemn as destructive of their power to assist either the Crown or themselves."

I find that the Maharaja of Patiala, who is now the new Chancellor of the Chamber of Princes, moved a Motion, which was carried, in this shape:

"This Chamber places on record its strong opinion that the entry of the Princes into the federation depends upon the inclusion in the Constitution and the Treaties of Accession of the essential safeguards for which the States have consistently pressed."

I am not aware what those particular safeguards are. I saw in the report that one of the questions that was raised, and upon which there was controversy, was the setting up of a tribunal to try to decide the justiciable issues as between the Crown and the Princes. The proposal was objected to by the Viceroy, on the ground that it would weaken his personal contact with the Princes. I do not presume to have any opinion upon such a question as that. All I say is that it is repugnant to my mind as a lawyer to think of even the Crown being a judge in its own cause when it is a matter of material interest. So far as contacts are concerned, there would be plenty of other questions as between the Viceroy and the Princes to keep them in frequent contact. I cannot see that the proposal would weaken the position which has long existed between the Viceroy and the Princes. And here is a formidable consideration. Your Princes will only be of use to you as a stabilising element in the Constitution, if you bring them in with a feeling that they are being properly treated and that their interests are not being injuriously affected. If you get them in in a surly or reluctant mood, to what extent are you going to rely upon them as a cementing element in your constitution? Whatever attitude the Government is taking upon this matter, it is at least worth while bringing the Princes into the confederation in a position of strength, and under conditions in which they feel contented and happy in the situation in which they are being placed.

I put these considerations before the House, not, as I have said, in any dogmatic spirit, although I am afraid that, in stating them, perhaps I have gradually become more emphatic than a mere doubter should have been. I am not putting them forward in a spirit of dogmatism, and I am certainly not doing so in any spirit of hostility to those who are seeking to find a proper method of governing India in the future. There is much to be inquired into, and the doubts which I have expressed have been reinforced in my mind by the opinions that I get from India. My right hon. Friend the Secretary of State for India said yesterday that while he valued the views of those who had served for years in India in the past, to some extent they were out of date and that the modern machinery of Government in India was represented by men who were taking a totally different view. That must be so, since he says it, as he is in daily touch with the subject, but it is an extraordinary thing to me that the doubts of people whose term of office has come to an end in India and who have only been back in England a few weeks or a few months—so far as I have had contact with them—are, in regard to the future in India, as great as those that I have expressed to-day.

At any rate, I make this speech in no carping spirit, and I hope that the House will be satisfied that my one desire is to reach a solution which will be best for the welfare of India and for this country. India is a great factor in the world. It represents a seventh of all

the population in the world. It matters greatly to the trade of the world at the present time as to what is to happen to India. We are now accustomed to think of trade being at the very core of all our interests. We used to hear a sneer sometimes when one mentioned that Britain was so interested in India's trade, as if it were some unworthy consideration. Why, it is the source of all well-being, not merely in India but here. We are entitled to think of the vast toiling mass of people in India, we are entitled to think of our unemployed people in this country, and it ought to be one of our great endeavours to make trade as thriving both there and here as our efforts can achieve, during the time that we influence affairs.

I have ventured to put these reflections before the House, and I hope that some of them may be considered by the Joint Select Committee. It is their argosy we are setting afloat to-morrow night. On them lies a more poignant burden of responsibility than has ever been committed to any body of men during the history of our country. May they be endowed with wisdom and with courage.

4.22 p.m.

Mr. T. WILLIAMS: The right hon. Gentleman the Member for Hillhead (Sir R. Horne) has just made a very important contribution to our Debate. I am afraid that I shall have to confess to the House that my knowledge of the subject with which the House has been asked to deal is very slender indeed, and I almost feel inclined to apologise for any time that I may occupy in so important a Debate. Each hon. Member must accept personal responsibility, not only for what is said but for the action that is taken, when we are dealing with a matter of this importance. As a result of the speech of the right hon. Gentleman the Member for Hillhead, I should like to submit a very specific question to the Government representative who is to reply. The right hon. Gentleman said in the earlier part of his speech that the proposals of the White Paper were perhaps the maximum that might be expected, and that any difference in the conformation would be merely in detail and not in principle. In view of the statement at the bottom of page 1 of the White Paper, I want to ask this specific question: The country must now be informed definitely, precisely and accurately what latitude of action the Joint Select Committee will have. Can they make any alteration they like in the White Paper scheme, and will the Government accept their Recommendations, whatever they may be? Is it the intention of the Government that there must be no substantial change in the scheme, but only adjustments of detail? I hope that we shall get a definite, specific reply to that question from a responsible Member of the Government.

The right hon. Gentleman the Member for Hillhead has not improved the situation by the speech that he has made this afternoon. I felt rather sorry, and I regretted a good deal, that so much emphasis was laid upon the commercial side, upon British interests in India, and too little upon the very natural desire on the part of educated and responsible Indians to govern themselves. That ought not to be the dominant thought in the minds of hon. and right hon. Gentlemen in this House. One can appreciate the difficulties of the Secretary of State for India, just as one appreciates one's personal responsibility when dealing with questions in which 350,000,000 people are involved. The right hon. Gentleman made some reference to the possible cost of future new Governments in India, and he thought that those 350,000,000 people, if consulted, would prefer to carry on as they are at the moment rather than have expenses imposed upon them as the result of some new form of government. I wish I could think that the right hon. Gentleman really has the interests of those 350,000,000 people at heart, and I wish I could feel that that was the dominant thought in his mind. Rather, I fear that it was not so much about the 350,000,000 people, but the very small proportion of people in India who derive very large profits out of the 350,000,000. In any case, I think we are all called upon to weigh our words very carefully, if we hope to find a decent solution to the vast problem which is confronting this Parliament.

After 150 years of occupation of India and 75 years of promise, few hon. and right hon. Gentlemen will boast of our achievements in that great country. India is still one of the poorest nations on earth, and has approximately 96 per cent. of illiteracy, and that is little to

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boast of. If I understand the Secretary of State for India aright, I understand his hesitation in making any progress at all. He largely based his hesitation upon the fact that the Indians are not yet fit to govern themselves, as we understand government in this country. I understand the Minister's hesitation. We, in our administration of India, have failed, to a large extent, to produce an educational system and an educational progress that would fit the 350,000,000 Indians to govern themselves in a responsible manner, as we govern ourselves in this country. Neither can I appreciate the attitude of the Noble Lord the Member for Aldershot (Viscount Wolmer). He suggested quite frankly and honestly—and I always appreciate his frank statements—that we ought to do nothing, that we ought to remain just as we are; and I was interested to hear the right hon. Gentleman who followed him say that instinctively he should always go backwards unless it was less dangerous to go forward. Apparently, both the Noble Lord and the right hon. Gentleman think alike in that particular.

Viscount WOLMER: I am sure that the hon. Member does not wish to misrepresent us. I argued for fuller experiment on a smaller scale, giving one or two provinces a very complete form of self-government, without some of these safeguards, as a real test of responsibility. I submit that that is not standing still.

Viscountess ASTOR: Would the Noble Lord give women votes in those provinces? That is a very important question.

Mr. WILLIAMS: I would not wilfully misrepresent the Noble Lord in any way, but, according to my deduction from what he said, he appears to be an opponent root and branch of any real progress in India. While the problem may seem to be insurmountable, with all the racial, religious and other difficulties, I am not yet convinced that, if there were a genuine desire on the part of all hon. and right hon. Members of the House, and a genuine desire on the part of Indians—who, after all, determine their attitude and their actions on the basis of what they conceive to be our point of view—this difficulty could not be solved. Nationalism may be very foolish indeed; I think it is; but it represents a not unnatural desire on the part of educated and responsible Indians for some opportunity to help to govern themselves in a much more responsible fashion than has been their lot so far.

Seventy-five years ago, a very definite promise was made to India. Since then we have had 14 years of dyarchy, and recently three years of Round Table Conferences, with commissions, investigations, reports, White Papers, solemn promises and pledges; and the result of all this long travail has been the White Paper which we are discussing this afternoon. Before I forget it, I should like to bring to the notice of the Noble Lord the Member for Aldershot a cartoon in to-day's "Evening Standard," showing himself, with one or two other Noble Lords and the right hon. Gentleman the Member for Epping (Mr. Churchill), with all sorts of weapons, chasing the little mouse which has emerged after these 14 years of dyarchy and three years of Round Table Conferences. It is neither Home Rule, self-government, independence, Dominion status, nor national freedom. Indeed, the White Paper simply means that for an undefined period full, rigid power remains at Whitehall or with the Governor-General in India The exceptions are only very slight indeed.

There is no substantial promise in any part of this document that even the suggested new Constitution can move forward and develop according to the efforts of those who are placed in charge, either in the provinces or in the Federal Government in India. When the Noble Lord and the right hon. Gentleman talk about democracy or abdication, it seems to me that, were this scheme to be embodied in any future Act, it would be the very negation of democracy, as the Noble Lord truly said, for you would have a Governor-General and Viceroy and Ministers who would not only have power to assent to or refuse their assent to any Measure that may be introduced, but would have power to cripple the Government as regards finance and so on. That, I submit, is the very antithesis of democracy, and, so far as abdication is concerned, I do not think that any hon. or right hon. Gentleman can sustain that claim.

The White Paper, however, does suggest one of the most complicated pieces of governmental machinery that has so

far been devised to govern mankind. The London "Times," referring to it a short time ago, said:

"This draft Constitution is one of the most complicated instruments that has ever been framed for the government of mankind."

The very complexity of this proposal seems to indicate that the Minister in charge has never really intended that any real progress should be made. I rather suspect that fear—either genuine fear born of his comprehensive knowledge of India and Indians, or fear of back-benchers—has been responsible for the complexity of the scheme, which, as my hon. Friend the Member for Limehouse (Mr. Attlee) said yesterday, will never be worked with success unless and until more self-government is permitted to the Indians. In every sort and kind of conversation and conference, and in every document that has been issued until the White Paper, Indians have always been led to believe that, whatever the next step might be, it could only be a transition stage from the new form of government to the ultimate self-government on Dominion lines which the Indians have been expecting.

It has always been recognised, not only by hon. Members on these benches, but by hon. Members who sit below the Gangway and by all responsible Indians, that the transition stage would bring with it such necessary safeguards with regard to finance, defence, and, perhaps, trade and commerce, as appeared to be necessary at the moment. But the transition idea has been completely lost by the way, and, whether this new Constitution is going to be good, bad or indifferent, certainly there is no indication that at any future time any progress is going to be made. The Prime Minister, when he issued the White Paper on the 1st December, 1931, said that the objective was responsible Government qualified during a period of transition by limitations in certain directions, and this was repeated at the second Round Table Conference; but we discover that the transition idea has been lost by the way. I do not think it is unfair to suggest that this is one more instance of breaking faith with that section of the Indian people who really are anxious to co-operate with this or any other Parliament in Great Britain for the purpose of making such progress as circumstances in India justify.

Again, there appears to be no possibility of any improvement in the new Constitution, should it be based upon the proposals embodied in this White Paper. In other words, assuming that the Select Committee, with very slight modifications, produced a Bill based upon the proposals contained in the White Paper, then, so far as the Indians are concerned, that is the last promise we are likely to make to them. There is no sign that with application, vigour and energy, the Indians will earn a greater measure of self-government and freedom than they would enjoy under the terms of the new Constitution. That seems to us to be one more repetition of the old mistake. We have already had two experiences in America and Ireland, but, apparently, some hon. and right hon. Gentlemen never learn any lessons, whatever there may be in history to teach them.

One observes that in this scheme, despite the fact that the provincial governments will have certain powers over and above those which they enjoy at the present time, and that there will be some phantom of self-government in the provinces, yet in the Central Legislature this Parliament remains absolutely supreme. I should like, in passing, to express amazement that hon. and right hon. Gentlemen are opposing the scheme, apparently, because the safeguards are insufficient, because the Secretary of State for India has not made doubly and trebly sure that in the last resort the power is always vested in the right hon. Gentleman himself and in the Governor-General and Viceroy, which means that the British Parliament have the final power in case of grave menace to the peace and tranquillity of India or any part thereof.

The right hon. Gentleman mentioned the police. It is perfectly true that the provincial Parliaments will have control of their own police, but, in the last analysis, the Governor-General, controlling the Army, as he will, will have control, not only over the provincial Parliament, but over the provincial police also. It seems to me that the Simon Commission were perfectly correct when they stated that to leave a provincial Parliament controlling 50,000,000 lives, controlling the industries and caring for the well-being of the people, without control of their own police, would be to

[Mr. Williams.]

reduce self-government to a farce. Again, even in the Provinces, the Governor-General has the power in regard to financial stability, the credit of the Federation, the safeguarding of minorities, the safeguarding of members of the public service, the protection of the rights of any of the Indian States, and the prevention of commercial discrimination.

The right hon. Gentleman made some reference to subsidies, but, unless I am sadly mistaken—I hope I am—the prevention of commercial discrimination will involve a situation where even the Federal Government will have no control over infant industries, and no opportunity to develop them by the artificial means which have been so frequently employed by this National Government. They will have no power to produce State monopolies, and I am not at all sure that they will have power to grant subsidies to this, that or the other industry or service. The Governor-General has power over any matter affecting the administration of reserved departments, he has the power to dissolve, prorogue or summon the Legislature, he can assent to a Bill or he can refuse to assent to a Bill, and in any case, even if a Bill passes the Central Legislature, the British Parliament will have power within 12 months to prevent the Measure from becoming law. Therefore, it seems to me that, so far as safeguards are concerned, full power is still reserved to the British Parliament, notwithstanding any pretence that we may make in regard to granting self-government to India.

Then there is reserved to the Governor-General the right to promulgate Ordinances such as those from which India, and, indeed this country, and the workpeople in both countries, have been suffering from during the past two or three years. Certainly the situation in that regard has affected our people in Lancashire, and to that extent has affected our people in many other parts of the country also. I want to suggest to the right hon. Gentleman, when he fears that the safeguards are insufficient, that he might do well to invite the Select Committee to be less stringent with regard to safeguards if he wishes that Indians should develop, not only a desire to govern, but that social consciousness and civic pride which we in this country have built up by a thousand and one institutions of our own which are more or less self-governing. It seems to me that if, as the right hon. Gentleman said, the linch-pin is the be-all and end-all of self-government, we cannot afford to contemplate a reemergence of the old order; for, whatever the right hon. Gentleman may think about the control of reserved subjects, it seems to me that the Home Secretary in this country would be a rather futile Minister, so far as the peace of this City is concerned, unless he had full control of the police under his hand.

Then there is no indication in the White Paper that Dominion status can ever be secured. I want to ask hon. Members who persist in stating that no promises have been made to bear in mind the many statements that have been made from time to time by responsible Ministers in the past and in the present Government. The Prime Minister, for instance, at the Commonwealth Conference not too long ago said:

> "I hope that within a period of months rather than years there will be a new Dominion added to the Commonwealth of our nations, a Dominion of another race, a Dominion that will find self-respect of an equal within this Commonwealth. I refer to India."

Was it unreasonable that Indians would expect that the Prime Minister, when he had the power, would give effect to that promise? But Dominion status, apparently, has vanished entirely from all the words embodied in this document, and the Indians have no alternative but to conclude that what the Prime Minister thought was right in 1928 is no longer right in 1933. I am not at all sure that many of the statements of responsible Indian statesmen are not justified as a result of the *volte face* that has taken place.

On the question of defence and finance, there is no indication in this document that, even if Indian statesmen applied themselves to the problem of governing efficiently, either finance or defence would ever be handed over to India and, after all, one would imagine that the one thing about which Indian politicians, charged first with the responsibility of governing their provinces, and secondly charged with governing in the federation

unit, must be careful is controlling effectively their own finance. There is no indication that at any time in the future they will have any control over that. With regard to defence, the Governor-General alone will take decisions, both as to recruitment and as to cost, and the very Parliament that is called upon to pay the price will never have the power to vote for any of these things. It has always been understood by those who have seriously studied Indian affairs that, when some new form of self-government was produced, Indianisation of the army, be it slowly or less slowly, would actually take place. No provision is made for Indianising the army, and it seems to me to be an absurdity that we should suggest, as some hon. Members fear, that we are giving to India self-government and yet there is no indication, either at present or at any future date, that any sort of Indianisation is to take place with regard to their means of defence.

With regard to the new Constitution, be it good, bad or indifferent, there is no indication in the White Paper when it is likely to come into existence. All sorts of curious qualifications are embodied herein. There must be a federal bank, and they must restore the export balance. I should like to know by what sort of miracle, when all the nations are developing nationalisation commercially, and 230,000,000 of India's people are employed exclusively on agriculture, and when agricultural prices are so low, they can secure that export surplus which is a prerequisite before even this new Constitution can be brought into existence. Then there are the Indian States which may or may not agree to come into this federal Constitution. Finally, the Lords and Commons must both pass a Resolution or the Constitution will not come into existence. In page 17 of this document, the Secretary of State expresses what I regard as very great doubt whether the new Constitution will come into existence at all.

> "If a situation should arise in which all other requirements for the inauguration of the federation having been satisfied"—

every word of that sentence rather suggesting that he never expects that all these other requirements will have been satisfied. I do not wonder at the doubt in the right hon. Gentleman's mind. The Federal Bank and the export balance, the Indian States, 50 per cent. of the Princes, and 50 per cent. of the population, is rather a formidable proposition. The Lords and the Commons, after what we have witnessed in these two days, will always leave the position in doubt as to when, if ever, the new constitution is likely to come into existence. These questions of the Federal Bank and the control of Indian finance rather seem to savour of a position where the 300,000,000 of Indians, for whom the right hon. Gentleman was so pathetically considerate, are never likely to enjoy any social services. It seems to me that this question of control of finance and the all-important question of British interests in India creates a great deal of apprehension in my mind, for I rather fear that the workers will get small consideration should the Federal Government ever come into existence. I am not at all sure whether or not the point made by the right hon. Gentleman was or was not a sound one that the Indian States, having been used first as a means of securing a Parliament which would always be representative of the dominant class, may be used to prevent any new constitution coming into existence at all. They have the power in their hands by withholding their consent, and all that the Secretary of State has got to replace them, should the Indian States withdraw their support, would be to invite Indian representatives to a conference so that they could reconsider the whole question. That would put us back just where we were before the Round Table sittings commenced. The so-called extremists in India are not unjustified when attacking the British Parliament for their lack of understanding of the Indian people, to whom so many promises have been made and for whom so many have been fulfilled.

There is only one other question to which I want to refer, and that is with regard to the recruitment of the Civil Service. Imagine the right hon. Gentleman the Member for Hillhead at the head of a Government which was denied the power to appoint its own Civil Service! I am sure he would not be a member of such a Government.

Duchess of ATHOLL: No Government in this country recruits its Civil Service. It is the Civil Service Commissioners.

Mr. WILLIAMS: The Noble Lady is perfectly correct, as usual, but, while the Government in this country do not appoint the Civil Service, they determine through their agents who shall appoint them and the conditions of their appointment. In this White Paper the suggestion is that the recruitment of the Civil Service and the police shall continue to be made by the Governor-General or Viceroy, or his agents. If, however, at the end of five years—this is a burst of generosity on the part of the Secretary of State—certain circumstances have arisen, the right hon. Gentleman will not object to submitting this question to some form of inquiry, but he takes very good care not to undertake in advance to accept the recommendations of the Committee of Inquiry, and, in the last analysis, the Government preserve the power to appoint not only the civil servants but the police, too. I think that the Select Committee which the right hon. Gentleman is going to appoint will be confronted with a tremendous problem. They are entitled to expect the sympathy, good will and support of every Member of the House, but it ought clearly to be understood, before they commence their sittings, that these words embodied in the White Paper are not sacrosanct and that if, during their deliberations, it can be proved that some of these safeguards are necessary and that some extension of real self-government, real freedom and real liberty for the Indians to govern themselves can be given, the Government ought not to hesitate to accept the logic of the situation.

The Indians are, indeed, entitled to some measure of justice, not because they have been unruly over a period of time, but because it is justice. I can quite conceive an educated Indian demanding for himself the right to help to govern his country, just as we insist upon the right to govern ourselves, and it will redound to our credit if we can preserve the good will of the Indians themselves, at the same time conceding to them what is their right, and it will make for commercial, social and spiritual harmony in the Empire to have granted to India what we conceive to be India's right.

4.59 p.m.

Sir ADRIAN BAILLIE: I was not very surprised at the uncharitable criticism which the hon. Member has levelled at the proposals in this White Paper and I was not very surprised, either, at the rather more uncharitable criticism which he levelled at the general trend of the speech of the right hon. Gentleman the Member for Hillhead (Sir R. Horne) when he said, that the right hon. Gentleman was more concerned with vested interests than with the 350 teeming millions. In point of fact, in so far as the right hon. Gentleman was resisting the proposals contained in the White Paper, he was doing the very reverse. By so doing, he was, if anything, opposing the vested interests to whom, if this constitution is granted, we shall be handing over, to some extent, the Government of India. By the "vested interests," I mean the rich merchants of Bombay and Calcutta. The merchants of Bombay especially, we know, have gone very far in the past to subsidise Congress, which hon. Members of this House think will dominate the future policy of India.

For the rest, I have always considered that much harm has been done to the cause of India and for India by the two extreme points of view which are taken in this country and this House—the extreme point of view taken on the one hand by those whom I may call the die-hard Tories, and that taken on the other hand by the hon. Members of the Opposition. They seem to think that we have merely to hand over the blue-print of a Western civilisation to India, and that Hindu politicians will then promptly put it into working order and that those 350,000,000 teeming, poorly-paid workers will be better off. Personally, I maintain considerable doubt in that respect. The right hon. Gentleman the Member for Hillhead seemed to build up his entire speech on the assumption that the Indians are not prepared, and are not going to be prepared, to work this particular form of Constitution—or, in point of fact, any other form of Constitution—with the responsibility at the centre which we may have in mind. He based that assumption on the report of a speech which had been made by Sir Tej Bahadur Sapru. While I should cordially share his regret that such a speech should have been made, and disappointment at the reception which these proposals have received in India, I think that we ought

to discount these factors a little, bearing in mind the well-known bargaining power of the Oriental, who, until a deal is completed, will always ask ten when he may be prepared to accept two.

As a supporter of the Government's policy in its Indian constitutional reforms, I was also very grateful for the form of the Motion which we are discussing to-day. I feel that it is of vast importance to know that, if we are to vote on this occasion, our vote will not necessarily bind us as pledged to all the proposals contained in this White Paper, or to any particular one of them. Our liberty to criticise these proposals on this occasion or at a later date is, in fact, safeguarded. As it is, it seems to me that this Debate has afforded, and will afford, a valuable opportunity to hon. Members of this House to indicate to the Government—or, better still, to the Joint Select Committee which has been set up—their appreciation of these proposals in general and of the particular proposals in the White Paper which the House as a whole thinks should be further examined, modified or amended.

If I might be allowed to make a contribution in this direction, I should like to draw attention to a proposal connected with the Federal Franchise. I note the Local Chamber or House of Assembly will be composed of 125 members appointed by the Princes, and that 250 members will be directly elected to seats apportioned to the provinces and to the several communities and interests in those provinces. I should have thought that a system of direct election in this case was not only impracticable but also undesirable, in view of the immense area covered by particular constituencies. I have been informed that constituencies may even be as large as the area of Monmouth and Wales put together, an area which in this country is represented by 30 Members or more. When the difficulties of transport in India are appreciated, and when the fact is appreciated that the great majority of the electors and the public are illiterate, and that the only way in which a member can put his policy before the electorate is by the spoken word, I cannot help wondering what made the Franchise Committee make this recommendation in regard to direct election. I feel that the House will possibly like a little more information on this recommendation from one of the Government spokesmen.

To come to the Provincial Legislature: I observe that, with the exception of Bengal, Behar, and the United Provinces, the Legislature is to be unicameral. I know that the Simon Commission had much difficulty in coming to a decision on this point, on account of the great diversity of local opinion. I should have thought, however, from experience of autocracy in the past that the bi-cameral legislature was the sounder form of government. I do not entertain very great apprehension in this connection, because the Government clearly does not intend to be dogmatic about it, but proposes to give the Provincial Legislatures the right to change their minds.

It has frequently been suggested that the new Constitution will be too much for the Viceroy or Governor-General, and that he must be a super-man. That point was fairly satisfactorily dealt with by the Secretary of State for India in his opening speech yesterday, when he said that, according to his advice, the actual capacity of the Viceroy or Governor-General will not be taxed in the future to any greater extent than it already is to-day. The right hon. Gentleman the Member for Hillhead is still in some doubt about that question, and I am sure that it should be a matter for further examination by the Joint Select Committee. It has also been said that, while the Governor-General is to be invested with powers that are nominally wide, nevertheless in practice he will in the long run have to yield to the will of his responsible Ministers unless he is to face a complete deadlock or a return to autocracy. Moreover, I have read in more than one leading article that it is useless to light the fire of responsible government and to block up the chimney. My own feeling is that, while the Government have every intention and hope of lighting the fire of responsible government, they do not intend in any way to block up the chimney. I believe this to be the case, and I do not believe that the framers of the proposals in this White Paper had any idea of the Governor-General having to be a super-man or that he should assume the role of a dictator. In paragraph 23 of the introduction to these proposals, I read:

[Sir A. Baillie.]

"23. Although the Reserved Departments will be administered by the Governor-General on his sole responsibility, it would be impossible in practice for the Governor-General to conduct the affairs of those Departments in isolation from the other activities of his Government, and undesirable that he should attempt to do so, even if it were in fact possible. A prudent Governor-General would therefore keep his Ministers and the advisers whom he has selected to assist him in the Reserved Departments in the closest contact. . . ."

I come now to the matter of financial responsibility, about which reasonable and legitimate fears have been expressed in this House. I know that the Government, when approaching this problem, was faced with one of "those awkward dilemmas," and this particular dilemma was given considerable prominence in the leading article of the "Evening Standard" of 21st March. That article was entitled "Indian Loans in Danger," and the writer put in a very justifiable plea for the British investors, who, he calculated, had invested in India—on a conservative estimate—up to £500,000,000. He claimed—and rightly—that the British investor should not suffer for his faith in the stability of India, and that the security should remain unimpaired. He went on, however, to show that the Governor-General would have, under his special responsibilities, the responsibility for the financial stability and credit of India. He said:

"In this particular responsibility the Governor-General will act without the advice of his Ministers."

If the editor of the paper or the writer of the article would read the proposals of the White Paper again, he would see that he was wrong in suggesting to his readers that in this matter the Governor-General will—I emphasise the word "will"—act without consulting his responsible Ministers. It is perfectly clearly laid down in the paragraph I have just quoted that he is not desired to act without consultation, but he is desired to be in constant touch. I believe that the motive underlying all these proposals is that, while it has been considered necessary to include a formidable, bristling array of safeguards, it is the earnest hope of the Government that these safeguards will never have to be employed.

I should like to quote a few words of paragraph 26 of the Introduction, where it is said that the proposals proceed—

"on the basic assumption that every endeavour will be made by those responsible for working the Constitution to approach the administrative problems which will present themselves in the spirit of partners in a common enterprise."

Is it possible that it is just this spirit of partnership in a common enterprise to which the opponents of these proposals object? Is it just possible that those who have formed the self-styled "Indian Defence Committee" fear and object to this spirit? I wonder! I might even be allowed to suspect that that is so from some of the utterances of the right hon. Gentleman the Member for Epping (Mr. Churchill). We were told yesterday by the right hon. Gentleman the Member for Darwen (Sir H. Samuel) that the right hon. Gentleman the Member for Epping is good at chaff, or, at least, that his chaff is good. I believe that on one occasion the right hon. Member was referred to in this House in terms something like "the Swashbuckler for Epping." I am still young enough to enjoy, if not to be carried away by, the irresponsible exuberances of a Cyrano de Bergerac. It seems to me that the right hon. Member is himself still young enough, in spirit at least, to relish the performance of that part. In fact, in some ways I do not think it would be uncharitable if I said that, so far as India is concerned, he still has the mentality of the Victorian subaltern. If all those who go to form the Indian Defence Committee may not be accused of having the mentality of the Victorian subaltern, nevertheless a large majority seem to have the outlook of the Kipling Commissioner.

The House would much appreciate, I think, a frank and fearless exposition of the real, fundamental objections of those who are opposed to the Government's policy on this occasion. I am sure that we shall get such a frank, fearless and courageous exposition from the right hon. Member for Epping when he addresses the House, but I think we shall be disappointed if we expect from him or from any other member of this great Defence Committee any constructive alternative proposal. The exposition of such constructive alternative proposal has been requested for a long time, but so far nothing has been vouchsafed. If we are asked as an alternative to look at the recommendations of the Simon Commission, I would beg the Government not

to consider the recommendations of the Simon Commission as a satisfactory alternative, because in India, at least, such a step would be regarded as being just as retrograde as a purely negative policy, and a purely negative policy has never convinced anybody of its necessity.

I believe that the happiness of India depends upon the spirit of partnership, upon the willing co-operation of the intelligentsia of India, which we ourselves have created. Without such willing co-operation any administration in India in the years to come will be almost impossible to carry on without a very large measure of coercion. If it is a question of the danger of going back or the danger of going forward, I say that the danger of going back is far greater than the risk of going forward. If we go back at this moment and lose any possibility of gaining the willing co-operation of the intelligentsia of India, I think it will be good-bye to any hope of improved trade in India or improved trade relations between this country and India in the near future. A forward policy is the only policy which can bring about that state of affairs and introduce the proper elements in which an improvement in our personal and trade relationships with the Indians can be assured.

5.17 p.m.

Colonel GOODMAN: I would not have intervened were it not that I have spent a considerable part of my life in India. As I held no official position but was engaged in earning my livelihood, I had plenty of opportunities of mixing with all classes, and the experience that I gained there has given me the opportunity of appreciating the complexities of the question which the House is now debating. While I am prepared to admit that those who are skilled in the arts of statesmanship are well qualified to speak on the questions of which they have a personal knowledge and which come within the scope of their duties, I take exception to the attitude which has been adopted in some quarters of considering that because a man has some personal knowledge of India he has become so narrow-minded and so myopic in vision that his opinions are hardly worth consideration. I also take exception to the suggestions which have been made that Conservative Members of Parliament may be directed to vote for the White Paper and the Government scheme, and that no matter what their personal knowledge may have been they are not to hold any views of their own. Conservative Members of this House are not delegates who merely have to record votes according to their instructions. I was very relieved to find that the suggestions were entirely without foundation and that our allegiance to the Government is not to be strained by requiring us to vote for or give support to a scheme for the future government of India which has not yet been authoritatively examined.

I certainly shall be prepared to vote for the proposal to set up a Joint Committee to examine the White Paper, because that is very necessary. The attitude of those who will be intimately concerned with implementing the scheme of the Government requires clarification. At the present time the degree of dubiety is far too pronounced to enable anyone to say with certainty how the parties stand, and Members of Parliament who have to approve or disapprove of this scheme ought to know that. There is the only way in which they can conclude whether or not the scheme is workable. The only way that I know of in which we can ascertain the definite views of all the parties concerned is by the setting up of a Joint Committee. I heartily approve of the power given to the Committee to consider the question on a broader basis. I congratulate the Government on widening the scope of the Committee's investigations. The whole problem may be found in the very pregnant sentence which appears on page 15 of the White Paper:

> "The present proposals, in general, necessarily proceed on the basic assumption that every endeavour will be made by those responsible for working the Constitution to approach the administrative problems which will present themselves in the spirit of partners in a common enterprise."

So far as I am aware, there has been no evidence of the recognition of a spirit of partnership on the part of those who will be responsible for the working of the new Constitution. As far as I know, there has been no indication of any spirit of partnership on the part of Congress. We have been told, with authority, that Congress is the only active political institution or organisation in India, and that their attitude is of primary importance.

[Colonel Goodman.]

I have failed to observe any overwhelming anxiety on the part of Indian Liberals to accept the proposals of the Government in a spirit of partnership. With regard to the Princes, who are undoubtedly an essential factor in any partnership, we have no information from the White Paper regarding their attitude. In this respect the White Paper is deplorably vague. We do not know whether the Princes will come in in sufficient proportions to make Federation a practical policy. Until we do know that, it is impossible for us to say whether or not the scheme will work.

I have observed from the apologetics which have been appearing in the Conservative Press favourable to the White Paper, that great stress is laid on the safeguards. I hope that those advocates of the White Paper will not try to lull us into a sense of security by emphasising the value of the safeguards. Partnership implies complete trust and understanding. Safeguards are not compatible with partnership. I read in a Conservative newspaper, the "Sunday Times," that the safeguards were imposed against licence. I could not imagine any more maladroit advocacy of the scheme than that. I would not take anyone into partnership if I believed that he intended to abuse the conditions of that partnership, and what I would not do for myself, because I believe that it would be folly, I certainly would not consent to it being done for my own country. If there is real partnership there is no need for safeguards. If there is no real need for partnership then safeguards are elusive, because they cannot be enforced except by the destruction of the partnership itself. The form of partnership that we are discussing can only be exercised by the use of force.

I trust that the Secretary of State for the Dominions will take part in the Debate and will tell us how complete were the safeguards in the Irish Free State Act. They were very complete, but he cannot get one of those safeguards respected to-day, and he dare not try to enforce them. All that he can do is to stand by and watch their destruction one by one, and when he is asked questions in this House he can only respond by a jest or some humorous sally. I hope the Ministers will not try to impose the White Paper on the country by stressing the safeguards. The more they do that, the more certain we shall be that they are not happy about it themselves. Every safeguard implies a doubt. I observe from the White Paper that the last safeguards in the extremist emergency are to be the Houses of Parliament. That provision seems to me to be entirely incompatible with the principle of responsible Government in India. The supreme arbiter in the event of a breakdown of the new Constitution—there are many of us who think that that event is more than a probability—are to be the Houses of Parliament. That is to say, that a constitutional crisis in India is to be dealt with in this Parliament, probably with the Whips on and by the votes of the majority for the time being.

It seems to me most undesirable that an Indian constitutional crisis should become an issue of party controversy here. Both Houses of Parliament will be involved. It may happen that a Socialist Government may be in office when a dispute arises. Then it seems to me that another constitutional issue of the greatest importance will arise. I cannot see a Socialist Government in power supporting the Viceroy in any action which he might take against Congress, any more than I can see a majority in the other place supporting Congress in any action which it might wish to take against the Governor-General. We see from the Labour party's Amendment that they are dissatisfied with the White Paper and have ranged themselves alongside the dissentients.

In conclusion, I should like to quote a letter which appeared recently in the "Times." It was a letter sent to the Indian people by the Socialist party. It said:

"We took no part in the London conference which has recently finished its work."

That was the third Round Table Conference.

"In our opinion such a conference could neither speak nor act as representative of all sections of the Indian people. In fact, the largest section, that is, the National Congress, could not be present because all its leaders and tens of thousands of its adherents were in prison. We are confident that no settlement will ever be reached without the consent and approval of this representative body of Indian opinion. We hope that 1933 will see the prison doors flung wide open and our good friend

Mahatma Gandhi and others seated round a table assisting the Viceroy to draft such a constitution as will enable the Indian people to take over the control and management of their own affairs."

I ask hon. Members to picture the situation which would arise with Congress causing trouble in India and a Socialist Government in power at Westminster. Such a position would be absolutely impossible. For the reasons I have given I say that the White Paper, and the whole question itself, should be subjected to the acutest investigation before a Bill is brought in which will be regarded by this House as wholly acceptable to all parties. I am glad that the White Paper is to be submitted to a Joint Select Committee before a vote is taken on the scheme in this House, and for that reason I give my hearty support to the proposal for setting up the Joint Committee with terms of reference based on the Motion.

5.32 p.m.

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): I agree with the hon. and gallant Member for Islington, North (Colonel Goodman) that the task which will fall upon the Joint Select Committee, which it is now proposed to set up, will be one which will call for the most thorough and impartial examination of the scheme contained in the Government White Paper, and that the form of the Bill which ultimately will be presented to this House, and to another place, should not be finally settled until the result of that examination has been completely ascertained. The hon. and gallant Member pointed out that our actual duty in the present discussion is merely to decide whether we will set up such a Joint Select Committee, and I apprehend that there will be general agreement in the House that such a Committee should be set up. But it is perfectly natural, and quite inevitable, indeed I think very important, that we should ventilate at this present stage the views which are held in different parts of the House, and I venture to intervene because, having had the grave responsibility for a long period of time of presiding over the Statutory Commission, and taking a part in submitting its report, the whole subject is one of the most intense importance to me. Let me say to the right hon. Member for Aldershot (Viscount Wolmer) that as far as I am concerned he may be quite confident that I shall not give my adhesion to any scheme which I think is not in the real interests of India and this country.

The Statutory Commission was appointed in November, 1927, and paid two long visits to India. We had the experience, which I think is very unusual, of making some acquaintance with every great capital in each Province and, at any rate, of a portion of the countryside. We were given full opportunities of making some investigation as to the views of the different sections of that vast population, and I am free to confess that at the end of it I am the last person to advance any dogmatic view on these tremendously difficult questions. The effect on me was to convince me more than ever that we in this country, in this little island, have a task upon our shoulders—and we must recognise it—of the gravest responsibility, and no considerations should be put into the scale against doing our best firmly, and with such judgment as we possess, to do the right thing. I would remind hon. Members of the task which was given to the Statutory Commission and the circumstances under which we had to carry out our duties. The Government of India Act contained a section, Section 84A which required that there should be such a Statutory Commission appointed within 10 years of the passing of the Act, and our terms of reference were:

> "To report . . . to what extent it is desirable to establish the principle of responsible government, or to extend, modify or restrict the degree of responsible government existing in British India."

I emphasise the last words because it is very necessary to remember that the Statutory Commission was concerned with the problem as it presented itself within the bounds of British India; a very material limitation of our duty, but one which should never be overlooked. I make this further point at once—I will not argue it because it is quite plain and is discussed elaborately in the Report of the Commission—that it is perfectly plain that the Preamble of the Act under which we were appointed deliberately concedes that we are, as a matter of policy, pledged to a fair pursuit of the policy submitted to this House by the late Mr.

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Montagu. The circumstances in which that policy was adopted are within the knowledge of hon. Members. It was not some party decision taken by the Government of the day and acquiesced in grudgingly, it may be, by critics in another quarter. If ever there was a deliberate decision countersigned by the people of this country and by both Houses of Parliament it was the decision embodied in that Preamble, and it was for that reason that the Statutory Commission, after its preliminary work, begins the first volume of its Report by a sentence which I will read:

"We enter upon our task, therefore, upon the basis and assumption that the goal defined by Mr. Montagu represents the accepted policy to be pursued, and that the only proposals worthy to be considered are proposals conceived in the spirit of the announcement of the 20th August, 1917, and inspired with the honest purpose of giving to it its due effect. It is in this spirit and with this purpose that we frame our report, and we can do no other, for we are appointed under a Section of the very Act of Parliament which contains the Preamble."

I submit to the House that in preparing ourselves to examine—and everyone must examine it by personal effort and according to his own judgment and conscience—these tremendously difficult problems, we really ought to begin on the basis there set out. It is quite impracticable and will be, I conceive, wholly improper for us to take any other course. The pace, the method, the condition, all these things are open to consideration; but there is no question at all that this country is pledged as clearly as we can be pledged, in honour and in policy; and that pledge is undoubtedly to pursue in the Indian Empire a road which will lead to responsible government. I well understand, perhaps better than many, how difficult it is. You need to have travelled all over India to have seen the differences there are between the circumstances of India and the differing circumstances in which Parliamentary government has been developed here. You need to have actual experience of it; it should enter into your very fibre; then you will realise what a tremendous pledge it is that we have given to India. But we have given it, and we are bound, within our discretion and judgment, in all honesty, to have the courage to do our best to fulfil it.

I shall best serve the interests of the House if I devote myself to two questions only, questions which very naturally may be put to anybody who has some responsibility for the Statutory Commission. One has to do with the subject of the change in Provincial government and the other has to do with the subject of change at the centre. The Provincial question is the treatment of law and order, to which the right hon. Member for Hillhead (Sir R. Horne) referred in his telling speech, all the more telling because he told the House that he was putting his difficulties rather than pronouncing his judgment. The other question is this, and I will put it to myself in order that the House may see that I am prepared to face the issue fairly. We in the Statutory Commission reached a unanimous conclusion—perhaps a rather remarkable agreement, but for its Chairman very satisfactory. I had the great pride of finding two colleagues of mine from the benches opposite, two Conservative Members of this House, and two other Members drawn from the House of Peers, prepared to agree with me; and we signed a report unanimous from beginning to end, without a single dissentient. In that report we declared for a solution which, at any rate in the first instance, would involve the establishment of what is called autonomy in the Provinces. We pronounced against the offer, at the same time and on analogous lines, to establish self-government at the centre. The question which I must face, and which I will do my best to face, is this: That being so, what is the relation between the view which the Statutory Commission held and the Government White Paper now?

I would remind the House of the quotation with which I began, that our terms of reference were strictly limited to British India. I believe that the conclusion which was forced upon my colleagues and myself was entirely right. Treating that as the subject-matter of our inquiry we came to the conclusion, and expressed it clearly, that it was not a wise development of the constitution of British India to seek to establish at the centre a government which some people had suggested of a responsible kind. But at the same time that we came to that conclusion we came to another conclusion, which I was authorised by my colleagues to embody in a letter which I

wrote on their behalf, and my own, to the Prime Minister. I will read a passage from that letter now. We wrote that letter after we had been over every Province of India in the course of two very long and detailed journeys, and we wrote it some six months before our actual Report appeared. We said this:

"As our investigation has proceeded, we have become more and more impressed in considering the direction which the future constitutional development of India is likely to take, with the importance of bearing in mind the relations which may develop between British India and the Indian States."

The House will observe that the Indian States were outside our reference.

"We are not at present in the position to forecast the report which we shall in due course hope to present to Parliament. It is, however, already evident to us that, whatever may be the scheme which Parliament will ultimately approve for the future Constitution and governance of British India, it is essential that the methods by which the future relationship between these two constituent parts of Greater India will be adjusted should be fully examined."

We then asked from the Head of the Government a direction to go outside the strict boundaries of our inquiry in order that we might inform ourselves as well as we could of what appeared to us to be the essential question as regards the central government of India, namely, what is the nature of the development which might take place if only you looked at all the necessary factors? Everybody who has looked at our report will see that there are chapters in which we have, to the best of our ability, presented to the House and the country a close analysis of the essential relations which exist between that part of India governed by the Indian Princes and the other part of India which is, in the fullest sense, called British India. Let me summarise in two or three sentences the essential facts. It is a common phrase that there are two Indias. There are not two Indias. There is one India, and it is the greater India which includes the Indian States as well as the British Provinces. That is the true way in which anyone will look at it who has really studied the subject with any close care.

At Geneva, India is represented, and when we say that India is represented at Geneva we mean this greater India. There is no difference between one part and the other. If you travel in India you will not find that the boundaries between these Indian States and the Provinces are boundaries which you can detect by any of the ordinary natural indications of a frontier. You travel in the train in and out with as much ease as you pass from one English county to another. More and more the problems of India are the problems of this greater India—the economic problems of India, the transport problems of India, the financial and currency problems of India, and the whole future of India. My colleagues and I were so convinced of this, although I count myself a man who can understand terms of reference and keep, I hope, reasonably within them, I was so convinced of it, that I broke every proper rule connected with a Chairman of a Royal Commission and asked leave from the Head of the Government to go outside the ambit of the main inquiry so that we might examine what I believed to be the real unity which had to be considered.

We went further. We said in our Report that it appeared to us, as indeed it appeared to others before us, that when you came to consider the reforms of the central government of India, it must take the form of a Federation in which the Indian States would be constituent elements, as well as the British provinces. It took a long time to write the Report, and it takes a long time to read it, but I can assure Members of the House that if they will go into the Library and look at the chapters in which that matter has been dealt with they will find a mass of reasons which really demonstrate that fact beyond all possibility of dispute.

Here is the point at which the Commission undoubtedly reached a different judgment from that which is involved in the White Paper. I have looked at the White Paper with very anxious care, and I am not at all disposed to depart from the deliberate position of this Report without good reason. We took the view when we wrote the Report—and it was based on the information then before us—that it was exceedingly improbable that for, at any rate, a considerable time to come, the Indian Princes and the Indian States would be prepared to come into the greater Indian Federation. It is proper, perhaps, to add that, of course, we have not taken evidence from any Indian States. No

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Indian Princes came before us. No Minister from any one of these great countries, some of which are as big as some of the smaller countries of Europe, came and offered us his views. Our knowledge of the Indian States at close quarters was limited to visits of recreation—most fascinating experience—due to the courtesy of those great potentates. Frankly, I was perfectly confident that the development of a new form of government at the centre in India was dependent upon the Indian States coming in, and that consequently, as far as I could see, this was not likely to take place for a very considerable time. I am free to add—and I wish to serve the House with complete candour—that I took the view, and I think that it is the view entertained in many quarters to-day, that from the matter of simplicity there would be a great deal to be said for providing, in the first place, for provincial autonomy.

Standing here and speaking as a Member of the Government, and seeking to make the fullest acknowledgment of the views I hold, I can well believe that there are very large practical arguments in favour of that view, and among them is this—that if you are ever going to have, in the proper sense, the Federation of the constituent elements in greater India you must be assured that these great Provinces—the Province of Madras is as big as the country of Italy, and there are others on the same scale—should really get their identity established, and their self-consciousness well declared, and their policy and responsibility thoroughly appreciated by the population. For those reasons we came to the conclusion which I have stated, and I hope that I have stated it with complete fairness to the House. I have these things clearly in my memory, and nobody with the tremendous responsibility which rests upon the shoulders of my colleagues and myself can do other than remember every incident of this inquiry to the end of his days.

But there is a new fact, and I want to call the attention of the House to it. You may assume that the new fact is of less or of more importance according to your judgment. You may regard it as a certain fact, or only as a probability or only as a possibility; but there is a very relevant new fact which has entered the field of this problem since our report was presented. When the first Round Table Conference was held and when—following precisely the suggestion we had made to the Prime Minister—the Indian Princes were invited to the conference as well as prominent Indian politicians from British India, a declaration was made—and I have it here—on behalf of the Princes of India, on 19th January, 1931, by the mouth of His Highness the Maharajah of Patiala, at that time the Chancellor of the Chamber of Princes, in which he was speaking, not for himself alone, but for a large body of Princes whom he had consulted. I will read the statement which he made. After declaring that he was of opinion that federation in the sense I have described was the true future of India, he said:

> "The main principle of federation stands acceptable, and I echo the confident hope expressed the other day by His Highness the Maharajah of Bikaner that by far the larger proportion of the States will come into the federal structure at once and that the remainder will soon follow."

That may be too sanguine a view, but I am only concerned with reminding the House of what was said. He went on to say, and I draw particular attention to these words:

> "We have all made it clear, however, that we consider certain things to be essential. We can only federate with a British India which has self-government and not with a British India governed as it is at present."

I think that every serious-minded man who has studied this immense problem must admit that that declaration and what it implies is an event of very great importance, and I am willing to admit here that I had not expected such a declaration to be made. I thought at the time that it was a sanguine view. There are indications, which I dare say hon. Gentlemen will have observed, in the newspapers to which reference has been made by the right hon. Gentleman the Member for Hillhead. We must certainly not take this assurance made in January, 1931, as if it was the same thing as being an accomplished fact. At the same time I put to the House—I do not like to call it a dilemma—this alternative which presents itself to anyone who thinks on the subject. Either these anticipations are in a fair way to be fulfilled or they are not. Suppose they are not. Then I stand here

and I say with the greatest firmness and without any qualification at all that, as I understand the policy of the Government and the right hon. Gentleman the Secretary of State for India the proposal in the White Paper that there should be a development of self-government at the centre of India depends entirely upon whether certain conditions can be fulfilled and are fulfilled in respect of the Indian Princes. On the other hand, let up suppose that they can be fulfilled. As to that we shall know in the course of the months which are now approaching. Then, in one of the most tremendous problems that ever faced a Parliament—it would be a grave responsibility if we allowed our previous impressions and our earlier convictions so to override the processes of judgment that we were not prepared to weigh that new possibility fairly in the scale and see whether or not, if that opportunity offered, it was one which we ought to be ready to take.

To my mind, that is the essential question which now faces us and about this issue, I have not changed my conviction in the very least and I do not understand that my colleagues in the Government take a different view. If you confine yourself to what is, after all, the wholly artificial and limited outline called British India, and attempt to develop what are ordinarily called responsible institutions on the Parliamentary model there, you will fail. I do not want to develop the argument but I feel that very strongly and we all have to ask ourselves: If it be true that we have an opportunity now of helping to develop this greater India, are the opportunities thus offered to be rejected because of the condition which the Princes clearly indicate, or are we on the other hand to face the risk, if you please, the risk that, no doubt, many sober-minded men think may be involved in so tremendous an experiment? I heard the Prime Minister at Geneva the other day, in a phrase which called forth a great response, say, in reference to the effort to reach a Convention on disarmament, that you had to choose between a risk and a certainty. The risk, no doubt, exists in every attempt to arrange a limitation of armaments but it must be set against the certainty of what will happen if you do not agree on disarmament. I would respectfully say to the House that I think it has to do something of the same sort here.

For my part, I want to see the prospects of this new development of a greater India most thoroughly investigated—and the opportunity of these great Indian Princes coming in and playing their part freely tested—before I am prepared to reject the whole scheme. My right hon. and gallant Friend (Colonel Wedgwood) need make no mistake. It is not I think going to mean the imposition of a particular view of government from one side upon the other. I will not be as positive as my right hon. Friend opposite—I only say, I think not. The truth is that these conceptions of government permeate both ways and I am convinced that the things which tie India together, the things which make India one, are so intimate, the strands are so numerous—a common spirit of race, religion, and tradition as well as material things like communications, finance, and the wireless and the rest—that I do not think you had better assume that this is going to be a one-sided bargain, which is going to impose one system of government upon the rest of India at the expense of another. At this stage, having regard to the fact that the White Paper is going before this Joint Committee, for the purpose of an examination, in which as I hope we are going to get the service of the very best brains in the House and of those critics who have prepared themselves for that examination by the most careful scrutiny I, for my part, am anxious to see this White Paper presented to the Joint Committee for that very purpose. I repeat that the only condition upon which you can hope to develop what is called responsible government at the centre is the condition that you develop the greater India of which I speak. If you do this, then I think, that amalgamation may very well have in it the seeds of satisfactory progress. Before you say that you are willing here and now to reject that proposal, think twice and think thrice of what the results may be in India, if we ourselves at this time promote a division between the Indian Princes and their great territories on the one hand, and the British India for which we have a special responsibility on the other.

I want to say a word now about a question which was put plainly to me by the right hon. Gentleman the Member for Hillhead on the subject of provincial governments. Here again is a subject

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on which the Statutory Commission had a view, expressed, I hope, in good clear English. We stated the arguments pro and con as well as we could. The question is this: What are you to do about what is called law and order? If the House will excuse me, I venture upon a very elementary exposition. The police service in India is a provincial service. Many people who have given some attention to this subject, but who have not closely studied its working, have suggested "why not centralise the police administration?" I at one time was attracted by the idea but I am convinced that it is wholly impracticable. India is much too big. Even if you could imagine an organisation at the centre it would have to be represented in each of the great provinces by what would in effect be a separate department and you would only get back to where you were before, with additional complications which I need not explain. Therefore, the police, the business of keeping law and order, is a provincial service. The superior officers of the police, whether Indian or British, are recruited as the House probably knows on an all-India basis. They are officers for whom the Secretary of State has and will continue to have responsibility and their position is guaranteed by the fact that we in this House have a responsibility for them which has never been given up. [An HON. MEMBER: "Never?"] Those who are at present in the service shall certainly have that responsibility for them maintained. Those who are recruited under any provision which assures them of protection shall have protection to the end. The question of whether that system is ever changed is a question which will have to be decided when the time comes, but there is nothing in the Government proposals involving a change.

These superior officers are recruited on an all-India basis and will continue to be so recruited. They are posted to the various provinces, among other reasons for the practical reason that a man has to go to a particular province because he knows the language and things of that sort make that method essential. They have, let us acknowledge it here, one of the most difficult tasks which could possibly fall upon the shoulders of administrators anywhere. They are men who are doing their duty under the most trying circumstances and if ever men deserved it, these men deserve our strongest support. At present the police service—it is not called "law and order" and it really covers several things—is a reserved service in the provinces and the question which we had to face on the Commission and the question which my right hon. Friend put to me was this: Ought the police service in the provinces to remain reserved, or ought it to pass into the hands of a Minister responsible to the Provincial Legislature?

My right hon. Friend was good enough to say, and I know he has done me the kindness of reading the report, that he had not fully appreciated the reasons why the Commission after a very careful examination of the arguments on both sides came to the conclusion that the police service should not remain a reserved subject but should be transferred. Let me state to the House what those reasons were and it will be for them and others to judge whether they were adequate or not. You need to examine closely the procedure, the actual method of the provincial legislatures in India, in order to understand how very unsatisfactory is the present position of the police service in India. The legislatures in these provincial assemblies, according to the present Constitution, feel no responsibility for the police service at all. They very frequently attack the police and I am bound to say that I have seen reports of attacks on the police made by members of the provincial legislatures which seemed in the highest degree ungenerous and unjust. They sometimes refuse to vote the necessary funds to maintain the police and it has happened again and again in the provincial legislatures that there has been a combination of parties, quite irresponsible as far as the police is concerned, who have followed up, it may be a popular outcry or some criticism which is easy to make, by depriving the police force of the money which is necessary if the force is to be maintained.

The result of all this undoubtedly is that, unless you change their position the police force in India and all the apparatus of law and order tend to be regarded as the agent of an alien bureaucracy. It is very unfair. It does not in the least correspond with the class of duty which these men are doing but it is the fact

that a very large part of the Indian population under present conditions is encouraged to take that view. These men are doing an essential work which is sometimes an unpopular work and sometimes a dangerous work. It is a work without which the neighbourhood which they survey would fall into utter anarchy. I invite the House to face this problem. What would you do if you found that that was the situation which in fact existed in India? The thing is all the more difficult because other departments of government will be in the hands of Indian Ministers. There seems to have been very little complaint, for instance, in these preliminary discussions, about transferring the administration of land revenue to the Indian Ministers but that is a very important transfer. The more you do that—the more you isolate the police and put them in a special position—the more you encourage this attitude towards them which is very ungenerous and very unfair and which I think if there is ever going to be a development of Indian Government with which we can be satisfied, must be changed.

We came to the conclusion on the Commission, after setting out the arguments on the other side with the greatest fullness—we came to a conclusion unanimously as to the right course to take. There was only one way to deal with that situation and it was to face the cause of this trouble and see how to remove the cause. And the only way to remove the cause was to make the Provincial Government, as a whole, responsible for the police, to make it their responsibility to see that the police should be provided with the necessary funds, and to make a Minister responsible to that legislature, a Minister who would have to answer for the working of the police and thus to fix responsibility on the shoulders of the critics. I believe there is no other way. It was for those reasons that we came to the conclusion, after minute examination, after inquiry of many of the most distinguished superior officials on the subject, after testing Indian opinion, that the right course was the bold course of putting responsibility on the shoulders of the critics.

There were two qualifications which we had in mind and which the Government White Paper at present has not found it necessary to provide. I do not wish to omit to mention the fact. We thought that this provincial government though it would become a unitary government, though there would be no reserved service, none the less might be a government which included, in addition to Indian Ministers, who were elected politicians, also an official.

Sir BASIL PETO: One or more?

Sir J. SIMON: We did not prescribe that it should be so, we did not prescribe what portfolio he should hold, but we did think that that method might be one which, while we secured responsibility being put on the shoulders of the Legislature as a whole, we none the less limited the undoubted risk involved in this bold course. The matter requires very careful examination and would be exactly one of the things that could very properly be examined, ventilated, discussed and analysed at the meetings of the Joint Committee. But I ought to tell the House that while I am just as alive to-day as I was when I wrote that passage in the report to the seriousness of this point, I think, from what I have since heard, there are in fact very considerable administrative difficulties in combining an official Minister, somebody sitting on this Bench who is of the official class, with a system which, apart from that, boldly, deliberately and thoroughly establishes what you would call responsible government in the Provinces. The other difference—and again this is a very important point—was that, of course, we were proceeding on the assumption that though there was this transfer in the Provinces, none the less there would lie behind that, and at the centre, a Government of the sort which we conceive, and unquestionably it would be a matter for very grave consideration in the Joint Select Committee how far these considerations will alter the view which any of us might take, myself included, as to the practicability of this particular plan.

I have tried to state to the House, I hope with complete candour, the points on which there is a division between the views which we presented in our report and the outline in the White Paper. I should feel much more difficulty than I do if my right hon. Friend the Secretary of State for India was to-day or to-morrow asking the House to vote in favour of

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the White Paper, but he is not doing that. He is saying: "We must set up now, without further delay, a Joint Committee, and in order that that Joint Committee may not wander at large over the field, we, who have worked for many months on this subject, present a detailed and articulated scheme in this White Paper which we do not say, indeed, is to be the Bill which we will introduce, but which will give everybody the present view which the Government put forward, with every opportunity for its being examined, criticised and improved."

In conclusion, may I be allowed to make this one observation? I do not know whether we ought to be glad or sorry that this tremendous responsibility has fallen upon the shoulders of us who are Members of this present Parliament, but it is one of the most tremendous events in history, and I cannot conclude without saying that one of the thoughts which have always been at the back of my own mind is this: Holding as I do so firmly, with such complete conviction, that the British race has contributed great and good things to the order and development of the Indian sub-continent, I do ask the House of Commons to consider whether there is not a contribution still to come from us, the most difficult contribution of all. Why is it that the Indian politician is so obsessed with this idea of Parliamentary institutions? It is because of us. It is we who have told him that this is the way in which order can be maintained. We have told him that, and therefore we ought to approach——

Brigadier-General Sir HENRY CROFT: We have no mandate from the country.

Sir J. SIMON: I would ask my hon. and gallant Friend to use his imagination and to see how this strikes the Indian mind. He hears us claim, and I think rightly claim, that we have made a tremendous contribution to India, but he also feels in his heart that it is we of the West who have caused to rise in his mind these ideas that liberty can be reached along this road; and I would venture to read to the House what was the very last paragraph but one of the Indian Statutory Commission's Report, which carries with it, I must ask the House to believe, the very centre of my thoughts during some very anxious and laborious years. This is what we wrote:

> "No one of either race ought to be so foolish as to deny the greatness of the contribution which Britain has made to Indian progress. It is not racial prejudice, nor imperialistic ambition, nor commercial interest, which makes us say so plainly. It is a tremendous achievement to have brought to the Indian sub-continent and to have applied in practice the conceptions of impartial justice, of the rule of law, of respect for equal civic rights without reference to class or creed, and of a disinterested and incorruptible civil service. These are essential elements in any state which is advancing towards well-ordered self-government. In his heart, even the bitterest critic of British administration in India knows that India has owed these things mainly to Britain. But, when all this is said, it still leaves out of account the conditions essential to the peaceful advance of India, and Indian statesmanship has now a great part to play. Success can only be achieved by sustained goodwill and co-operation, both between the great religious communities of India which have so constantly been in conflict, and between India and Britain. For the future of India depends on the collaboration of East and West, and each has much to learn from the other."

I would beg the House of Commons and Parliament now to ponder whether we ought not to show ourselves willing to discuss openly and freely this evolution of Indian government with good sense, with courage, but at the same time realising that the road upon which India has been set by the declaration of Parliament and by the policy of the country is the road which leads, in all good faith, by such stages, by such modes, as may be fair and just, to the ultimate realisation of Indian self-government.

6.24 p.m.

Colonel WEDGWOOD: I wish the right hon. Gentleman the Secretary of State for Foreign Affairs had not the terrible faculty of always convincing me, as well as the rest of his audience, that he is right, because I intend to-day to show that his policy as enunciated here to-day is wrong. I appeal from the Philip of to-day to the Philip of the Simon Commission. I am against this Constitution, and he knows the grounds on which I am against it. He knows that they are right, and before this Debate is over I trust that the right hon. Gentleman will agree with me instead of my agreeing with him. This Constitution is an abdication, the abdication of Parliament. In future, when this Constitution is once

passed, we can ask no questions in this House on Indian affairs—the Meerut sentences, hours of labour worked in mines, the use of British troops in holding down the peasants of Indian States. This Parliament ceases to act so far as India is concerned, just as much as we have ceased to act in connection with Canadian matters. We abdicate, this country abdicates, and the English traditions abdicate. I dislike abdicating in any circumstances. I dislike, above all, abdicating in favour of some power which will be worse than the power exercised by this House. We all have our Tories as well as our Liberals in every assembly, but the right hon. Gentleman knows as well as I do that there is not a Tory Member in this House who is not better than 10 Indian Princes. You surrender, you scrap this House, and you substitute the Princes of India.

We have done this once before. We have abdicated before. I ask hon. Members to cast their minds back to the year 1906, when we gave a Constitution to South Africa. There is now no part of the civilised globe where the coloured man is so miserable as he is in South Africa—no justice, no freedom, and, what is worse, no hope, and just sufficient education to know that there never will be any hope. I was over there recently, and I happened to call on Sir James Rose-Innes; when I was leaving I said to my coloured chauffeur, "Sir James is a good friend of your people." He stopped the car and turned round, and his coloured face went nearly white with rage as he said, "Sir James is the only friend we have got in this country." I remember that I addressed a meeting of natives in Johannesburg, a few educated ones, a few school teachers, missionaries, journalists, doctors, and so on, and I gave them the usual pleasant Sunday afternoon address about hope, prospects of the future, organisation, education; and, of course, I absolved the English Members of Parliament from any responsibility for the injustices from which they suffered in Africa. At the end one old missionary got up and said, "You say that you are not responsible for our condition in South Africa, but who was it who signed the Constitution? Who was it who voted for the Constitution without providing any safeguard for the poorest here?"

Well, you did it, and I did it. We were all carried away with exactly the same emotion as is carrying away this House now to give this self-government to India, to abdicate all power of this Parliament over people's lives, to substitute for it something which will be irremovable. Does the House realise what it is that we are giving to India? We are giving them so Conservative a Constitution that nothing can ever change it. There will be no more Government of India Acts after this. We are putting power for all time into the hands of one narrow class in India. The Princes are rather like the German Princes of the 18th century of the time of Jew Suss. They have absolute power in their hands and nothing can take it from them except the revolution of their own peoples. We are calling them in aid. The right hon. Gentleman the Member for Hillhead (Sir R. Horne) has explained why. It is a good sound Conservative safeguard. It is far worse Conservatism than ever we have had in this country. They have the absolute power of life and death over their subjects. They are to federate with British India. What are they putting into it? Any laws that they make will not affect their subjects. Hon. Members need not fear the absence of these; they will all come in; it is merely a question of bargaining. When they are in do you think that they will alter a constitution which gives them all the power and no liabilities?

This Constitution has come to stay. Do hon. Members with any trace of Liberalism in them or any idea of British traditions realise how the elected part of the Assembly are to be chosen? The electorate is to be the richer 2 per cent. of the population for the Central Government. In this country the electorate is roughly 50 per cent. Will hon. Members put to themselves what would be their position in this House to-day if they were elected by an electorate of 2 per cent. on a property basis. Not one of my colleagues on these benches would be here at all, nor would any of the Liberals. As to the views of hon. Members on the Conservative Benches, some of the Members might be the same, but the views they expressed in the House would be very different. The ordinary Member of this House would be elected by 1,200 to 1,500 electors on a property basis. The working class would not be in it. The elected Members to the

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Federal Assembly will be as Conservative, if not more Conservative, than the Indian Princes. I do not know whether anybody has studied page 90 of the White Paper showing how the Federal Assembly will really be constructed. Madras is to have 37 members all told, and 19 of them will be elected. Of those 19 seats four are reserved for the depressed classes. The result is that there will be four constituencies in Madras which we have been told is the size of Italy. One constituency will be as large as the six northern counties of England, and it will have roughly 200,000 electors. It will return four Members, one of them reserved.

How on earth is any poor man to be elected under such conditions? He will never even be able to pay for a motor car to get round the place. I expect the Foreign Secretary will agree with me that the election expenses for the Assembly that is now in existence are enormous measured by British standards. I am told that £10,000 is the ordinary charge of a successful candidate for the Indian Assembly. You are making it worse by this system so that the ordinary elected member cannot possibly be anything but a millionaire or a man with a millionaire party behind him. The depressed classes are not called that now; they keep changing their name, though they never change the condition; the depressed class used to be called the outcasts, and that was not thought quite decent, so they were called the depressed classes. Now, I understand, in order to make them quite respectable, they are called the scheduled castes. There are to be reserved seats for these so as to be sure that there shall be something to which you can point as representing labour. You are going to give seats to the depressed classes on the reserved system. I really must describe what that system is. It is a device to salve the conscience of the right hon. Gentleman the Secretary of State. He knows as well as I do that communal representation is an un-English vice, so he invented the reserve seat. I will deal with communal representation presently.

Under the system of reserved seats there are four-member constituencies, and the working class—the depressed class, which is the same thing—are allowed to put up no less than four men. The working class have not votes themselves, but the other people have got votes, and they have to vote for these reserved seats at the same time. They will select from among the four supposedly labour men the one who will be most amenable when elected. I do not say that he will be amenable to start with, but he will become so. He must do, because his chance of re-election depends upon it. A man is always responsible to the people who vote for him, and therefore whatever the energy of his radicalism may be at the start, the very fact of his re-election depends upon his words and votes. It will make that man the innocent instrument—it is merely human nature—of the elected propertied class who elect the others. There is no safeguard under this system—no safeguard for the poor. The main point I want to make clear is that we are abdicating our power and our responsibility for the whole future of the 350,000,000 people in India and handing the trust over to an organisation which from its very constitution cannot be trusted.

Who are the people in India who ask for this? I do not think that it is the steel frame which is asking for it. I do not think that it is the Viceroy. I do not think that the people are asking for it, and I am quite sure that Gandhi is not asking for it. This is being asked for by the people who are going to benefit. Who are these Indian politicians? One could go through the names of dozens of them. Sir Tej Bahadur Sapru, Chintamani, Kelkar, Jayakar, even Sastri himself. Let us see what their record is. For 13 years they have had charge of provincial government in India. How have they carried out their trusteeship to the Indian people? What have they done for women and the marriage laws? What have they done for the working class, for the poor strikers in Bombay? They have shoved up the price of everything by import duties—but then that is common form. What have they done for the ryots in the United Provinces? What have they done for the factory workers and the mine workers? What have they done even for education of which they have sole control? Everybody knows that the only hope of the improvement of the conditions of the Indian people lies in education—sole control for 13 years and done nothing! What have they done for the

outcasts? If it had not been for Gandhi they would never have looked at them. They have had the power and have done nothing.

The caste system has grown up in India to be so strong that it will take more than a generation of radical education to stop it. The only people who could have done it are two. One is Lala Lajpat Rai, who was killed, and the other is Gandhi, and he is in prison. On the whole, I think that I would not abdicate my power over India in order to substitute the power of the Indian Princes and of politicians elected on this system. The right hon. Gentleman the Foreign Secretary produced a valuable Report, which I would beg to see substituted for this thing which we have now. At any rate, it was a step forward, and this is a step back. At any rate, it was possible of amendment and under it this House would still have control, and could have taken the next step forward when the time was due. But this White Paper is—finish. Here you graft an unfair Constitution upon the people of India, excluding the whole of the working class and the ryots from any voice whatever in the government of their country. This is not self-government, but a Venetian oligarchy that you are imposing on India, preventing men for ever making any change however badly it works. Of course it will work badly.

The right hon. Gentleman knows what human nature is. He himself, if he were an Indian politician working a scheme like this—how would he secure power, how would be retain power? By blackguarding England and putting every blame for everything upon England. He could not help it. Does he really think that under this Constitution we are going to get a partnership which will work? This is worse than an abdication, I think this is a cowardly abdication, cowardly as well as futile. What are you trying to do? Was it not possible to govern India in accordance with English principles? Was it necessary to try to divide India between Moslem and Hindu; to see the British officials getting rid of the House of Commons in order to shelter behind the Princes of India? The right hon. Gentleman and several others have wondered whether all the Princes will come in. Of course they will come in. What do they sacrifice by coming in? Nothing. And what do they gain? The power to dictate to the British Government in India. Bargaining is going on with H.H. the Nizam about Berar. I suppose there are negotiations going on with the Maharajah of Alwar. I suppose there are negotiations going on with Sir Hari Sing, the Maharajah of Kashmir. I take it there are negotiations going on with every one of the Princes. And they have got the whip hand, they can dictate the terms on which they will come in; and, once in, they sacrifice nothing. Not one single constitution is to be given to any of those States, at least not in connection with the Indian Federation. Beside these great educated communities like Madras, Bombay and Bengal, great provinces which are at least of the 19th, if not of the 20th century, we have got these 18th century pocket-boroughs. Well, "pocket boroughs" is unfair. A pocket borough did get some money at election times. By putting itself in the power of these people the Government of India deprives itself of the power of taking up ordinary English standards in the ordinary day-to-day administration of the country.

I do not know whether we can defeat this federal solution, I am afraid it may be too late, but for goodness sake let us reduce the power, so far as the Joint Committee can, of the central organisation as against the Provinces. The central organisation under this scheme is hopeless for ever, but the Provinces are not. There is in them a wider franchise, thanks very largely to Lord Lothian's Committee. The only spark of Liberalism in the whole business has been Lord Lothian's Committee. The House will observe that the recommendations of Lord Lothian's Committee have not been carried out in the White Paper, and the franchise, which was high enough in all truth, even in the Lothian Report, has been made higher still. They talked about 15 per cent. of the population having votes for the Provincial Councils. I am not a gambling man, but I bet it will be nearer 10 per cent. by the time we have got this thing through, because if there is one thing I have observed—and I do not know whether the right hon. Gentleman has observed it—it is that directly you get either officials or Indians or Burmese or the Singalese discussing any question of franchise, though they may have admirable views on self-govern-

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ment they are determined that the working class shall have no voice.

The Ceylon Government very nearly threw out the Donoughmore Committee's report and the reforms passed by the Labour Government for the only reason that they gave adult suffrage. Does the right hon. Gentleman really want to have the explanation of the refusal of Burma to separate from India? I can give it to him. The Burmese priests, who are considerable in power and in numbers, thought that if we were going to give power to the democracy in Burma—mind you, in Burma you would have had adult franchise and women voters—there would be certain to be an end of the habit they have of one-third of the population living on the other two-thirds. I have never found in any of the Indian Provinces or in Ceylon or in Burma half so great a desire to protect the working class by giving them a vote as I find in the reports of Conservative Commissions sent out from this country to fix things up, and therefore I am afraid that the figure will be not 15 per cent. but nearer 10 per cent. by the time the provincial electorates have been worked out.

After all, when people in Assam, even, are managing their own affairs, as they will under this Constitution, or under the Simon Constitution, looking after their own troubles, dealing with their own roads, dealing with their own taxation, then, perhaps, we shall find a little less of the racial bitterness and a possibility of building up administrators who are thinking of something else besides the villainies of right hon. Gentlemen opposite and the treachery of right hon. Gentlemen on this side. I have always thought the hope for India was in building up the village punchayat and working upwards from that. I thought it was a great mistake when we threw the district boards open without leaving an Englishman in charge of those district boards to help to start them and guide them in the first years. In the same way, I think the best hope of ever getting central government and a Central Assembly in India which will be a working, practical partner for the British Empire is by building the Provinces first. I welcome—it is the only thing I do welcome—the fact that two new Provinces are set up. I wish there had been 50.

This is my last word. We can do something, even when this scheme goes to the Joint Select Committee, to enhance the power of the provinces and reduce the extraordinarily Conservative character—it is a mistake to call it Conservative, the Nazi character, of the central Government. We can do something which is actually suggested by the right hon. Gentleman, if I remember aright, in his report. We can see to it that the sham elected members mentioned on page 90 are replaced by indirectly elected members from the provinces. I never thought that in my life I should ever get up and recommend indirect election against direct election, but when I think how the directly elected people are going to get there I think I prefer the indirect form. In the first place, you will get people from the provincial councils who have learned their business in the provincial councils. You may leave it open to them to send people to the central Assembly who are not yet members of the provincial councils, but instinctively, naturally, they will elect members who are members of the council, just as this House of Commons, with the solidarity of the trade union spirit, which I always so much admire in it, prefers Members of Parliament to have governorships or other offices rather than they should go to mere outsiders.

In the first place, you get more experienced people, and in the second place get people who have not attained to the position solely by race hatred. You will not get Patels, and people of that sort, elected by the provincial councils. They will send people who will look after the interests of their provinces, such as business men, you will get a far more useful Assembly and at the same time not half such big head lines. Furthermore, the fact that these people are representing councils and are not directly elected by the great people of India in sham electorate for communal reasons will mean that the power and the importance of the Assembly will be lessened in so much as its people are indirectly elected and, *pari passu*, the position and importance of the provincial councils, in which is all our hope, will be increased. I despair, and have despaired for the last three years, of any hope for the future of India, be-

cause of this federation scheme, because we are handing over our trust to people we cannot trust; but something can still be saved if we save the provincial councils and miss no opportunity of reducing the importance of the All-Indian politician in an All-India Assembly.

6.58 p.m.

Sir GEORGE GILLETT: The House will hardly expect me to follow too closely the arguments of my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood), for one thing because I am not certain that I understand the exact position which he takes up. The right hon. Gentleman has told us that he is opposed to the White Paper, but at the same time he has given us indications that he regrets the day when certain English civil servants will cease their administrations, and he also regrets the fact that the franchise set out in the White Paper does not cover a far larger number of people. Seeing that the right hon. Gentleman stated at the end of his speech that he was opposed to the idea of Federation, I do not know why it is that in the days of the Labour Government, when the Round Table Conference was sitting, and this fundamental principle was first adopted, the right hon. Gentleman never let us know, as far as I am aware, that he was fundamentally opposed to that principle.

Colonel WEDGWOOD: I never missed an opportunity of denouncing it.

Sir G. GILLETT: At any rate, I personally never had the privilege of hearing the right hon. Gentleman express those views with regard to Federation, and it seems to me that he comes here to-day to make a statement in opposition to the plans which were brought forward in the White Paper. I confess that I welcome the speech of my right hon. Friend the Secretary of State for Foreign Affairs, because it seems to me that he lifted the Debate on to the level which is essential if we really are to face up to the problem now being presented to the House. The right hon. Gentleman who spoke last referred with regret to the action he took with regard to South Africa. Many of us have seen the different stages in history by which the British Empire has been willing to recognise first Canada, then South Africa and, finally, Southern Ireland. In the claims to self-government made by these, many of us have felt that we have seen developing an ideal in which we believe. If to-day we are faced by the greatest problem that this Empire has ever had—this problem of self-government in India—surely many of the principles we have found applicable to the smaller examples of Canada, South Africa, and Ireland apply, to some extent at any rate, to this new problem. I can understand Members of this House who say that they do not believe in the old-fashioned idea of self-government, for we have new ideals of Communism and Fascism in the world to-day.

There may also be numbers who say that they cannot believe in a Government for India, except an autocratic Government, and that they disapprove of the line of development suggested by the Government. At the same time, if we believe in the fundamental principle that the ultimate ideal is that the people of a country have a right to govern their country, and that those who may not agree with the Government should have the right to voice their views, we can, at any rate, commence with the plan now before Parliament and lay down a frame upon which a future edifice may be built. It is easy in the House of Commons to point out the various difficulties connected with this scheme. I would remind the House that when Lord Durham went to Canada and outlined the basis upon which the constitution of the Dominion of Canada is founded he, when he returned to this country, was received with criticism and died a broken-hearted man, although he had really laid the foundation of the Dominion of Canada as we see it to-day. The right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain), a few years ago, stated in this House that the only vote he regretted was the vote against the formation of the Federation of South Africa. The right hon. Gentleman who spoke last, who voted on the opposite side, is now also regretting the vote he gave on that occasion.

We have seen, with regard to Ireland, certain problems and difficulties which have been criticised in the House in the course of the Debate yesterday and to-day. But we have first of all to decide—and here my right hon. Friend opposite has taken a quite consistent course—

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whether we believe in this ideal of self-government, and whether we are going to attempt to put it into being in India. When we have adopted that view, there are certain fundamental principles we have to recognise. We have had criticism in certain quarters that the safeguards are not sufficient. We have now the criticism that the safeguards are perfectly useless. We have had criticism of the safeguards from the right hon. and gallant Gentleman who spoke last. What are the objects of these safeguards? It seems that the first great principle is that the people of India look to this country for the protection of their frontiers by the armed forces of Great Britain. The second principle, it seems to me, is also one of protection: it is the claim which certain sections of the populace have as minorities. In one province the minority may be Mohammedan, and in another Hindu. These people have a claim that before any scheme of self-government comes into being they should be assured that their interests are to be protected.

We have in India the problem of Ulster over and over again. We had the same problem in Canada—the racial question and also the religious question. There, however, it was fairly simple because they were divided. In Ireland a solution was found by cutting off Ulster. In India you cannot do that because in India you have an Ulster in almost every province. There are racial and religious differences, and the people affected are demanding from this country certain safeguards before any new system of government is brought into existence. In regard to the system of government that is going to be brought forward, my right hon. Friend who last spoke, complained, as I gather, that the new Government will probably be a conservative one. Surely in any scheme by which you are going to give self-government, even in a limited form to a country—and I would remind them that you are dealing with a great population, a large percentage of which is illiterate—it is practically impossible to give a universal franchise. What happened in this country? The right hon. Gentleman referred to a Member being elected by a small electorate that only a few years ago a Member was elected by the votes of 2,000 people.

Colonel WEDGWOOD: Two thousand people in St. George's in the East. It was a small electorate.

Sir G. GILLETT: That is exactly what happened. You had your pocket boroughs, and then a small extension of the franchise to men only. In the lifetime of many of us these small constituencies still existed. Half of the borough I now represent had, about 20 years ago, only 5,000 electors, and they sent a Member to this House. There were no women voters in those days. Now we have India in the stage in which this country was, perhaps, 20 or 30 years ago. The right hon. and gallant Gentleman complained because it is not proposed to give universal suffrage to the whole of the people. It is also too readily assumed by the right hon. and gallant Gentleman, that the Government of India he desires is necessarily going to be a Government that is going to carry out the kind of measures he thinks they should carry out. It does not necessarily follow that because you give universal, or any, suffrage that people, when they get that suffrage, are naturally going to have a policy which commends itself to my right hon. Friend. In fact, I can never follow what his beliefs really are, because he is the most independent Member of this House. He sits on the Front Opposition Bench, but we cannot label him in any way. He is seemingly elected by the Socialist party, but he is the greatest individualist in this House.

Brigadier-General Sir HENRY CROFT: He is an Englishman.

Sir G. GILLETT: I cannot say what his policy would be. We are always inclined to think a new Government will carry out the views we think they ought to do. The right hon. Gentleman says they have not attended to sundry matters with regard to education, public health and the treatment of women. But we often find, when self-government is given to a nation, that they probably use it in a way different from what we think is indicative of progress. If we take some of the views of Mr. Gandhi in regard to the Government of India, I ask to what section of the House they make appeal? Many of his views with regard to commerce, trade and Protection are most strongly akin to the extreme Right of the Conservative party. They have

nothing to do with the Free Trade views of the Labour party. If you ask what are Mr. Gandhi's views in regard to modern industry, it has to be said that it is quite true some of his supporters belong to the Communist party. The Communist party in Russia worships machinery, but Mr. Gandhi, as far as I can see, simply worships the spinning-wheel. What would be the policy of these future Governments if they came under Mr. Gandhi we cannot possibly say.

If you recognise any limited form of self-government for a nation, you have to leave it to make its decisions on these problems. It is the whole basic principle of self-government that you hand these powers over to them. On these grounds it seems quite impossible that, in the Debate to-day, we can go too fully into the questions of safeguards and how far they secure this or that position? I do feel that it is absolutely essential we should have these safeguards. I am speaking as one representing the man in the street and, in that respect, I rather regret that the White Paper has laid almost undue stress upon these safeguards. We hear so little of what the positive proposals are; we hear so much of what the restrictive proposals are. The Secretary of State, when he made his opening speech, gave a most interesting description of the effect of these proposals upon the life of the ordinary labourer in India. The matters to be dealt with by the council, in which he is to be represented, at least to a limited extent, include his land, his water and his life in almost every direction. I very much wish the White Paper had laid greater emphasis upon the powers to be conferred on these local councils, powers which, if I understood aright, even my right hon. Friend thought were to a certain extent to be commended. It was on this account that, looking back at the various stages in our history, the Secretary of State for Foreign Affairs said that we have had to face up to demands from different parts of the Empire to be allowed the freedom of self-government. To-day we have once again to say, "Yes" or "No" to that demand.

I still unhesitatingly protest my belief in the principles of self-government. I recognise that there are stages through which a nation has to pass. We cannot expect that the people of India, who have never had the educational advantages as ourselves, will proceed to exactly the same result as we in this country. There are many systems of government in the world to-day. Looking back to the history of France, we can say that the dictatorship of Napoleon had a very profound influence upon that country, and perhaps it served a great end in the time in which he lived; but we should not think it an ultimate ideal if France had always remained under the power of Napoleon. France has evolved into democratic government to-day. There may be other systems of government in the world which may be helpful to the countries concerned, but the ultimate ideal, which we have set before ourselves, is self-government. Almost 100 years ago, Macaulay, speaking in this House in regard to India, said that one day Members of the House of Commons would be asked, by leave of the people, to give that self-government, and he used the words that when that day came it would be "a proud day for the House of Commons." Almost exactly 100 years after Macaulay used those words, the day has arrived, and the opportunity is given to us, the proud opportunity, as Macaulay said, of trying to solve this great problem. It is, as the Secretary of State has indicated, possibly the greatest question to come before the House of Commons, important as many of the other questions in world-settlement seem to be. It is quite possible that, looking back, the historian of the future, as he speaks of the problems that have come before this House, will lay his finger on the problem of Indian government as being the greatest that this House has had to confront.

There are many points upon which one could make criticisms and suggestions—for example, there is the position of women, and the franchise might have been extended rather wider here or there—but no doubt those points will be considered by the Joint Select Committee. To-day, the fundamental question that we have to ask is whether we still believe in the principle of self-government, and whether we believe that this is one step in Indian progress towards that ideal; and, if so, we should give our support to the Government.

7.19 p.m.

Mr. MUNRO: The remark was made to me the other day that little or nothing could be said about the great subject that we are discussing to-day, but to that I replied: "That may be true, but that little may be useful if somebody fresh says it." I welcome very greatly the opportunity to make a few brief comments on the subject of India, which has always interested me very deeply. I would like straight away to thank the Secretary of State for India, on behalf of many back benchers, for giving us such a lucid and impassioned statement of the situation as he saw it. In his speech there was no shirking of the difficult issues which are bound to arise; they were all faced and dealt with categorically. For that I feel grateful to him. He put it that the Government's proposals were a comprehensive scheme and an outcome of facing hard facts. That is a very true and short description of the scheme which we are discussing. It was also said by the Secretary of State that the scheme was put forward because there was no better one to be considered at the moment. I would have passed over the remarks made by the hon. Gentleman the Member for Limehouse (Mr. Attlee), who spoke immediately after the Secretary of State for India, and who gave a somewhat tepid disapproval of the proposals, but that there was one that I do not think should pass without comment. It was that any Constitution to be an advance must meet with the complete agreement of the people of India; by that he meant the politically-minded people in India. If that was his idea of a Constitution, I consider he was, in saying that, postponing the advance, if not permanently, for a very long time. It is quite obvious, and well-known to all of us, that no such agreement has yet taken place on the part of the politically-minded people of India.

I have listened to innumerable discussions, conversations, and Debates on the subject of India, and all the time there have appeared to be two strong and vocal sections of opinion. We have had those who seemed to despise and to disregard, as though of no account, the long experience that others have had in India. Their cry seemed to be, "What should they know of India who only India know?" I would state my profound disagreement with that attitude, because I would always pay the greatest respect to long-service experiencce in any country. On the other hand, we have had those, also very vocal, who seemed to think that unless people have been to India they are not competent, and should not, in fact, attempt to give judgments or make decisions about India. I deprecate that attitude, too. I am hopeful that both sections may give consideration to the views which I would like to put forward. Although I have never been to India, I have had a lifelong experience in the administration of Moslem Arabs and of Nilotic tribes in Africa. Therefore, I feel that both those sections, as well as what I might call the middle opinion, ought, and I hope will, consider the views that I express. I mention that because, on one of the points with which I would like to deal, namely, the transfer of law and order, I can fairly claim that in my experience I have had a full and vivid realisation of the apprehension and uneasiness which questions of the transfer of law and order are bound to cause in the hearts of those concerned in the problem of India.

I am glad that the Motion has been put forward in the way that it has. It is in complete accordance with the statements of the Government on previous occasions. The Secretary of State for India has constantly assured us that we were to be free to act unfettered in our final decision. Apropos of that, I would like, on behalf not only of myself but of many back benchers, to resent the implication and imputation that I have frequently seen expressed, that we are a sort of nerveless, automatic vote-registering machine. I am perfectly competent, and I know that that is so in the case of others; however difficult and complex the problems are with which we are faced, we have made it our business to study them and to listen to everything possible, in order to find out about those problems. I am quite sure that any decision to which we shall eventually come will be based on the complete and sincere conviction that we are doing what we consider best for the peoples of Britain and of India. There is no time for me to refer to history, but I would say that, in my view, the proposals in the White Paper are the logical outcome of the trend of events since 1917. I say, in

parentheses, although it may be irrelevant, that at that time I considered that the Montagu-Chelmsford proposals were unnecessary and untimely. I am still of that opinion about them, but I utterly believe that the present proposals are the inevitable outcome of the statements then made. I do not see how anyone can evade the pledges and the determined statements of our policy that were subscribed to by all parties. Any observations about our possibly abdicating our powers should have been made then, if they were to be made, and not now.

I want to mention two main points, which are closely inter-related in the proposals before us. The first is about Federation. Even our critics agree that Federation must be, and is, the ultimate goal. Those critics, as we know, have a very formidable leader in the right hon. Gentleman the Member for Epping (Mr. Churchill). I am sorry that he has just left the House, because I would have liked to say of him that I have always considered him, in his political life, as giving a perfect example of the conjugation of the verb " to criticise," active and passive. I always had that feeling in regard to the right hon. Gentleman, and I am sorry that he has had to go away just before I was going to say it. These critics claimed that the path to Federation lay through provincial autonomy and its being tried out in the provinces in the first instance. That is a very attractive theory, and one which sounds full of common sense. Of course, it received the strongest confirmation at the time of the publication of the Simon Report, and we have just heard from the chief author of that great report the reasons for the present alteration in their opinion.

Personally, I feel that the accession of the Indian Princes was, and is, essential to any scheme of federation. We have heard that the Princes said that, if they came in, there must be a change of Government at the Centre, and I feel that on that score, and with a view to gaining the accession of the Princes, it was a wise move to proceed towards a goal which we had declared to be the ultimate goal to aim at. Another point which certainly has force is as to how the Princes, or any of them, could be expected to accept a scheme of Federation unless they had at least before them the skeleton framework of what it meant. I am sure I am right in saying that no Prince, either in India or elsewhere, would come into a scheme that was completely vague and indefinite, not knowing either the obligations or the duties that would be thrust upon him.

The other main point with which I want to deal is as to the question of law and order. As I have said, I have had a great deal of experience in another country. Admittedly I have had different races around me, but I have had a great deal of experience and complete responsibility for the maintenance of law and order in very large areas, as large, in fact, as those in India which are being discussed to-day. I am stressing that fact because I would like it to be quite clear that, in the decision to which I have come, I have the fullest realisation of the dangerous possibilities of the transfer of law and order. I feel that in such a transfer there must be the greatest dangers and difficulties. But, although we are not asked to come to any very definite decision on this occasion, I personally am convinced that, if any progress is to be made towards the realisation of the goal at which we are aiming, the transfer of law and order in the provinces must take place. It is, as I have said, with a deep sense of the difficulties and dangers of such a course that I say that, and I am very glad to think that the Select Committee which we are about to set up will have the fullest opportunity of going into all the various problems connected with this matter. I believe quite sincerely that it would have been impossible to leave that matter alone in the provinces. I am sure that the decision to transfer law and order is an essential decision in future progress.

I would like to make one or two remarks about the White Paper itself. I am not so impressed with the tremendous burdens put upon the Governor-General and Viceroy; or, rather, I might say that I think there is little to fear, in view of the Secretary of State's reply on that point. I am more particularly concerned with the position of the Governor in the Province. I believe it was suggested yesterday that the burden was so heavy that some help should be given to the Governor in the Province, and I should like the Select Committee, when they consider these matters, to consider carefully the appointment of a Deputy-Governor. I know, from personal ex-

[Mr. Munro.]

perience in the Sudan, what a tremendous help in states of emergency, which did occur sometimes in that country, it was to have a Deputy-Governor in each Province. It is an incalculable help to the Governor himself. Moreover, I understand that at the present moment, if the Governor of a Province became ill or had to be absent, his duties would at once devolve on the senior official on the Executive Council. Under the White Paper proposals, however, as I understand them, the Executive Council will disappear, and, therefore, as things stand at present, there seems to be no provision for the Governor being either ill or absent. In addition to that, I feel, as I have said, that such an appointment would be of tremendous assistance to the Governor.

Another factor of the greatest importance, which was mentioned by the right hon. Gentleman the Member for Hillhead (Sir R. Horne), is the question of furnishing information to the Governor. We must realise, looking at things from the worst point of view, that the Minister concerned with law and order may be hostile to the Administration, and I am convinced that there must be some arrangement, carefully investigated by the Select Committee, by which the Governor would have immediate access to whatever information he considers necessary. I quite realise the great difficulties of putting that in the Constitution, but, when I recollect what grave crises have often been saved by timely, secret and accurate information, I feel that it is a most essential point for the Select Committee to consider. In conclusion, I would like to express my sincere conviction that the proposals contained in the White Paper are an excellent basis for the consideration of the Select Committee, and, what is more, are in my opinion, an absolutely honest attempt to give to Indians the management of their own day-to-day affairs—an attempt which I hope and believe, after the modifications which it will undoubtedly undergo at the hands of the Select Committee, will ultimately be successful.

7.39 p.m.

Viscount KNEBWORTH: I hope the House will excuse my taking part in this Debate, as one who has had some recent connection with India and who has a sincere and very tender love and affection for India and the Indian people. The hon. Member for Don Valley (Mr. T. Williams), were he here at the moment, would probably suspect me of trying to make a profit out of somebody, having regard to the views that I am expressing, but I do not approach this question, as do hon. Members opposite and hon. Members below the Gangway, with any particular admiration for the virtues of self-government. I am only concerned with the virtues of self-government in so far as they appertain to good government, and I thought it was an interesting philosophical reflection on the part of the right hon. Gentleman the Member for Hillhead (Sir R. Horne) that there is this wave of democratic opinion sweeping over Asia just at the moment when Europe was beginning to doubt the efficacy of democratic control. But, while one may notice with curiosity that state of affairs, one cannot ignore the facts, and I should not regard as a suitable definition of good government any proposal which did not take into consideration the fact that there is in India to-day, to a growing extent, among informed and well-educated opinion, a demand for a degree of responsibility such as has not been known before in the history of India. That is a factor which must be taken into consideration when we come to examine the problem before us.

I fully accept the basis on which the Foreign Secretary to-day began his speech, and on which he ended it—the basis that Parliament is here to implement, in the long run, the declaration in the Preamble of the Act of 1919. We are concerned to do that, and the only thing that we are here to discuss is the method by which it can be done. I believe that it is possible both to secure the essential principle of good government and also to secure a measure of self-government in a newly awakened India; but I think that the whole approach to this question has been very unfortunate, and I hope I may be excused if I ask the House first to consider, not in great detail, but in some detail, the successive stages in the history of India during the past six or eight years, at the conclusion of each of which stages the issue has been so pressing, and the fact that, when the Constitution Bill eventually comes to Parliament for consideration, we shall find our

ultimate decision already tied, if not by law, at least, to use the expression of the Secretary of State, by the court of conscience.

Personally, I should have liked to make dyarchy a success. I believe that, some two years before the Statutory Commission was appointed, the Muddiman Commission made certain recommendations which would have made it possible for dyarchy to work. But those recommendations were never acted upon, because it was said at the time that in two years the Statutory Commission would be appointed, and the whole subject would come up for review. Then came the Simon Report, recommending provincial autonomy; and, with the recommendation of provincial autonomy, it was impossible ever to go back to the recommendations of the Muddiman Commission. Then came the Round Table Conference and the idea of Federation. The conception of a United States of India was let loose into the political field, and from that moment it became impossible ever to go back to the recommendations of the Simon Commission. Then the Prime Minister, in his speech winding up the Third Round Table Conference, stated that it was intended to press on with the federal idea as soon as possible. He used words which suggested that it was the Government's intention to produce the full-fledged Federal Constitution and the local autonomous unit out of the same hat at the same moment; and, from the moment when that idea was put forward, it was impossible to go back to the consideration of a gradual development. Now we have the White Paper which we are considering to-day, setting out the deliberate views of the Government, and at every single stage in these proceedings it must be palpably evident that the eventual issue which we are to discuss, and which Parliament must decide, has been prejudiced to such a degree that, although in theory the decision will rest in our hands, yet in practice this Government, at any rate, will find it quite impossible to go back over the many stages which it has already covered.

I want to approach the question of the proposals contained in the White Paper not so much from the point of view as to whether the safeguards are adequate or inadequate, but as to whether the proposals present a proper method of dealing with the question at all. It is, perhaps, rather impudent of me, with very little experience and few sources of information at my command, to criticise the Government proposals, but I was elected to do that if I thought fit, and I have to use my discretion in the matter as much as any other Member of the House. My objection to the proposals is that they are not such as, in my opinion, will give good government to India. My objection to them in principle is that they amount to very little more than a re-hash of the old principle of dyarchy, which was proved after 10 years of experience to be a ghastly failure. I should like to call attention to a passage in the speech of the Secretary of State which bears on this point. He met the criticism that responsibility with safeguards is a negation in terms in the following words:

> "If the safeguards are effective responsibility is a sham; if responsibility is effective the safeguards are a sham. Fortunately, the world is not run on a rule-of-three of this kind."

It seems to me that that is just the kind of thing that hon. Members opposite say when they want to raise a loan of £100,000,000 for purposes of their own. They say that fortunately the world is not run on a rule of three of this kind. [An HON. MEMBER: "Take one nought off, will you?"] They will put it on again, so it does not matter. This criticism that you cannot have responsibilities and safeguards is a criticism of principle which, to my mind, cannot be lightly brushed aside in that way. The Secretary of State went on to say that this criticism meant

> "either that there could never be responsibility in India, or it would mean that if there were responsibility it must be responsibility without safeguards."—[OFFICIAL REPORT, 27th March, 1933; col. 708, Vol. 276.]

In my opinion, responsibility without safeguards is the only form of responsibility and, as one who genuinely and sincerely is desirous of helping the people of India along the road to eventual responsible government and Dominion status, I believe the only proper approach to the problem is one that gives responsibility and, where it gives it, gives it absolutely, and gradually, as responsibility in a particular sphere has been exercised satisfactorily, the field of responsibility might be extended. But what we are asked to accept in these

[Viscount Knebworth.]

proposals is a local autonomy in the Provinces with considerable overriding powers of government at the Centre, complete with the outworn paraphernalia of dyarchy, complete with the reserved and transferred subjects, complete with its power of certification, complete with the new special responsibility entrusted to the Governor-General. I fear that these proposals will meet with precisely the same difficulties and the same results as the whole conception of dyarchy has met with during the last 10 years.

The House is asked by the Secretary of State and others, if it does not like this White Paper, what alternative it has to offer? I want to ask why we have not been able to advance along this path by gradual but deliberate stages? Why could we not give absolute responsibility for the transferred subjects to the provinces and, if that proved a success, advance towards the recommendations of the Simon Report and give complete local autonomy, still retaining power at the centre, and why, if that had been a success, could we not in the end have considered responsibility at the centre also? The reason we are given for the policy contained in the White Paper is that a new factor entered into the picture when the Princes declared their willingness to be a party to a federation, but I cannot see what new factor that creates. The Princes did not make a demand that a federation should be created in which they could be parties. They merely said: If a federation can be formed, we shall be prepared to participate in it. No doubt, that was a very delightful revelation, which the Government were very glad to hear, but it does not make it necessary immediately to create that federation in order that the Princes may participate. It has usually been the practice in the past, when you are building a wall, to lay the bottom row of bricks first and subsequently to superimpose other bricks until the top is reached. The wall that we are building is of a peculiar nature, and it is proposed to lay the top row of bricks first and to fill in the space between it and the ground afterwards. The position does not arise in which we can talk of federation and talk of the Princes being prepared to come into a federation until we have created, at least in the provinces, those great autonomous units actually governing themselves successfully and well.

It may be very difficult for the Government, after all the steps—to my mind, the unfortunate steps—which have been taken, at least since the appointment of the Statutory Commission, if not before, in any way now to modify the proposals that it has put forward, but I do not believe that it is yet too late for the House to pronounce definitely its opinion that it is prepared to assist India along the path towards self-government and Dominion status, that it is prepared to give responsibility and to give it absolutely, perhaps in the provinces, or perhaps in only part of the provinces, but, that until these autonomous units are created, until the working of that responsibility in the provinces has been found to be a success, the House is not prepared to abrogate any authority at the centre of administration whatever. I believe that, if these proposals eventually take the form of an Act and become operative, because they are founded upon a wrong principle, because they are the result of an attempt to reconcile things which are irreconcilable, because they do not regard the fundamental principle that responsibility and safeguards are incompatible in themselves, they will merely water the seeds of strife, conflict and ill-will which have been the principal features of Indian history since the War. I believe they will produce precisely the same results of obstruction, of unhappiness and of distress which diarchy produced, and I believe they will bring trouble to the Indian people and embarrassment to the administration, but I hope I am wrong.

7.55 p.m.

Mr. BERNAYS: It is very pleasant to rise from these benches in wholehearted support of the Government, all the more because the opportunities for doing so are becoming increasingly rare. I should like to try to put up some answer to the very formidable attack made on the White Paper by the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood), all the more formidable when one remembers the quarter from which it came. It had a great many cheers from a wing of the party with which the right hon. and gallant Gentleman is not usually associated, but I was in-

terested to see that, while he has had the courage to put down an Amendment, for which presumably he is going to vote, those who cheered him are going to vote for the Government. He suggests in the Amendment that the people of India should indicate that they want these proposals to be enacted by this House. How are the people of India to indicate their views on this question other than the ways in which they have indicated them, by their Press—the whole of the Indian Press is Nationalist—by the representatives of Indian opinion who have come here at successive Round Table Conferences and through the meetings of Congress, which, after all, is the only popular party in India. When I paid, it is true, only a globe trotter's visit to India, I tried to find out how far there was an opinion there in favour of the present system of Government. Honestly, I could not find any support anywhere. There were differences in the degree with which the Indian people disliked the present system, but they all united in disliking it and wanting it to end.

I think that the right hon. Gentleman was rather unfair in the sneers that he uttered at the expense of the Indian politicians. After all, they have made great sacrifices of time and, in the case of men with great practice at the Bar and great businesses in India, great sacrifices of money in order to come here and help in the work of the Constitution. It would have been very easy for them to throw in their lot with Congress. That would certainly have been the popular thing to do, and we owe them a debt that they have stood by us when they had so many inducements to desert us. When the right hon. Gentleman says, "What have these Indian politicians done for social reform?", what exactly have we done for social reform? It is easy to sneer, but, after all, they have only been in even a limited degree of power for 10 years, and we have been there for 150. Though I fully agree that we have done a great deal, I think that anybody who goes there will agree that we could have done a great deal more. In any case, we are the last people who ought to sneer at the Indian politicians for the condition in which India is at the present moment. I agree entirely with what the right hon. Gentleman said about the importance of safeguards for the Indian people, and it is very refreshing to hear the emphasis laid primarily on safeguards in the interests of the Indians, and not—as so often in this Debate—on safeguards in the interests of the commercial classes of this country. I entirely agree with the point that he made that we ought to have some guarantee that, if the Princes come into the Federation, they shall establish some type of constitution. Anyone who goes to India and visits some of these more backward native States must be horrified at the condition of their autocracy. I remember, in a remote Indian State, coming across a fort in the middle of the desert; I was told—and I have no reason to doubt it—that the Indian Prince would put in that fort, without any sort of trial, any man who happened to be inconvenient to him.

I also agree with the right hon. Gentleman on the necessity for an extension of the franchise. The opponents of the White Paper who cheered the right hon. Gentleman did not cheer that suggestion. There is no support among them for an extension of the franchise; in fact, they are always arguing that we are giving up India, delivering it over to the illiterate millions. I fully agree with the right hon. Gentleman; it is these illiterate millions who, if brought on to the electoral roll, might be a guarantee against oppression. In fact, there is one point in this White Paper which fills me with misgiving, and that is the narrowness of the women's franchise. These proposals, taken at their face value, only give one-seventh of the votes to women. There is also a requirement that women who are entitled to be on the register in respect of their husbands' property have to make an application to be put on the electoral roll. That means, I suggest, a considerable disfranchisement of the women of India. After all, if women even in this country had personally to apply to have their names on the Electoral Register, there would be a great many who would not take the trouble to do so. That is even truer of India where the inferiority of women is deeply engrained in the Asiatic mentality. When the first election comes, we may well find that only something like one-twentieth of the voters are women. That, I suggest, is most unfortunate. It is in the direction of the improved status of women that India, for all the tremendous

[Mr. Bernays.]

changes that are going on, has gone the shortest distance and is making the slowest progress. Over vast tracks of India woman is still regarded as a chattel. In millions of homes in India to-day she will not sit down to meat at all until she has served her lord and master. Even among the educated classes a woman frequently appears to Western eyes as more of a servant than a partner. I suggest that here, in this Constitution, is an opportunity of erecting a ladder up the rungs of which the women of India can climb to the heights of self-respect.

Moreover, what we call here the social services practically do not exist in India. The conditions of factory labour, as described in the Whitley Report, beggar imagination. They recall the most horrible period of our own industrial revolution. Everyone who has the most cursory acquaintance with India would agree that housing conditions are appalling. I have seen underground hovels in the bazaar in Bombay—— [*Laughter*]. I do not see why it should be most frightfully funny.

Lieut.-Colonel APPLIN: I think it is awfully funny.

Sir CHARLES OMAN: Who are the landlords and millowners?

Mr. BERNAYS: —Underground hovels, without floorboards, without window, without fireplace, without the elementary cooking utensils. Here men come to birth and grow to manhood.

Sir C. OMAN: If I might interrupt the hon. Member, who are the landlords and millowners who are responsible for the conditions of these people?

Mr. BERNAYS: If the hon. Member would allow me to develop my argument, my whole point is that I want to bring in the illiterate millions to curb the power of the landlords, to insist on better conditions. I do not say that it is the fault of the Government. The British Government might have done more to stimulate those services, but it is in great measure the fault of the landlord and the millowner. What I want is that the electorate should control them. Up to now there has been no driving force towards social reform. The British in India have been too busy in the necessary tasks of policemen, and the Indians have been too busy agitating, to be social reformers. I hope that with the grant of this Constitution all that will end. I suggest that, in this attack on social conditions, we should give the women the fullest opportunity of playing their parts. We here know how the extension of the franchise to women has stimulated the social conscience.

I should like to direct another question to the Government on this White Paper. Would it be possible to arrange some kind of time limit for the deliberations of the Joint Committee? I suggest that it is most important that the committee should not interpret its mandate as an invitation to an eighteen-months' exploration of the Indian problem. We have had two commissions of inquiry to India, and three Round Table Conferences. Surely the time for inquiry is over and the time for action has arrived? I wish that it were possible for this committee to conclude its deliberations by, say, August, if only for the sake of these Indian visitors. After all, the Indian politicians —*these distinguished gentlemen*—have visited this country four times in the last three years, and we ought, if only out of consideration to them, to speed up the deliberations of this committee.

The delays which must take place before this Constitution is established are very formidable. There is the condition of the establishment of a Reserve Bank. I should like to interpolate a question to the Government here—whether a committee has yet been set up to inquire into the conditions of that Reserve Bank? I believe that the announcement that the Government were already getting such a committee to work on the establishment of a Reserve Bank would be regarded in India as a very important guarantee of their effectiveness. There is the further delaying clause that, even when the Bill is passed, it will not become law except by special Resolution of both Houses of Parliament. The unchanging East is changing so fast that there is a real danger that the India for which we are legislating in this Constitution may be quite different from the India that will have to work it. It is all the more important that there should be no shilly-shallying or dilatoriness in the deliberations of this Joint Committee.

These, however, are minor points compared with the importance of getting the Constitution started. No doubt the right hon. Gentleman the Member for Epping (Mr. Churchill) will exhaust to-morrow every wile to bring this Constitution to ridicule and contempt. One can only repeat the question which is becoming the dominant motive of every speech in this House: What is the right hon. Gentleman's alternative? That question has been asked so often that I cannot think that the right hon. Gentleman can shirk an answer. But it will certainly be the only time that he will have stated where he intends to go since he first started riding the tiger! If he says, like my Noble Friend the Member for Hitchin (Viscount Knebworth), that he stands by the Simon Commission, then he must answer some of the very formidable criticisms that have been brought against the Simon Commission. Our answer is, from that point of view, that the Simon Commission is unworkable. There is also the very cogent argument used last night by my hon. Friend the Member for Doncaster (Mr. Molson), who pointed out that under the Simon Commission the Government in the Assembly would be deprived of the support of its 25 official members. If that support goes, there is complete deadlock, because the Government have relied on almost every important division upon the support of those 25 official members. We should see the irresistible force coming up against the immovable object. What is the answer to that? And who are to work the Constitution favoured by my Noble Friend? Who will be their friends? My Noble Friend and his supporters allege that nobody in India wants our scheme. Who wants theirs? At least, powerful representatives are coming over to this country next month to co-operate in working out the details of this Constitution, and not a voice has been raised in India in support of the right hon. Gentleman the Member for Epping and his friends. Even the Moslems have revolted from them, and are clamouring for a greater measure of self-government than is provided in the White Paper.

There will be nothing but the Army left, and what will be the position of the Army in such circumstances? They could not remain. I was discussing the situation with a distinguished general in Simla, who by temperament would naturally be attracted to my right hon. Friend the Member for Epping. I asked him whether he was in favour of that scheme being carried out in India, and he said that if it were carried out the Army could not be responsible for the defence of India with our present troops. That was an opinion which should carry some weight. It might be necessary to send out powerful reserves. Are the opponents of this White Paper prepared to face up to that? Are they prepared to face up to the necessity of telling the electorate that the reserves are necessary? We are accused of breaking up the Empire. I cannot imagine any policy that would break up the Empire more quickly than the policy of the right hon. Member for Epping and his friends, and I resent the suggestion, frequently made by him and his followers, that they are more jealous of the interests of the Empire than we are. They have no right to discuss Indian policy as if the lovers of Empire were exclusively on their side.

We on these benches have a peculiar right to talk about the Empire. Was it not a Liberal Government that gave self-government to South Africa? [*Laughter.*] Well, we did not laugh when the War came, and, instead of a stab in the back, we had the most generous gifts of manhood and resources. It is not in the existence of the Empire that we quarrel but as to its future. We think that we have come to the end of one great chapter in British politics. I agree that it is a chapter upon which we can look back with considerable pride and satisfaction. We believe that the end of one chapter is only the opening of another. The time of tutelage in India is over. The opportunity of leading India into association with the self-governing Dominions of the Empire has arrived, an Imperial adventure, difficult and dangerous if you like, but I believe in the highest sense of the word as right as any adventure that this Empire has undertaken.

8.16 p.m.

Mr. EMMOTT: I hope that I shall have the House with me when I say that it is indebted to the hon. Member for North Bristol (Mr. Bernays) for the speech that he has just addressed to it. It was clear, pungent, and throughout inspired and informed by strong feeling. I could not but

[Mr. Emmott.]

think, however, that in certain parts of it the hon. Member failed entirely to appreciate the point of view of some hon. Members whose attitude he criticised. It has been brought against us more than once in the course of this Debate that our attitude is merely negative and that the position of the right hon. Member for Epping (Mr. Churchill) is unintelligible because he has no practicable alternative to set against the proposals of the Government. The right hon. Member for Epping can answer for himself, but those of us who hold certain opinions upon this topic can and ought be make plain exactly where we stand.

At this point it may be convenient if, leaving to a later stage of my observations any criticism of the speech of the hon. Member for North Bristol, proceed at once to put before the House a few observations upon the speech of the Foreign Secretary. I am a little sorry that he is not in his place at this moment. I quite appreciate the reason for his absence, and I do not for a moment complain of it, but the speech which he addressed to the House was so interesting, so fascinating and raised so many extremely important points that I have no need to apologise for referring briefly to it. I shall only claim a comparatively few minutes of the time of the House. The right hon. Gentleman put before us in a very fair way the position in which he finds himself. He made it plain that in the report of the Commission over which he presided with so much dignity and distinction a certain argument was used and a certain position was arrived at, but he made it clear that since the report had been issued a great change had come over the situation. I was, however, left with considerable doubt at the conclusion of his speech whether the right hon. Gentleman had really dealt with an essential difficulty in his argument. The hon. Member for Hitchin (Viscount Knebworth) has already touched upon this point, but in view of its importance I need not apologise for mentioning it again. It is necessary to put before the House certain passages in the right hon. Gentleman's own report upon the question of the nature of the central Government to be established in India. In paragraph 165 of the report there appears the following:

> First, we lay down without hesitation the proposition that diarchy at the Centre, or any system of divided responsibility resembling diarchy, is quite impossible. Units in the central executive must be preserved at all costs."

I am going to add to that passage one or two other passages, but I pause to point out that there is in that passage no qualification of the position that the unity of the Central Execuive must be preserved at all costs. In other paragraphs the report alludes to the same topic. In paragraph 177 the Commission say:

> "While there can be no going back from the present degree of responsibility at the Centre, we are equally clear that it would be impracticable and undesirable to introduce the principles of diarchy into the Central Executive. We consider that responsibility for the subjects which must necessarily be the province of a Central Government cannot be departmentalised."

Again, there is no qualification of the position that the Commission take up. A little later, in paragraph 177, the Commission say:

> "We do not think that the evolution of the constitution at the Centre will necessarily follow this path,"—

That is, the path af diarchy. In paragraph 29 of the report this passage is found:

> "We do not think that the British Parliamentary system, with an Executive representing a single party and depending from day to day on the vote of a majority of directly elected representatives, is likely to be the model according to which responsible government at the Centre for India will be evolved."

The point that I am very much concerned to make is that in none of these passages is there any qualification of the position there maintained. It is not as if there were a single word to indicate that in the opinion of the Commission if federation were established then a system of diarchy at the centre might also be established. One could understand very well the position which a right hon. Gentleman or an hon. Member might take up to-day if the report had contained passages to another effect, if there had been some suggestion that the conditions precedent to the establishment of federation being satisfied, and federation then being contemplated as likely to come into existence, the system of diarchy might be established at the centre. But there is no such suggestion, as far as I can remember, in the whole of the report. I may be wrong, and I stand to be corrected

on this point, but I think I am right in saying that in the whole of the second volume of the report there is no suggestion that it was in the minds of the Commission that if the Princes expressed their willingness to come into federation, and if all the conditions precedent to the establishment of federation were satisfied, and federation were contemplated not merely as a possibility in the remote future but as a possibility of the near future, that in those conditions a system of diarchy might be contemplated in the central Government.

The right hon. Gentleman faces the position with the utmost fairness, as indeed this House would expect him to do. He does not attempt to extricate himself from the difficulty in which he finds himself by any burking of the issue. He told the House fully and fairly that a complete change had come over the political situation. That change, of course, was the declaration made on behalf of the Princes, or some of the Princes, at the first session of the Round Table Conference. That declaration amounted to this: that the Princes would be willing to come into a federation but only upon the condition that the central Government was changed, only upon the condition that the central Government ceased to be what it is now, and became a Government containing at least an element of responsibility. I speak from memory, and am not certain of the exact phrase which was used, but I think it is the essence of their position that the Princes expressed themselves as willing to come into federation if the central Government contained an element of responsibility. The right hon. Member now says: "Here is this position. Are we to accept federation upon this condition? Are we, in other words, to abandon the position we then took up, and to establish federation upon this condition, or are we to abandon the prospect of federation in order to avoid introducing a system of diarchy into the central Government?"

It is certainly a question of enormous difficulty, and I am most anxious to avoid any language which may savour of dogmatism. I deliberately use the language of suggestion, and say, may it not be that the method of approach that is contemplated by the Government in the proposals of the White Paper is not really the right method of approach to the question of the establishment at the centre of a government which is suited to the conditions of India? If the arguments of the Commission are sound, and they seem to me to be completely sound, if the argument of the Commission that dyarchy is a system which must not be introduced into the central Government is sound, then must we not contemplate the possibility of a completely different system of government being established at the centre? It is not for me on this occasion to go into details in regard to the nature of any such central Government, but it may well be that the form of government which will prove to be best suited to the conditions of India and the form of government which will be established at the centre, is not the form of government of the nature envisaged by the proposals in the White Paper.

There is much evidence, and most weighty evidence, in support of the view that the form of government which is really suited to the culture, the traditions and history of the Indian peoples is a form of government which consists in its essentials of an irremovable executive. I do not suggest that any particular executive should be irremovable over a long period of time, but I suggest that an executive which is not responsible to a popularly elected assembly and which is not removable over a certain period of years, might, in its essentials, whatever the particular form that government might take, prove to be the form best suited to the central Government of India.

May I refer to another part of the right hon. Gentleman's argument? He was concerned, as was the Secretary of State yesterday, with the all-important question of the transfer of what is known as law and order in the provinces to Ministers responsible to a popularly-elected Legislature. I use the phrase "law and order," although "courts and police" would perhaps be more accurate. It is not altogether fair to suggest that the position which some hon. Members take up is one which is lacking in clarity or distinctness. All we ask is that fair consideration should be given by the Select Committee to the proposals contained in the report of the right hon. Gentleman himself. The point has already been referred to, but only briefly,

[Mr. Emmott.]

by an hon. Member last night, and it may be worth while if I remind the House of a passage in one of the paragraphs of the report that is relevant in this connection. The right hon. Gentleman points out in that passage how vitally important the department of police is in regard to all relations of Indian life. It is far more than a mere department of the police; it is something upon the proper operation of which the whole security of Indian life depends.

The Secretary of State yesterday was concerned to meet certain criticisms which, according to his statement, had been brought or might be brought against the position taken up by the Government on this matter. He dealt very fairly with two propositions, the first of which was, that the Services would blankly refuse to obey orders, and the second was that the Governor would not really be capable of carrying his powers into effect when his Government threatened to resign, and you might be left without a Government at all. I think that the right hon. Gentleman the Secretary of State for India has not entirely appreciated the position of criticism which is assumed by some hon. Members of this House. That is not precisely the criticism which we urge against the proposals of the Government. It will be observed that the two propositions which the Secretary of State was concerned to meet and to rebut were concerned with the legislative position and a situation of crisis. I think that I may fairly put it in that way. What would happen in certain conditions? Would the Services blankly refuse to obey orders, and would the Governor be unable to carry his powers into effect when his Government threatened to resign? Both those positions are concerned with a situation which might accurately be described as a situation of crisis. The House will agree that in order to deal with a crisis or an emergency the system which the Government propose to establish is fully adequate.

But what we are really concerned about is not a position of crisis; and not legislation. We are concerned with a matter which is at least equally as important as the legislative power of the Governor and the possibility of crisis or emergency. We are concerned with the administration which continues day by day, week by week, and month by month. The real danger, surely, under the plan of the transfer of law and order in the manner proposed by the Government is one which is concerned with administration. The Minister in charge of law and order to put it at its lowest, may possibly belong to one of the great religious communities of India. He may be a member of the Congress. In the eventuality of serious trouble arising, must we not imagine a situation in which they may be placed upon that man a burden which it is absolutely impossible for him to bear? Of course, as a Minister, he would not be immediately concerned with some action taken at a particular moment in certain circumstances; but the point, surely, is that every police officer must be satisfied that, whatever action he undertakes in the due performance of his duty, he will be upheld by his superior officer or officers. He must be certain of support at the top.

At the same time the people of India, the security of whose life depends upon loyal police administration, must be satisfied that the duties of the police will be carried out with absolute fairness. Is there not very grave risk that in certain circumstances, where communal strife has risen to a high point, and where religious passions are deeply stirred and are exacerbated, it may be, by some hideous act of violence, is there not a real danger that a police officer may be afraid to take action because he fears that if he does so he will be taking action against members of his own community, and that it will not be upheld by those above him? When I speak of those above him? When I speak of those above him I have in mind the whole scale of officers ascending to the highest point, to the Minister.

It cannot be said that these matters of administration do not really concern the Minister. They must concern him eventually. The ultimate responsibility being upon the Minister, surely it is obvious that any action taken by any police officer, of whatever rank in the Service, may come under the review of the Minister. It is therefore essential, in our submission, that there should be selected as the Minister to whom the control of law and order is to be entrusted a man upon whom the Governor can absolutely rely for the just and fair performance of

his duties. I am far from suggesting that such men are not to be found in the Provinces of India. Our position is not that such men are not be found, but that if a Governor has to find such a man in the ranks of the elected members of Provincial legislatures he may find himself in a very great difficulty. Our position is that we wish to ensure that the Governor should have the power to select a man who may not belong to the category of elected members. It may be that the Governor will find in the legislature the very man, whoever he may be, who is well suited to the performance of this work. But it may not be so.

Therefore, we strongly support the suggestion of the Statutory Commission that the Constitutional Statute should be in such a form as to make it possible for a Government to include an element drawn from official or other non-elected sources. The Commission in another paragraph in the report have already referred to the matter and have alluded to the possibility that the Governor, when he forms his Cabinet after a general election, will include in it one or more non-elected persons. That is our position. At least I can speak on this matter for myself. Certainly I do not dissent from the position assumed by the Statutory Commission. I am willing to rest upon the position assumed by the right hon. Gentleman and his colleagues. So much for this point.

I should like to add a general word upon the topic about which I first addressed the House. I do not understand why the proposals contained in the White Paper in regard to the transfer of powers of government to Ministers responsible to popularly-elected legislatures should not be carried out; but why not leave the situation there? It seems to be generally assumed that if that change were carried into operation it would not be sufficient, that a far greater change ought to be made, and that nothing will satisfy the desires of Indian politicians but a change also in the central Government. Surely the change envisaged by Government in these proposals is a very great change indeed. The Secretary of State for Foreign Affairs this afternoon referred to the extent of that change and mentioned the transfer of the subject of land revenue to responsible Ministers as constituting in itself a very important change. I cannot help feeling, although I only throw this out as a suggestion, that there has been evinced in certain parts of this Debate a failure to appreciate that the changes which it is sought to introduce in the provincial governments are, themselves, changes of real importance.

It may well be that in the future the Central Government may have a diminishing importance in India. It may appear in the course of time that the important organs of government in India are the provincial governments and not the Central Government. If we look ultimately towards federation, may it not be found that federation will be brought about not by the method envisaged in the White Paper but in quite another way? I am not sure that I did not catch a hint to this effect in the speech of the Secretary of State for India yesterday. I speak from memory but the right hon. Gentleman referred, I think, to the possibility of regional arrangements, affecting, I presume, certain provinces and their neighbouring states. May it not be that if federation is to come into existence, it will come into existence through a process of regional arrangements? May not certain provinces and certain neighbouring States make arrangements among themselves to form political units; and may not those units themselves in time come together to form a federation? Federation may well come about in that way. We are very much concerned that there shall be real constitutional development in India, but we are very much concerned that that constitutional development shall take a safe and right course. What we are fearful of at this moment is that if the system of diarchy is established in the Central Government, the possibility of sound and strong federation may be postponed to an almost infinite future.

8.48 p.m.

Miss RATHBONE: I do not think that any fair-minded person can envy the position of the Government or fail to admire the extraordinary ability and lucidity of the two chief exponents of their policy, the Secretary of State for Indian and the Secretary of State for Foreign Affairs. The Government are in a difficult position because they are being shot at from the right, the left and the centre, and much of the criticism is more effective on the destructive than on

[Miss Rathbone.]

the constructive side. Of all the speeches to which I have listened either to-day or yesterday, that which made most impression on my mind, among the critical speeches, was the speech of the right hon. and gallant Gentleman the Member for Newcastle - under - Lyme (Colonel Wedgwood). That the House too was impressed by it, was very manifest. As I listened to that speech, it seemed to me that it was just as though someone was lifting a great stone and showing underneath all the creeping life that had been hidden by it. In addressing the House on this occasion, I want, if I can, to raise another stone which covers another aspect of the Indian problem equally neglected with that to which the right hon. and gallant Gentleman referred.

I have a few words to say about the general question, but what I desire specially to speak about is the position of women under the new Constitution. My qualification for doing so is that for the last four years I have lived almost night and day with this question. There has been hardly a day, and certainly not a week, which I have not spent partly in the study of it. I wonder whether those who speak, as we so often hear people speaking, of minorities in connection with the Indian question, ever remember India's largest minority, its women. Yet women in India are not only a minority numerically—they are about 9,000,000 fewer than the men for reasons which are not irrelevant to my subject—but they are also a minority distinguished by the feature which alone justifies the safeguarding of a minority, namely, the possession of special needs and interests which are likely to be neglected unless special provision is made for them. That this is so of Indian women the Government do not deny. They attempt in the White Paper to make special provision for women, in special franchise qualifications and reserved seats on the legislatures. My point is that that provision is entirely inadequate.

But before I enlarge on that, may I remind the House of the special nature of its responsibility in this matter? Many speakers have referred to Great Britain's trusteeship for the millions of humble people in India who live out their lives while politicians wrangle and fight for place and power. Does that responsibility not extend to the women? When Dr. Ambedkar was speaking of the untouchables at the Round Table Conference he said—I am quoting from memory: "You have been in India for a century and a half. You found us a depressed class. You leave us a depressed class. What have you done for us?" That question might be asked also about the women of India. In what condition did we find the women of India? In what condition are we leaving them? I can only touch briefly on a few of the indisputable facts. These facts do not relate to the educated and emancipated women, nor to all the rest, because conditions vary infinitely according to community, caste and province. I only touch on conditions widely extended which do affect, not thousands but millions of women in India.

First, there is illiteracy of the great majority of the women. This is often advanced as a reason against their enfranchisement. But the majority of the proposed male voters are also illiterate and yet nearly every important commission and committee which has dealt with this question, has declared that, for the sake of their own self-protection, it is necessary to give a substantial measure of enfranchisement to the peasants, the untouchables and the women. Why are the women illiterate? The Hartog Committee of the Simon Commission gives the answer. It is because the provincial Governments grudge spending money on the education of girls and the fathers are generally indifferent to it. Yet that very educational authority has testified to the way in which the national progress of India is being held back by the illiteracy of the women. How are you to overcome these obstacles if women are deprived of political influence?

Secondly, there is the *purdah* seclusion of women. Many people who have never studied the subject find something rather mysterious and attractive about the idea of the zenana and the veil. Do they realise that strict *purdah* as practised among the lower middle classes—and it is among those that many people think the practice is extending rather than decreasing—often means that girls from the age of 12 onwards are shut up in two or three dark rooms into which no ray of sunshine ever penetrates,

which they practically never leave for years except to go into a dirty little walled court, with the result that there is a frightful death-rate from tuberculosis and other horrible diseases which are the direct result of the lack of sunlight. According to the most recent reports, the tuberculosis rate in India, a land of fierce sunshine, is rapidly spreading, especially among girls of from 10 to 20 years old, and for one boy who dies from tuberculosis, five girls die.

Thirdly, marriage customs and laws. Who can defend the abominable injustice which permits a mere child to be married to a man whom she has never seen and binds her to him indissolubly for life, while he is free to cast her aside merely because she is barren or because he prefers someone else. Then there is child marriage. Read that most terrible but very courageous document, the Joshi Report on Age of Consent and Marriage. I have not time for even the briefest account of its findings, but that weighty committee of Indian judges, lawyers, and doctors appointed by the Government, after a year's exhaustive examination of the subject, were evidently so overwhelmed with the horror of the evidence brought before them that they could hardly find words strong enough to express it, and they summed up their findings in a passage which deliberately compares child marriage leading to premature maternity, in its intense suffering and devastating effects on the vitality of the race, to the bygone practice of *suttee* or the burning of widows alive on their husbands' funeral pyres. They report that the custom is decreasing hardly at all, and that even to-day almost 50 per cent. of the girls of India are married before they are 15, and large numbers before they are five.

Lastly, maternal mortality. In this country we consider a death-rate of nearly four maternal deaths per thousand births as something shocking, and a recent report pronounced that more than half of those deaths are avoidable. In India by a very cautious and conservative estimate —most people with whom I have discussed this subject think it far too conservative, but I like to err on the safe side—there cannot be fewer than 126,000 deaths of mothers every year, or 14 every hour. And such deaths, many of them of young girls in their very early teens, prolonged, agonising, deaths without any kind of anaesthetic or medical attendance of any kind, except that of a dirty, untrained, ignorant village midwife, for in all British India, with nearly 130,000,000 women and girls, and with 8,000,000 births every year, there are, according to a recent report, only about 400 full qualified medical women, although the great majority of the women are forbidden by their social customs to accept attendance from anybody but a woman. As for trained nursing, it is in its infancy, and except in the towns the number of nurses is negligible; and the same is true of trained midwives. No wonder that the Health Commissioner for India, in his latest report, begins this part of his subject as follows:

"The problems attending maternity work, and in particular maternal mortality, show a depressing tendency to remain completely unsolved—one is tempted to add insoluble."

Again:

"Advance in this branch of health work is extremely slow, and it is only by looking back a considerable number of years that we can appreciate progress at all."

How can progress be quickened? How can we stop this river of dreadful death? The Health Commissioner himself, in one of his unusual incursions into politics, gives the answer:

"Entry of women into public life. With the new Constitution many women will be enfranchised. Naturally their intereests will focus on problems which specially concern them . . . . This will be reflected in legislation concerning women and children."

Every recent committee and commission has hinted at the same connection between cause and effect and suggested the same remedy. Let the women take a hand, they say, and bring about the social reforms which are so necessary for them.

Now let us turn to the White Paper, and see how the Government deal with the recommendations of their own responsible committees and commissions on this subject. The Simon Commission's Report, which the right-wing section of opinion has to-day elevated into a sort of Ark of the Covenant, deals at considerable length with this question, and after discussing all the difficulties, such as purdah, illiteracy, and all the rest, suggests that the present almost negligible women's franchise in India might be augmented by enfranchising the wives of men voters, but at a higher age than men. On their own estimate

[Miss Rathbone.]

this would have produced an electorate of something like one woman to two men, probably more. I will not trouble the House with quotations, but those hon. Members who are interested may turn to Volume II, page 93, of the Simon Report. The Government were apparently so impressed by that recommendation that in their own instructions to the Lothian Franchise Committee they state:

> "His Majesty's Government attach special importance to the question of securing a more adequate enfranchisement of women than the existing system which . . . has produced a women's electorate numbering less than one-twentieth of the total male electorate."

In obedience to that instruction, the Committee produced proposals which would have given women a voting ratio of about one woman to four and a-half men; that is, considerably less than under the Simon proposals. But in compensation they proposed reserving a certain number of seats for women in both the Federal Assembly and the Provincial Legislatures.

The White Paper accepts that proposal as to reserved seats, but as regards franchise it has thrown the great majority of women voters overboard. By the admission of the White Paper itself, the voting strength which it proposes to bestow on them for the Central Assembly is that "less than one-twentieth of the electorate" which the Government themselves, in their own instruction to the Lothian Committee, pronounced inadequate; and for the Provinces it proposes a voting ratio nominally of one woman to seven men, but by the device of requiring the great majority of wife voters to apply for their votes, it provides a check which I think most people who know anything about social conditions in India will agree is likely to cut down their voting strength to very little if any better than the original, "less than one-twentieth of the electorate."

I cannot help thinking that those who advised the Government to adopt that expedient for cutting down the numbers of women voters without seeming to do so must have winked at each other as they did it. Even in this country, if that condition were applied, supposing party organisations were as rudimentary as in India and every voter was obliged to apply for his or her vote, not at the time of the election, but perhaps a year or several months before, how many would take the trouble to do so? It seems both harsh and illogical to apply that condition to women and not to men. Admirers of Jane Austen may remember a delightful passage at the beginning of "Sense and Sensibility," when John Dashwood cogitates how he can best fulfil the promise which he gave to his father on his death-bed to provide for his mother and sisters. Beginning with a proposal to give them £1,000 apiece, he arrives by several stages at the conclusion that an occasional basket of garden stuff is all that can reasonably be expected of him. It seems to me that the mind of the Government has followed very much the same course in dealing with Indian women.

I shall be told that that is unfair, and that there are reserved seats for women and that the actual number of women voters will be increased. That is something, but let us be realists. The new administration in India will begin its work under great difficulties; it will be poor, very poor. It will be beset with claimants. Every candidate, every Government Department, will be expected to fulfil all the expectations that have been raised as to the millenium which is to come about when India has self-government. To whom will they listen? Will they listen to the claims of those who have nineteen-twentieths of the voting strength behind them or to the claims of those with one-twentieth? To whom do politicians usually listen? To their constituents, or to those who have nothing but the justice of their case and the greatness of their need to back them? I entreat the Government to think again on this subject. We are told that there are administrative difficulties. When the Lothian Committee travelled in India, did they not weigh those difficulties? If they are considered serious, I would beg the right hon. Gentleman to consider if he cannot give women something in exchange for what he is taking away. May I make a definite suggestion? Why should not he revert to the Simon Commission proposal and enfranchise at a specified age the wives of all propertied male voters and not merely those holding exceptionally high property qualifications? In that way we should have a much larger women electorate on paper

than is proposed by the Lothian Committee, but when the requirement for making application for their votes is taken into account, probably the resultant numbers would not be very much greater.

I ask the Government to consider what effect this whittling down of the hopes that have been held out is likely to have on the ardent excitable women of India. Many of them are halting between the path of co-operation and the path of revolutionary agitation. Into which of these paths are the Government pushing them? There is another consideration which should weigh even more with the Government. The figures which I gave just now concerning social conditions had to be so shortly given that they may not have conveyed much impression to the House, but they represent an enormous amount of death and suffering and disease. If it be true, as most responsible observers believe, that there is no way of changing those terrible conditions except through the political influence of women, may it not be the case that on this part of the White Paper, which seems to most hon. Members to be so relatively unimportant, may hang issues of life and death for literally hundreds of thousands, perhaps millions of women in the years to come? We have not been able to do much for Indian women during the century and a-half of our rule. We have done something, but not much. Whenever measures were proposed to help the women, the argument—was it sometimes the excuse—has always been that we as alien rulers dare not interfere lightly with social customs based on religious traditions which we did not share.

A distinguished civil servant once told me that when he first went to India as a young man the one maxim which was repeatedly impressed on him was, "Keep your hands off religion and the women." Is not the truth of it that this maxim has been so faithfully obeyed by the administrators that they have kept not merely their hands but their minds off the women? The very thought of the women, if it ever intruded, has been hastily dropped into that dark little oubliette which all of us keep in our minds for that most detested of intruders —a persistently neglected responsibility. Now that we are going to hand over practically unfettered control—for the famous safeguards do not affect such lesser matters as education, health and marriage laws—to whom are we going to hand over? To Indians, but to which Indians are we going to hand them over? To the men who have inflicted these terrible social customs, or also to the women who have suffered under them? It cannot be maintained that Indian opinion offers any real obstacle to the granting of a substantial measure of enfranchisement to women. Indian opinion on this subject has been always, if anything, somewhat in advance of British opinion. Most of the Indian members of the committees that have sat have been willing to go further than the British members.

The new Constitution is now being settled for many years unless it is broken down by revolution. Vested interests will grow up. The opportunity of doing something in this matter is now, and for us British men and women will probably never recur. Shall we not at last put into the hands of the women the constitutional means of securing for themselves those social reforms which affect them so vitally, not only in their own lives, health and happiness, but, through their children, the future welfare of the race? As what I have said shows, it was with no light heart and no great confidence that I approached these proposals. But what is the alternative? If even these moderate proposals which are contained in the White Paper are withheld from India, who can doubt that there will be an enormous surge into the ranks of Congress and into the most revolutionary part of Congress? What is our best safeguard against that? I would join my voice with those who have pleaded with the Government to bring about, if they can, a better atmosphere of good-will in India by releasing those leaders of Congress who are now under detention and who are looked up to by great sections of the Indian people as their spiritual leaders.

I believe that many of those who speak so strongly about the trusteeship of this country for the people of India must have had some qualms when they listened to the speech of the right hon. and gallant Member for Newcastle-under-Lyme. He foreshadowed all that might happen to the peasants who are the special care of many of the Members

[Miss Rathbone.]

who have spoken against these White Paper proposals. He spoke of what might happen to them under the Brahminical oligarchy which we are setting up. What kind of check can we apply? I suggest that the best check would be to let those take a hand in the future negotiations who are likely to stand up for the peasants, for the depressed classes, and for the women. Whatever we may think of Mr. Gandhi as a politician—and I have no great admiration for him as that—I have a great admiration for him as a social reformer. I believe that if we could secure the co-operation of his section of Congress, we might indeed by an act of magnanimity be taking risks, but we might be averting the greatest risk of the Constitution breaking down because of the determined hostility of those men whom we cannot keep in prison for ever, and who have it in their power either to help to make the Constitution work or to obstruct it and gradually to lead the people of India into the path of revolution.

9.14 p.m.

Mr. ATKINSON: When the Constitution for India first came to the front, I, and many more like me, who knew very little about India, thought that it was a matter which would be determined by the advice of experts, meaning by experts people who had spent their lives in Indian work as administrators or soldiers, and that they would be listened to. Gradually we have found that we have to make up our own minds. We have been told that we must ignore those people, because India has changed and their knowledge is out of date. I do not find it so easy to dismiss their opinions. They are always rather convincing people when you talk to them, and I cannot think that the changes in India are very material. To my mind, the success of this or any other scheme must depend very much upon the measure of the loyalty, the character and the reliability brought to its service, and I have not myself seen very much evidence of any great improvement in any of those matters. But of this I am certain, that 90 per cent. of the people in India are still looking to us to protect them. They look to us to protect them from famine and crime and things of that sort, but mainly from the moneylender. The great bulk of the cultivators in India are in the toils of the moneylender or bunnia caste. Mr. Gandhi belongs to that caste.

Mr. MAXTON: Which class?

Mr. ATKINSON: To the moneylender or bunnia caste.

Mr. MAXTON: He belongs to your profession then.

Mr. ATKINSON: His caste is the bunnia or moneylending caste. The great bulk of these cultivators are in the toils of the moneylenders. There is only one thing which prevents the moneylenders foreclosing and becoming the owners of the great bulk of the land in India, and that is the Land Alienation Act, which, of course, is due to us, and which prevents the moneylender going to extremes. The cultivator asks himself, if we go, how long that Act will continue to exist. I would like to put that question myself, like to know whether it will be open to the Government of any province to repeal an Act which we have passed for the protection of the cultivators, because if there is a free hand to undo that legislation of ours it is perfectly certain that the cultivators' tenure will be of the slenderest, and that the land of India will gradually pass into the hands of the moneylender class.

I do not take extreme views against this White Paper. I know we have made promises, and I know that we have to do something, and something big. I do not say a word against provincial autonomy, and I think the more complete that is the better it will be, probably. I will not say a word against Federal Government, but what I do want to make quite clear is that this so-called federal suggestion is a complete misnomer. In a true federation we have a number of States standing together and each giving up a certain number of its sovereign powers, which are in future exercised by the Federal Government, but in this case the native States are giving up no sovereign powers. This so-called federation simply means that we are setting up an assembly in which the native Princes have a right to speak by themselves or their representatives, but not that this Federal Government has a right to deal with any of the reserved matters inside those States, only inside British India. There is in this scheme a whole list of subjects reserved

for the Federal Government, and one naturally thinks that relates not merely to British India but to the native States. No such thing.

The Federal Government is only to have power, in the native States, over such matters as the Princes choose to give up. Take copyright, which is one of the reserved matters, as an example. The Federal Government, which will be to a great extent controlled by the Princes, is to have a right to deal with the law of copyright in British India, but not in the native States. And so it is with many other subjects. That is not federation at all; it is quite inconsistent with federation. If there were real, true federation, so that there were joint interests in every matter reserved to the Federal Government, the scheme would appeal to me as strongly as the Foreign Secretary said it appealed to him; but to suggest that this scheme is anything like the scheme which he says that he dreamed is, of course, foolish, because the two things bear no resemblance. But I do not want to dwell longer upon that question.

The chief, indeed, the only point with which I rose to deal, is the question of the handing over of the control of law and order. Even there I do not want to suggest that that proposal ought to be ruled out, but I make the plea that the handing over of the control of law and order ought to wait until we know the kind of assembly and the kind of executive which this scheme is going to produce. I should not mind it being included in any Act which was passed if the putting into operation of that particular power were reserved until an Order in Council had been made, but it seems to me that to hand over control of law and order before there is some idea of what this scheme will produce is to run a wholly unnecessary risk. It has been made clear to-night that it is no answer to say, "The Simon report advocated the handing over of the control of law and order." It did so on two assumptions, first, that there was a strong, undivided central Government, and, second, that, in case confident and trustworthy Ministers should not be appointed, the Governor should have the power to nominate official Members of the Government who could control law and order.

Neither of the two conditions which the Simon Report stipulated finds a place in this White Paper. Therefore, we are free to consider afresh the question of handing over the control of law and order. It seems to me that the unbroken —and I emphasise the word "unbroken," because there must be a period of semi-chaos, one imagines, when this scheme is coming into operation—the unbroken maintenance of law and order transcends in importance every other feature in this White Paper. Legislative assemblies are, of course, very important, but I suggest that they never do all the harm we expect of them, and they certainly do not do all the good we hope of them. The administration of law and order on the contrary, is something of vital importance, because of the daily mistakes and the daily injustices that may be committed. It is a mistake to think that reverence for law and order is an instinct, or that the instinct of justice is ingrained in the human race. That is not so. As Dicey pointed out, this is an attribute of the Anglo-Saxon race, and of the Anglo-Saxon race alone, and, indeed, it is our greatest gift to the world. I am not sure that it has not been our greatest gift to India. Let hon. Members look round and see whether they can find any evidence of it in other countries. Look at Russia. Turkey was referred to the other day. There is no idea of justice in Turkey. Look at the treatment of the Armenians. Look at the treatment of the people there under the present Government. Read "The Grey Wolf" if you want to find out what is going on there. They have no idea whatever of justice. In Germany there is the treatment of the Jews, for example. You can look at almost every European country, and at some time or other you will find there has been a complete negation of any principle or idea of justice.

Therefore, to suppose that there is any actual instinct for justice in India is wholly without justification. It has been said that for a hundred rupees you can buy a complete murder case against an enemy—witnesses, lawyers and courts, all complete. If anybody takes the trouble to read the appeal to the Privy Council just before Christmas, in the case of a Medical Officer of Health and a Police Superintendent who had been convicted and sentenced to a long term of imprisonment, can get a very good idea of what the administration of justice may be. If it had not been that they had a right of

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appeal to the Privy Council—a right which, I see, is to be taken away in some cases in the White Paper—these men would have spent their lives in gaol. That throws an interesting light on what can be done by organised conspiracy and bribery in that country. I remember talking to a man who had been a district officer for many years, and I asked him for his views. He said, "You can only remain in India as long as the silent millions want you to remain. They always want you so long as you will secure them fair and impartial justice. The moment you fail in that they cease to want you, and you have to go." He said that that was the only thing which mattered.

The first qualm I have, after trying to make up my mind in this matter, is this: Have we any right to abandon this responsibility and to hand it over to an absolutely unknown quantity—because in my humble opinion it will be nothing other than an unknown quantity? We abandoned the Loyalists in Ireland and we lost Ireland in consequence. I am certain that we ought not lightly to abandon this responsibility. What is the basis of the trouble about the administration of justice in India? It all arises out of the communal masses. The problem in India, as everybody knows, is rendered immeasurably more difficult by the domination of caste religion, which has led from time to time to perfect orgies of murder. That is inevitable, and it is certain to go on, because unfortunately with Mohammedans on certain occasions there is a solemn duty to sacrifice cows. On the other hand, a cow is sacred to the Hindus, and whenever the Hindus see their sacred animal being led through the streets for slaughter it creates friction, and again and again this develops into conflict of the most bloody description, when thousands of people lose their lives. In Bombay in 1929 a thousand lives were lost, and in 1932 another thousand. We all remember the Cawnpore massacres of a few years ago. They read badly enough, but when one heard the truth from people who had been there it was still worse.

The question with which we are faced is this: Where is the minority in India that trusts to the majority? There is not one. I will just take an illustration of what I mean. Take the Punjab. There the Moslems will be in a slight majority over the Sikhs and Hindus. What did the representatives of these two sections say at the Round Table Conference? It was pointed out how susceptible the population was to religious emotions, in a country whose record of crime showed a complete disregard for the value of human life. The Sikh representative said they much preferred the present arrangement, and that this scheme was a practical impossibility, because if a Governor did his duty he could only discharge it properly by producing a state of continuous deadlock; in other words that the Government would always have to exercise its discretionary power. The Hindu representative urged again the necessity of protecting law and order, and he said that corruption and communal bias were terribly increased and justice or fair play were becoming meaningless words. It was perfectly plain that both these representatives dreaded the administration of law and order being handed over to the Moslems. It seems on every side that the minority always mistrusts the majority. If you have a difficulty of that kind, why walk into this? At present law and order is administered impartially, but it is going to be handed over to a political administration which must inevitably always be controlled by one or the other, Mohammedan or Hindu. The minority in every case is completely mistrustful of the majority.

There are two things we ought to learn from our own administration of justice there in the last 20 or 30 years. There have been two very difficult movements to deal with—the civil disobedience movement and the terrorist movement. I want to point out, firstly, that the ordinary administration of law and order would have broken down—indeed it did break down again and again—if it had not had the sympathetic legislature and executive behind it. In other words the administration of the law there does require a thoroughly sympathetic legislature and executive behind it, giving it at any moment exceptional and most drastic powers. The other thing is that the help of the Army is required when you declare martial law. A perfect liaison is necessary between two. At present they are under the same control and you get that liaison, but if you are

going to sever the two you will not get that liaison and you will not get the Army and the police working in harmony together.

I had intended to say a little more about the police, but time is getting on. The civil disobedience movement is always buoyed up by extremists. There was some severe fighting at Sholapur in 1930 and that was only held in check by martial law, for the police were not able to do it. The terrorist movement, as everybody knows, the ordinary administration could not control. They made no headway with it until in 1915 they were given powers of the most special kind. Let me give one illustration of the kind of thing that does happen, is happening and will yet happen. It will be remembered that two ladies were killed by mistake for Mr. Kingsford, a magistrate, arrests were made and there was a trial. During the trial a witness who turned King's evidence was murdered in gaol, and a police inspector in charge of the case was shot dead in the street; the public prosecutor was murdered within the precincts of the court; and the deputy-superintendent of police in charge of the case was murdered immediately outside the court. That is what terrorism means, the making impossible of law and of the administration of justice. Unless you have the Administration absolutely determined to back up the police force and to give them exceptional powers whenever they are wanted, you are not going to succeed in maintaining law and order.

Both those movements are just as rife to-day as ever. You do not suppose that this scheme is going to satisfy them. They act in sympathy. When the murderer Gopi Nath Saha was being executed, the Bengal Congress passed a resolution eulogising him. In 1930, when Gupta murdered Colonel Simpson, the Corporation of Calcutta passed a resolution of sympathy with the murderer. Thus encouraged, within 16 days, Mr. Garlick, president of the tribunal that convicted that man, was also murdered. That is the atmosphere, and it is a difficult one to deal with. In the same year they murdered two police officers. Again and again you have disturbances and murders of the most horrible description. In my humble opinion you need a very strong legislative executive behind your police officers. I think that you can lay down these two propositions: A legislative executive in sympathy with law and order is essential to the proper administration of justice; you must have an Army that you can trust and that is in complete liaison with your police.

As to the Army, very little has been said about the demand for the Indianisation of the Indian Army. I think that that is the most terrifying demand that has ever been put forward. There is an Army of 160,000 men, and if it is going to be Indianised I do not know whether, in those emergencies, you could rely upon them in the way that you can now. There are 187,000 police. Everybody knows that the police force takes its tone from those who are responsible for it. Here the tone can be settled by the Minister of Justice. The pressure brought to bear upon the police can be enormous during a civil-disobedience movement. The police, their wives, their families and their relatives were boycotted wherever they lived, throughout India. Supplies were denied to them and so were medical and health services. I am told that such tremendous pressure was brought to bear upon them that it was a surprise to their officers that they remained so completely loyal. Take a question like the boycott of British goods, backed up by picketing. Picketing is against the law. Whether picketing is stopped by the police will depend absolutely upon the organisation behind them, and not upon what instruction the Minister gives. We know in this country what happens with the 20-miles speed limit. In some counties it is not in force, and in others it is rigidly in force. Police take their orders from the locality. Unless you know the sort of Legislature and the sort of executive you are going to get, to hand over the control of the police to Indian Ministers in 11 different provinces is asking for trouble.

Take the question of the possession of firearms, which is against the law. Whether that law is enforced will depend, in those different provinces, upon some unknown Minister. Have we any right to suppose that in 11 different provinces we are going to have 11 different Governors who will all do their duty regardless of their inclination? I do not believe it. We have to run many risks in this scheme, whether we like that or not, but this is a risk which we need not run at the moment. My belief is that

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before we hand over law and order we should wait and see the kind of legislature that we are to get, and the kind of Ministers that are going to be produced. This will take place 11 times over in 11 provinces. It is folly to make a leap in the dark, and I do not think that we have a right to do it. It is so easy to avoid that risk. We, on our part, would know that we had not handed over this serious and terrible responsibility that rests upon us, to some unknown quantity, when it was so very easy to wait and see exactly the nature of the tribunal to which we were handing it over.

9.41 p.m.

Sir JOSEPH NALL: The House will be very grateful to the hon. and learned Member for Altrincham (Mr. Atkinson) for having so vividly brought to our notice the kind of abuse of authority which has already set in in India, under the reforms introduced in 1919. We may well have regard, in considering a fresh extension of those self-government proposals, to what may be the ultimate results of that kind of insidious growth of abuse in the legal and administrative spheres, if the proposals now before us for submission to the Joint Select Committee are put into operation in their present form. I would just refer in passing to three speeches which contained matters that I wish to mention. They were the speeches by the hon. Lady for the English Universities (Miss Rathbone), the hon. Member for North Bristol (Mr. Bernays) and the hon. Lady the Member for Hammersmith (Miss Pickford) yesterday. They referred to the enfranchisement of women. I will deal quite shortly with what the hon. Lady for the English Universities had to say, because she drew attention, with a little more detail, to matters which had been indicated by the right hon. Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) who said that in the last 10 years leading members of the Legislative Assembly had had every opportunity of bringing forward amending legislation for the amelioration of conditions in India, but they have not only taken no steps to do so.

According to the records of the proceedings of the Assembly, and many reports and documents which are available for the information of the House, they have in fact exerted their influence against progress, and against any kind of amelioration of the conditions of those unfortunate women and children who, in certain parts of India now suffer a moral thraldom of which the world seldom hears. What a travesty of all our ideals of social reform and of human amelioration, that, just when at long last some small seed of education is beginning to take root in the mind of India, and when there is some move towards bringing to an end those conditions, we should now be proposing to hand over to the very influences which, for the last 20 years or more, have worked against reform, the initiative in government, and the means whereby they can hold up even that small social progress which has taken place and can ensure, if they so wish, that no further progress will be made. It is to Mr. Gandhi's credit that he has railed against the obstructive methods of some of his own friends.

The depression of womenfolk in India is a sorry story, and I cannot understand those hon. Members of this House who seem to find, in the White Paper proposals for reform, some prospect of a relief from that condition of affairs. The hon. Lady the Member for the English Universities drew attention to what she described as the growing practice of purdah. How on earth are women who are subject to that system going to exercise the vote, or know anything about the vote? Is it not obvious that, if the franchise for women under these conditions is unduly extended, it must inevitably lend itself to widespread personation and every kind of irregularity such as so easily creeps into the electoral system where there is a tendency to abuse it?

I did not, however, intervene mainly for the purpose of dealing with that subject, but for the purpose of calling attention to the almost complete absence from the White Paper of any provisions to preserve and safeguard our trade connections with the Indian Empire, beyond the vague references to commercial discrimination. My right hon. Friend the Secretary of State, in his desire to be absolutely fair and, so far as he can be, impartial in the exposition of the schemes which he is putting before the House, would, I am sure, be the last to

mislead the House in any way, but I must ask his attention to the situation which arises from what he said yesterday. It is a tragedy that, in a matter of this kind, there is no full reference to the future basis, the future platform, of the legal and fiscal system which is to govern our trade relations. My right hon. Friend dismissed this subject in a few words, but, after all, as has been said this afternoon, trade and commerce are the very mainspring of the whole prosperity, the whole body politic, the whole system of our existence. Without a continuance and expansion of trade and commerce in India, without an expansion of the industrial activities of her large agricultural population, India's future would be sorry indeed; and, without a revival of our own industrial activities in this country, our plight will be sorry indeed. It is extraordinary that the Government, who were elected primarily for the purpose of restoring our trade activities, should have proceeded to deal with a subject of this magnitude with hardly any reference to the one supreme topic on which they were elected. My right hon. Friend last night, although everyone knows that he is anxious to be fair and impartial in his exposition of his own case, dismissed this matter in a few words when he said:

"Let me now say a word about the commercial safeguard, namely, the safeguard designed to prevent commercial discrimination, a part of our proposals that I know excites, and rightly excites, the keenest interest in business and trading circles in this country. The House will see that we are proposing to deal with the question of commercial discrimination upon the simple basis of reciprocity. Put into a single sentence, our proposals are that anything that we do for Indian traders or for Indian professional men in Great Britain, Indians should do for British traders and British professional men in India. That is the basis of our proposals for the prevention of commercial discrimination."—[OFFICIAL REPORT, 27th March, 1933; col. 713, Vol. 276.]

I venture to suggest that that is not quite a full explanation to the wide circle of people engaged in trade and commerce and industry in this country who are wondering what may emerge from these proposals so far as that vital activity is concerned. The fact is that the reciprocity to which my right hon. Friend refers has nothing whatever to do with that subject of reciprocity with which one usually associates the word. It has nothing to do with Customs, Excise and so on; it relates only to paragraph 29 of the Introduction, on page 16 of the White Paper, and to the proposals in paragraphs 122, 123 and 124 on pages 70 and 71 of the proposals in the White Paper. Those paragraphs deal entirely with matters of common law, company law and professional qualifications, and the ordinary liberty of the subject to move about in whatever locality he may find himself. They have nothing to do whatever with these far more important questions which affect the interchange of trade. When we turn to paragraph 111 of the White Paper, on page 67, we read:

"The Federal Legislature will, to the exclusion of any provincial legislature, have power to make laws for the peace and good government of the Federation or any part thereof with respect to the matters set out in Appendix VI, List I."

In that List I, Item 34 is:

"The regulation of the import and export of commodities across the Customs frontiers of the Federation, including the imposition and administration of duties thereon."

That is handing over completely and *in toto* to the Federal Government the whole fiscal authority of India, without any kind of reservation or any "special responsibility," with the single exception of the reference to discrimination which is contained in other paragraphs of the White Paper. It not only affects the imports of British goods into whatever realm may be covered by the Federation—and the limits of that realm cannot be known until the number of States which may enter it is known—but the passage of goods through the Federation to any State which does not seek to come into it, and the entrepot trade which may make use of any Indian port. These are all to be subject to this unfettered control, through Customs, Excise or regulations, which the Federal Government may see fit to impose upon them. Therefore, I think it is very extraordinary that to a matter of this kind no further reference should be made in the White Paper. All that we have is this very vague and possibly quite unreal reference to discrimination.

Mr. MOLSON: May I interrupt my hon. Friend for a moment, because this is a matter of very great importance? Are we to understand that he and the friends for whom he speaks are suggesting that the Government at this point should go back upon the Fiscal Conven-

[Mr. Molson.]
tion which was the recommendation of a Joint Committee of both Houses in 1919?

Sir J. NALL: No, I am not; I am basing my comments on that. If my hon. Friend wishes to go into detail, let me refer him to paragraph 268 of Volume 1 of the Simon Report, where he will see an extract from the Joint Select Committee on the Government of India in 1919. The last words of the extract say, relating to the intervention of the Secretary of State or the Viceroy:

"When it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

The Simon Report referred to the matter again in paragraph 352, Volume 2. I do not want in this Debate to enter into any controversy as to what that fiscal convention means. I will only put it in this form, which I think the Secretary of State will not dispute, that in certain circumstances, which may or may not be remote, according to the interpretation which the Secretary of State of the day might put upon the words of the so-called convention, he might intervene if the Government of India, whose policy he can dictate, fails to agree with the Assembly, a somewhat anomalous position because, obviously, he could direct the Government of India at present deliberately to disagree with the Assembly. I only put it so high that in certain circumstances which may or may not be remote, as things are at present, the Secretary of State might intervene. That is entirely, for what it is worth, swept away in the White Paper proposals with no safeguard of any kind. It entirely ignores that recommendation of 1919 that at least the preservation of inter-Empire obligations to which our Government may be a party must be preserved. It is an extraordinary thing that the future legal and fiscal platform of the important trade relations between this country and the Indian Empire have been left out of this White Paper and are summarily dismissed by my right hon. Friend in a very short sentence in his speech. The policy in the document, which ignores the very fundamentals of our existence as a nation, is a negation of statesmanship. I commend this matter to the further consideration of the Cabinet. I would remind my right hon. Friends of the party to which I belong of the ugly gibe once uttered to our party in Sir William Harcourt's warning to Lord Carson when he said: "The Conservative party never took up a cause without betraying it."

10.0 p.m.

Mr. DAVID GRENFELL: The hon. Gentleman who has just spoken expressed his concern over the prospects of future generations in India, but he left off quoting the Secretary of State at a point where we thought his explanations and assurances were perfectly satisfactory. If he will pursue his reading of column 713, he will find that the Secretary of State said:

"That is the basis of our proposals for the prevention of commercial discrimination. Obviously, they make no change in what has come to be known as the Fiscal Autonomy Convention. I am one of those who believe that the commercial relations between India and Great Britain are much better settled by agreement, if they can be settled by agreement, and it is indeed a satisfactory augury that the Indian delegates at Ottawa were able to make a satisfactory agreement, at any rate on a part of the subject, with the representatives of Great Britain and the rest of the Empire, and that that agreement has been ratified by a huge majority in the Indian Assembly. To-day I say no more about commercial discrimination—not that I do not regard it as quite one of the most important questions that we have to consider."—[OFFICIAL REPORT, 27th March, 1933; col. 713, Vol. 276.]

Then he goes on to other safeguards. Does the hon. Gentleman who spoke last protest against the power now being enjoyed by the Indian Government to impose tariffs in her own interest? Does he oppose the continuation of those powers? If he does, he should say so. The whole point of his speech is that he thinks that, if India is to embark on a new system, she should be granted less fiscal authority than she possesses at present.

The right hon. Gentleman the Member for Hillhead (Sir R. Horne) raised several very important points. He thanked the Secretary of State for assenting to the proposition that the Select Committee may be asked to discuss, not a cut-and-dried scheme but the whole question of the future government of India. The Foreign Secretary confirmed that statement in words in which he said that the House was not asked to vote for or against the White Paper. We should like to know on this side of the House how these proposals are really to

be put and how far they may be modified from their present form with the approval of Parliament if the form in the White Paper is not to be the basis of the legislation that is to follow? The Secretary of State has not been explicit enough in that regard. We are anxious to know, because we can foresee, without a fairly close adherence to the White Paper, the possibility of the Select Committee being driven here or there by opponents of the scheme, by those who wish to delay and destroy it.

As I listened to the right hon. Gentleman, I wondered what kind of Amendments he would like to make to the scheme. He said he disliked the White Paper because he doubts the efficacy of Parliamentary democracy as a system, and he dealt almost tearfully with the decay of Parliamentary institutions in Europe and deduced from that that, while Europe was unable to sustain her faith in the practice of Parliamentary democracy, it was an inappropriate time to experiment with this great system in India. The right hon. Gentleman, indeed, went very much farther than that in some of his criticisms of the proposals, and dwelt frequently and long upon the lack of adequate safeguards in the scheme. While he inferred that his main intention was to provide safeguards against abuses in India and against people in India who were seeking and who were anxious to make trouble, he suggested—in a somewhat doubtful interpretation of part of the White Paper—that there might be a necessity for safeguards against a sympathetic Government in this House that would help people in India to defeat the interests of this country. We ought to know whether those people who support the Government are opposed to these proposals root and branch, and whether they are determined to destroy any settlement with India on this occasion. We have put our criticisms forward and shall continue to put them forward, but we are not prepared to assist those which simply speak, in this House and outside with the intention of repudiating the pledges and promises which we have given for many years to that great country in the East.

The right hon. Gentleman described the control of the police as the linch-pin of the Government of India. That reflection is not very comforting. If, after so many years' connection with the people of India, after their devoted allegiance to this country, and after the fellowship, the mutuality and the co-operation which a large number of Indians have shown towards the rulers and the people of this country, we are now to be told in this House that unless we control the police the whole cart is upset and there is no possibility of stable conditions in India—that is a disturbing thought. Then the right hon. Gentleman threw a side-light on economic conditions which was still less comforting. I thought, when he expressed his opinion that there are 300,000,000 people in India who do not care what kind of Government they have so long as they are not called upon to pay more taxes, that he uttered a very disturbing thought indeed. If there are 300,000,000 people in India who cannot take an interest in anything but their poverty, we think that that is the very strongest possible argument in favour of India being allowed to try some other form of Government which will meet her economic needs as well as her political condition.

The right hon. Gentleman has been asked whether he is prepared to consider any proposals on behalf of the Indian people sympathetically. I was not in the House yesterday, but I read this morning the conclusion of the speech of the right hon. Gentleman the Member for Darwen (Sir H. Samuel). In his concluding sentences he was reported to have said that this White Paper represents—I forget his exact words—the consumation and the crown of our efforts in India. In the OFFICIAL REPORT I find that the word "crown" is missing and the word "triumph" takes its place. When I compare that opinion of the right hon. Gentleman with the sentiments which the right hon. Gentleman the Member for Hillhead expressed upon safeguards this afternoon, I try to imagine what kind of Constitution the right hon. Gentleman the Member for Hillhead would like to confer upon India. I have read the White Paper and I see safeguards of all kinds joined up and intertwined, and it occurred to me that if these safeguards are not adequate, not close enough drawn on India, the right hon. Gentleman would like to put the Indian people into a kind of cage, where the Indian would be allowed to spread his wings but not to fly, to go up and down upon his perches

[Mr. Grenfell.]

but not to leave his cage, to chirp and to whistle, but not to sing the song of joy and perfect freedom. I thought that the right hon. Gentleman does not really want to give the very smallest measure of freedom to the people of India, but to keep them in confinement and isolation for perpetuity. There was no indication in his speech from beginning to end that he wanted any freedom given to or any responsibility placed upon the people of India.

The right hon. Gentleman the Foreign Secretary gave the House some very useful information this afternoon. It helped me very much indeed, and I feel that it must give much help to the House and to those outside, in this country and in India, who are watching the progress of this Debate. He explained to the House how the idea of federation to include the Princes of the States with the provinces of British India had come to be. We are pleased that the right hon. Gentleman expressed his views so frankly. We are not quite satisfied that his conclusion is a right one, but he certainly conferred a favour on the House in taking us into his confidence and allowing us to see so plainly what he and his colleagues in the Government think on the matters which he discussed. He surprised every one of us by stating that in his view self-government in British India alone—self-government in British India independent of the provinces—must fail. We should like to know the advantages of federation and the inclusion of the States. In that regard the right hon. Gentleman gave us a picture of the geography and topography of India. He said that India was a large sub-continent with no barriers, no boundaries; that it was one in extent, and there was no ordinary evidence of boundaries such as we see, for example, in Western Europe.

The right hon. Gentleman may be quite right. Indeed, we agree with him that on the geographical statement the case for the inclusion of the States in an All India Federation is complete and unanswerable. But, to our view this White Paper and the proposed lines of the Constitution, the federation does not come quite as naturally when one considers the prospect of the joining of a number of Provinces where certain forms of government are in existence and are well known and in daily practice, with the Indian States, which are governed differently, being subject to autocracy and to the complete and despotic power of the Princes themselves. While the advantage of bringing all these States together to make a compact geographical whole is apparent, there must be in a corresponding disadvantage in trying to bring the entirely dissimilar Provinces together in a Federation where they have to work certain things in common, despite the great disparity in the forms and practice of government on the lower plane, where these people exist separately.

It has occurred to me that there is one thing missing in the White Paper. I have seen no indication anywhere that there is going to be at any time an attempt to assimilate the conditions in the native States with the conditions in the Provinces. As far as one can judge, there is no intention, at this stage, or at any future date, to bring about any assimilation of governmental and administrative conditions between the native States and the Provinces. I should like to know—and I think the information will assist the House very much—whether that is in the mind of the Government. I should be grateful if at some time during this Debate the spokesmen of the Government would say whether it is proposed to establish, with the concurrence, the consent and the co-operation of the Princes, a form of democracy. The form may be tentative and modified, if you like, but I should like to know whether there is at some time any intention of building up in the Provinces a progressive form of democracy, allowing the Native States to retain their present form of autocracy. We must acknowledge that there is no amalgamation. I think that was the term used by the Foreign Secretary. He said that we must be patient; that there will be a good deal of permeation. There will be one State enjoying one form of Government and it will be contiguous to a Province which will have another form of Government. He said that there will flow ideas and examples one from the other and that the tendency will be to assimilate by mere contiguity, with no effort on the part of ourselves and with no direction from any outside authority. That sounds all right, but it is not very convincing when one looks at it, because it is not a case of permeation and not a

case of amalgamation but the survival of one of two forms. It may reduce the measure of freedom in the Provinces, where we expect freedom and liberty to expand more readily, with the possibility that the example of the State may be taken, and freedom will become more and more restricted in the Provinces. I am only putting that view forward as an opinion which I have formed by reading the White Paper, and not because of any prejudice against the proposals set out therein. I should like the Minister to tell us whether there is that possibility or whether the Joint Committee will be able, with the consent of the Princes, to introduce into the native States constitutions working like our limited monarchies in the Western world, and to allow India to be free to become a country where practically the same political conditions will obtain throughout.

Much has been said about the maintenance of law and order. We have heard a great deal about law and order in this country. There are some people who are obsessed with the idea of law and order. They talk of it without any indication of the effect of the words. The question of law and order for India always suggests a measure of suppression, the keeping down of the Indian people. If there is no respect for law and order you cannot keep law and order except by coercion and compulsion. We prefer to approach the question from an entirely different direction. One would conclude from what has been said in this House that the Indian people have not learned the value of the police, well conducted, and that they are incapable of maintaining a police force and of conferring upon it the necessary authority for the performance of its duties. We do not take that view. We believe that the Indian people must recognise from experience the value of a well-disciplined police force and that the Provinces will find it an advantage to control their own police and to see that they are given due respect and assistance in the performance of their duties.

We are apt to view these matters from the standpoint of the Englishman. Those who, like myself, have never been to India and have no real idea of the conditions in that great country look at matters from the Englishman's standpoint, and I am afraid that our judgment is not always as sympathetic as it might be. Here is an attempt to build up a comprehensive machine, but I doubt whether many can follow its intricacies or can have a clear idea as to how it will work in practice. It is largely experimental, and may be changed before the day comes. It would be an advantage if we could put ourselves in the position of Indians who desire self-government and recognition as a people and as a sovereign state. It was promised them; and they have every right to expect it on the definite pledges made by this country. But when Indians look at this proposal and find all these safeguards and checks, I feel sure that it must damp the ardour and confidence as well as the anticipations of those Indians who are politically-minded.

Much has been said against the politically-minded Indians. When did it become a crime to be politically-minded? We make a claim that we are the most politically-minded people in the world. It is true; and it has given us political qualities, attributes and gifts, which have been denied to many other people. It cannot be wrong for Indians to be politically-minded. It is said that it is only a few Indians who are politically-minded. If that is the case, it is no credit to us. If we have maintained our police and our standing armies in India for so many years and now find that out of 350,000,000 people only 1,000,000 or 2,000,000 are sufficiently alive and interested to take a hand in the politics of their own country it is the strongest condemnation that can be brought against us as the responsible power in that land. It is not an offence, and Englishmen should be the last to denounce anyone for having political aspirations and desires.

Let me say one word about economic conditions. The hon. Member for Bristol, North (Mr. Bernays) referred to the shocking housing and social conditions which he witnessed in India. I have read something of the great poverty of the Indian people, and my interest is mainly one of sympathy with the poverty which exists. Anyone who takes an interest in India cannot fail to be interested in the great problem of providing the people of that country with a better standard of living and better conditions generally. To deal with these economic conditions requires not only the interests

[Mr. Grenfell.]
of one or two millions of the people but the interest and active co-operation of all classes of the Indian people. No Government in this country, no Governor-General in India, can remove poverty in India without the active co-operation of the Indian people themselves, and in the interests of better economic conditions we ought to create and stimulate the widest possible interest in political matters.

That cannot be done on the franchise proposed in the White Paper. There should be a much wider franchise. If you compare it with the franchise in this country there are 20 British voters for every one Indian voter for the lower Chamber of the Federal Legislature; 17 British voters for every one Indian voter for the Provincial Legislatures, and 15 British women votes for every one Indian woman voter. You cannot do the best for India unless you get the largest possible number of Indians not only alive to their interests but actively participating in the task of Government. That may not be achieved by these proposals, indeed, the measure of interest and freedom of the Indian people may be reduced, diminished, if we hand over India to a small governing class consisting of a few elected and nominated people. If India is handed over under those conditions, we may retard the progress of political development in India and delay indefinitely the improvement in her economic conditions.

There is another point. Self-government requires the co-operation of all Indians. It cannot be done from outside. We cannot give India self-government from outside. It is something which has to be done by Indians themselves. We can lay down conditions under the White Paper which will enable Indians to get a firm foothold and to go forward in the task of building up self-government in the course of time for themselves. What does Dominion status exactly mean in the terms of the White Paper? I have no time to read the definition of Dominion status by people whose names are revered in this House. The Prime Minister himself has defined Dominion status, but we do not find it in the White Paper. If it can be shown in the White Paper we should like to see it. There are so many safeguards, reserved subjects and special responsibilities to which Indians are denied access, and we do not find real Dominion status. The Secretary of State has said that we have pledged ourselves. It is very important that we should not betray our pledge, but there is an appeal which stands much higher than that. We have been in India for a long time. In India our pledges, and our written and spoken words should mean that our example counts for something. If it does not we have been remiss in our duties and responsibilities to that country.

If India wants democracy, political freedom and Parliamentary government, it is the very higest compliment that can be paid to us. We have lived with them, and they have come over here, and if they want to fashion their governmental institutions on our pattern we should take it as a compliment and value it very much indeed. It shows that the Indian people have learned something from us and would like to emulate and to imitate our example. We should try to assist India. We on this side of the House believe that the Indian people are capable of very much more rapid progress than could be imagined from hearing the speeches of hon. Members on the opposite side of the House. One would imagine that the Indian is an inferior creature doomed everlastingly to a position of inferiority compared with ourselves; condemned to economic subjection and to an inferior position in world politics. We do not believe that to be the case. No one knows the capacity of the Indian for self-government and for economic improvement until he has been allowed a chance. India is reaching out for the cup of freedom. Do not let us remove it from her grasp. Rather let us bring it nearer so that she may drink deeply from the cup of freedom and liberty, and then we shall all share in the benefit of the greater freedom which we extend to her. Our freedom will grow in comparison and our honour will stand higher in the world.

10.30 p.m.

Sir JOHN WARDLAW-MILNE: I think I may claim that although I have not spoken on Indian matters in this Parliament, it has been my lot and my privilege to listen to more speeches about India in the last few years than possibly most Members of the House, and I have listened to many speeches since the first Round Table Conference was set up in

which the word "abdication" has been continually used. I have heard it said that we were abdicating our position in India altogether. It would appear that those who hold the view that no further progress should be made can be divided into two categories. First there are those who, although they would refuse to admit it, really wish to go back to the position prior to 1919. Secondly, there are those who take up the attitude that the reforms of 1919 not having proved a success, we should stay where we are and no further progress or concession should be made. It is perfectly clear that Parliament in due course may make a decision on the lines that the reforms of 1919 have not been a success. I admit that Parliament has a perfect right to go back on what it did in 1919, but I think that those who complain about the position which has arisen since 1919, and who object to our being pledged in any way to go forward, are apt to forget that it is not this Parliament, it is not even recent Parliaments, which are to blame for the responsibilities now upon us, if there is any blame at all, but those who decided to pass the Act of 1919.

Duchess of ATHOLL: Would the hon. Gentleman kindly indicate what hon. Members in this Debate have suggested that they wish to retreat from the position of the Government of India Act of 1919 or that no further progress should be made?

Sir J. WARDLAW-MILNE: The Noble Lady has misunderstood me. I have not said that any hon. Members in this Debate made any such statement. What I said was that those were opinions which had been expressed and I think she knows as well as I do that such opinions have been expressed, not only in Committee Rooms of this House but also in the country. There are, as I say, certain people who no doubt would deny entirely that they hold that view but who put forward arguments of which it is the only logical conclusion. I am not at the moment endeavouring to find fault with anybody who holds that view. It is a perfectly logical conclusion for those who argue that the reforms have been a complete failure. I agree, as I have said, that Parliament is not bound, but the point which I make is this. Those who passed the Act of 1919 are only to a small extent represented in this House now, and, if a mistake was made at that time, it was made in that Act, and, although Parliament was never finally committed to go further, unless we are prepared to go back, the process which we started in 1919 must go forward.

I come now to the curious fact that part of the strongest opposition to the kind of proposals which have been under consideration during the Round Table Conference has come from people who were parties to the 1919 Act. Among them—I am sorry he is not in his place—is the right hon. Gentleman the Member for Epping (Mr. Churchill). Before I deal with the White Paper, I want to refer to one other point. It will be in the recollection of some hon. Members that a year or two ago, after the statement of the Viceroy of that day regarding what was in the minds of the Government as to the ultimate aim of reform in India, namely, Dominion status, the Debate in this House was curtailed at the request of the present Prime Minister. I do not in the least quarrel with that. It was a very difficult time in India, and it was possibly best that the Debate should not be continued then. But I have never held that Dominion status has ever been promised to India. I have here a collection of nearly every statement made by prominent statesmen in the last 10 or 15 years, and although it could be said that Dominion status, directly or indirectly, is implied—you can imply anything you like from some statements made—those actual words were never definitely used. On one occasion only, curiously enough, by my right hon. Friend the Member for Epping was the promise of Dominion status referred to. It is only fair to say, especially as he is not in his place at this moment, that at a subsequent date he explained that his reference to Dominion status was to a kind of condition in which Dominion status was only to be used in a ceremonial manner. I do not understand what that means, but I leave it at that. I hold very strongly the view, and I want to take this opportunity, which I did not then have, of making it clear, that Parliament has never been committed in my opinion to Dominion status being conferred upon India. What it may do in the future is another matter.

The second category of those who object to the propositions in the White

[Sir J. Wardlaw-Milne.]

Paper is of those who think that we ought to proceed entirely on the lines laid down in the Statutory Commission's Report. The main objection, in the Debates yesterday and to-day, to the proposals in the White Paper appear to be in connection with the eventual scheme of Federation suggested, but Federation was not only suggested in the Simon Report; it occupied a whole chapter in it. [An HON. MEMBER: "Two chapters."] Again, Federation goes farther back than that report, because it was referred to as the ultimate goal in the Act of 1919. I fail to understand therefore the position of those who oppose on this ground the proposals in the White Paper going to the Joint Select Committee for discussion, because that is as far as we are asked to go at present. I find it difficult to understand what difference they expect to find between the Simon Report proposition, the ultimate aim being Federation, and the proposals which the White Paper sets out to-day. I suppose the real difference would be that they would say, in the first place, that the Federation suggested by the Simon Commission was a Federation in the future, that it was not a matter likely to come into being in any time that they could foresee, and therefore they did not go into it very fully.

Alternatively, they may say it was a Federation which was to have the services of a large number of British officials, and that the real objection to any handing over at the Centre comes from the fact that you will not have to depend upon a steel frame of the kind that existed a few years ago. It is, I think, worthy of consideration as to what has been happening with regard to the European element in the services in the past few years. For example, 10 years ago, in 1922, there were 1,179 Europeans in the Indian Civil Service; to-day there are 843. In 1922 there were 208 Indians; there are now 465. In the police there were, in 1932, 627 European officers; to-day there are 528. In 1922 there were 66 Indian police officers; there are now 152. And in the same way through the other services, the process of Indianisation has been going on for many years.

It may well be a matter for careful consideration of the Joint Committee as to whether some minimum, comprising the British element in the great services of India, of British officers should be laid down. We are entitled to lay that down, and it may be desirable to do so, but I do not think it is any use pressing the argument that we are not able to depend in future upon the services being loyal and reliable because they will largely be Indian, in view of the fact that they are largely Indian to-day, and many of those Indians have been as loyal and dependable as any British officer. Another argument which I heard very often expressed before the White Paper was issued was that it was quite certain we should find that there were no real safeguards. I wish to pay my tribute to the Secretary of State, and I think that the least we can say to him is that he has fulfilled in the letter and in the spirit every pledge he ever gave with regard to safeguards, for there is no doubt whatever that every safeguard which has ever been suggested exists in the White Paper. At the same time, it will be said that they are only paper safeguards. That is perfectly true. Of course they are paper safeguards, but what safeguards have we in India to-day that are not paper safeguards? The only eventual safeguard against complete breakdown was referred to by the Secretary of State yesterday. A complete breakdown of the Constitution means that the Viceroy will have to govern, as in fact Governors have had to govern in various provinces during the past few years where the Provincial Government has failed to function during the days of diarchy.

I do not look for a period of perfect peace in India or expect that everything will work smoothly, nor do I agree that everything in the White Paper is as I should like it to be. I could refer to several things that will require consideration, but that does not alter the fact that there is no real difference to my mind between the safeguards in existence in India now and the safeguards which will exist if and when some such proposals as those in the White Paper are adopted, except that those safeguards will then have been more clearly defined than they are to-day.

Major-General Sir ALFRED KNOX: Surely the fact that we have the police and the executive power in our hands is not a safeguard which is merely on paper?

Sir J. WARDLAW-MILNE: I am coming to that point. I said a moment ago that too much stress is laid on the fact that we are to-day supposed to have a British executive to carry out the authority of the executive Government, but I am pointing out that it is not entirely British, but is rapidly becoming Indianised, and that it may be possible and desirable to consider limiting the extent to which that Indianisation is to be carried out. The main point with those who hold the view that safety will consist in giving autonomy to the provinces while maintaining our hold on the Central Government is that they consider that if there is any breakdown, the Central Government at any rate can function. I very much doubt if that is so. I very much doubt whether the Central Government could function—except in the case of a complete breakdown, when they would function in any case—any better in that case than they would be able to do under the present proposals. The fact that the provinces are independent would, to my mind, make it almost impossible for the Central Government in such an event to take over all the authority which was exercised by the provincial Governments.

There is, however, as my hon. Friend says, an important point in connection with the police. The Secretary of State for Foreign Affairs made it perfectly clear why the Simon Commission came to the decision they did in regard to law and order. I frankly have never held the view that they were right in making that decision. At the same time, I think it would be impossible completely to control the police from the centre. I had the privilege only a few months ago of sitting on a committee which considered the question of a number of small police forces in this country. We know to what an extent local feeling is aroused over a matter of that kind here and how jealous local authorities are of any transfer of their powers. Think of the difficulty, in a country the size of Europe, of controlling the whole of the police from one centre. I am very doubtful whether that is practicable, but I am going to suggest that there is possibly a middle course to take in this connection. It is well known that there are certain police forces in India which must remain central. I will not go into details, because we all know of them. After all, there are only some 200,000 police—thana—in India, and while village police and local town police might well be handed over to the Provincial Governments, I see no particular reason why tehre should not be a central police force—a federal police force, if you like—and particularly why the terms of recruitment of the whole police force of India should not be settled from one centre on one basis.

I think it is extremely important, whoever is going to carry out the local government of the police, that pay and pensions should be laid down for the whole of the force by a central authority. The Foreign Secretary said that he had found a grave objection on the part of local legislatures to passing the necessary grants for police forces which they did not control. I can entirely support that view. I know myself, from experience in the Bombay Legislative Council, before the days when there was an assembly, how bitter and unjustified were some of the attacks upon the police, largely because they were looked upon as outside local control, and not in any way under the authority of an elected legislature. Against any possible danger, at any rate so far as the local police is concerned, there has to be set the advantage to come from making those who are likely to be critical take the responsibility for the administration of the service.

It is perfectly clear that before any federal scheme can come into operation two vitally important financial matters will have to be considered. Both are mentioned in the White Paper, but I venture to say that their importance is perhaps not over-emphasised. One is the financial stability of the different units that are to form the Federation. That alone is a matter which must give many of us room for considerable doubt as to the time when Federation will be possible. It is clear that we have a good long way to go in India before we can be satisfied on this point. The setting up of the Federation, supposing for the moment that these particular proposals were approved by the Joint Standing Committee, does not come about automatically, but only comes about at the request of both Houses of Parliament. Therefore, when that day comes Parliament

[*Sir J. Wardlaw-Milne.*]

will have to be entirely satisfied regarding the financial condition of the federated units. It also means, of course, the satisfactory setting up of a Federal Reserve bank and that cannot come about in a moment.

I turn now to the attitude of the Indian States. I cannot myself see, and I have never taken the view, that Indian States are necessarily going to be a purely Conservative element in the administration. I do not think we are entitled to assume that. We have to consider the fact that if the States are going to hand over any of their authority at all—probably very little—to a Federation, they are certainly going to get a good deal in return. I do not think we are entitled to say they are bound to look at every matter which goes before them from the point of view of what we might consider would be the normal attitude of a British Government in India. It may be we shall find the States are by no means necessarily a Conservative element, but their presence in any Federation is essential and their help, assistance and impartial outlook will be invaluable. On another point, may I say that I think the difficulties of the Governor-General and Ministers who may be in charge of the Government of the day are not likely to be so acute as some hon. Members seem to think. Conditions in India are rather different from conditions anywhere else, and a good deal of influence can be brought to bear by governor-generals and governors to secure that there will be an alternative party to take up the terms of office. If the Prime Minister or Minister in charge of a Government decided that he would have to resign, I am not so afraid as some hon. Members appear to be, that we shall immediately be faced with a complete breakdown of the Constitution on that account. After all, I think it is the general experience that other parties are willing to form governments and that desire for the sweets of office is not a characteristic confined to the West alone. I think it will be found that others will offer to come forward to take the place of those who retire. At the same time I do wish to make it quite clear that in the great experiment we are making, a breakdown of the Constitution is by no means impossible. That is a situation we have to face, and because of it we must examine our safeguards with the greatest care.

That brings me at once to a point which I have always had very much in mind, but which is not mentioned in the White Paper at all, though it is well worthy of consideration. That is, whether this scheme, or anything that may evolve from it, does not bring about the desirability of separating the functions of the Viceroy from those of the Governor-General? I think it is perfectly possible that it will be found that the two offices should not necessarily be held by one person and it may well be a proposal worthy of serious consideration if a Federation comes into being. Further, I would like to say one word about what has been said already to-night regarding trade and industry. There is no doubt whatever that those who are interested in trade between this country and India and in British trade in India will rightly require that their views regarding the future under these proposals get a little more consideration than perhaps so far appears to have been given them. There is no doubt that action other than that which constitutes actual commercial discrimination could be taken by a Government that was not favourable to British interests to an extent to make it almost impossible for Britishers to trade at all. I hope when the time comes the Joint Select Committee will take this matter into very careful consideration.

There is clearly going to be, under these proposals, a definite period before federation can operate. Apart from the fact that it must be set up on a request from Parliament, it is clear, for reasons which have been given regarding the necessity for financial stability and the setting up of a reserve bank and other matters, that a period of some years must elapse. The first real question, however, which will have to be faced by the Joint Select Committee—that is the first place where it will be faced—is whether it is desirable to put federation into the scheme, if and when these various parts are ready to function, or whether we are to begin with provincial autonomy and leave the question of federation for the future. My own belief is that there is no harm whatever in setting out, not merely what is the goal at which we are aiming, but the basis

on which it can be operated. At the same time, it should be very clearly stated what the minimum conditions are that this country will accept before Parliament asks the Crown to act.

The rate of progress in these reforms cannot be set in this country; it can only be set in India. One of the most important features of the White Paper is comprised in the words which say—I speak from memory—that the basis of the whole of these proposals is that there should be evidence of a partnership in a common enterprise. It is perfectly clear that if there is no spirit of co-operation, if that co-operation does not exist, the whole scheme breaks down. It is India that will have to decide. If the proposals that come from the Joint Standing Committee put a stop to politically-minded Indians endeavouring to get something out of the British people and to wrest some further concession from Great Britain, and set them to grapple with India's problems and to consider the real difficulties which beset her, a great deal will have been achieved. My hon. Friend the Member for the English Universities (Sir R. Craddock) spoke yesterday of the Government of the past. I entirely agree with what he said as to the integrity and the uprightness of those Governments. I also know what a bureaucratic kind of government it was and how extremely difficult it was to influence it. We have nothing to be ashamed of; very much to the contrary in the great record of what we have done for India; but it is not an unnatural attitude for India to-day to ask for some further share in the Government.

We have to make up our minds quite clearly. Can we go back? I maintain that even dyarchy, bad system as it has been, has, curiously enough, worked better than we had any reason to expect. It is surprising to me that it did not fail. Dyarchy has not entirely failed. The mere fact that a great many people of good will have endeavoured to work the system of dyarchy is an argument for considering whether we can advance further. I did not entirely agree with the recommendations of the Simon Commission on the transference of law and order. In this White Paper, the Government has certainly put forward every possible safeguard, and it is for the Joint Select Committee to see to what extent those safeguards can be made real and effective. The responsibility before us is a very serious one, and, as this House cannot, in my view, go back, it will have to consider very carefully upon what lines it is to go forward in the joint interests both of India and of this country.

Ordered, "That the Debate be now adjourned."—[*Captain Margesson.*]

Debate to be resumed To-morrow.

ARMY AND AIR FORCE (ANNUAL) BILL.

Read a Second time.

Bill committed to a Committee of the Whole House for To-morrow.—[*Captain Margesson.*]

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at One Minute after Eleven o'Clock.

HOUSE OF COMMONS.

Wednesday, 29th March, 1933.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock MR. SPEAKER *in the Chair.*

ENTERTAINMENTS DUTY.

Mr. PIKE: I beg to present to the House a humble Petition from 11,385 electors in the Parliamentary Borough of Attercliffe:

"To the Honourable Commons of Great Britain and Northern Ireland in Parliament assembled:

Whereas the excessive taxation affecting the cost of our entertainments denies us the freedom of cheap entertainments, we your petitioners therefore humbly pray that your honourable House will institute an immediate inquiry into the matters alleged in this our petition.

And your petitioners, as in duty bound, will ever pray."

PRIVATE BUSINESS.

City of London (Various Powers) Bill,

As amended, considered; to be read the Third time.

Ministry of Health Provisional Orders (Bath and Bury and District Joint Water Board) Bill,

"to confirm certain Provisional Orders of the Minister of Health relating to the city of Bath and the district of the Bury and District Joint Water Board," presented by Sir Hilton Young; read the First time; and referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 80.]

ORAL ANSWERS TO QUESTIONS.

ARMS TRAFFIC.

1. **Mr. MANDER** asked the Secretary of State for Foreign Affairs if he is now able to state, in connection with the Government's negotiations for an arms embargo on both aggressor and victim or on aggressor alone, the respective positions taken up by the various countries consulted?

The UNDER-SECRETARY of STATE for FOREIGN AFFAIRS (Mr. Eden): I have nothing to add to the reply given to my hon. Friend on the 21st March.

Mr. MANDER: Is it not the fact that the Foreign Affairs Committee of the Senate have unanimously asked for an embargo on the aggressor alone?

2. **Mr. RHYS DAVIES** asked the Secretary of State for Foreign Affairs what progress is being made towards an international agreement on the subject of an armaments embargo against Japan?

Mr. EDEN: The Advisory Committee of the League of Nations which was set up to follow the developments of the Sino-Japanese dispute decided to set up a sub-committee to examine the problem of the export of arms in relation to the present conditions in the Far East. I understand that the Advisory Committee met again at Geneva yesterday. I am informed that at this meeting attention was drawn to the fact that inquiries were already under way in connection with disputes in another part of the world in the course of which specific questions of principle and of execution have been put before the Governments. It was agreed that the members of the committee should consult their Governments on these questions in order that the sub-committee might be in possession of the essential facts as soon as possible.

Sir PERCY HARRIS: Can the Under-Secretary say when a decision is expected from this Committee; or when any report is expected?

Mr. EDEN: The hon. Member must not expect me to tell him what an international Committee will do.

Mr. DAVIES: May we take it for granted that the Government will bear in mind the changed conditions consequent upon the notice given by Japan to leave the League of Nations?

25. **Mr. MANDER** asked the President of the Board of Trade what orders were notified for munitions of war from Japan during the recent embargo and since; from what date the embargo ceased to operate; and whether any undertaking has been given by the Government to assist those supplying arms to Japan to obtain payment?

Lieut.-Colonel JOHN COLVILLE (**Secretary, Overseas Trade Department**): As regards the first part of the question, I would refer to the reply given to a similar question put by the hon. Member for West Leeds (Mr. V. Adams) on March 8th; the date asked for in the second part is March 13th; the answer to the last part is in the negative.

ROYAL NAVY.

RESEARCH DEPARTMENT.

4. **Mr. WISE** asked the First Lord of the Admiralty whether any economies were effected in the last year as a result of recommendations by the Research Department of the Admiralty; and by how much such economies exceeded the whole cost of maintaining the Department?

Sir B. EYRES MONSELL: The reply to the first part of the question is in the affirmative. As regards the second part, the function of the Scientific Research Department is to increase the efficiency of naval material. The extension of its life, thereby reducing its cost, is one way of increasing efficiency which is always kept in view. But there are many other ways, for instance ensuring a higher standard of performance, greater safety in handling, and so on, which may be of even greater importance, but which cannot be assessed in precise monetary terms or fairly related to any particular year.

PERSONAL (INTERNATIONAL COMPARISON).

3. **Captain PETER MACDONALD** asked the First Lord of the Admiralty the latest figures of the personnel on the active lists of the American, Japanese, Italian, and British navies; and what percentage increase or decrease such figures show on the personnel of these navies at the commencement of 1914?

The FIRST LORD of the ADMIRALTY (**Sir Bolton Eyres Monsell**): The approximate numbers for 1932-33, with the increase or decrease per cent. as compared with 1914, are as follow:—

U.S.A.—107,300, 60 per cent. increase.
Japan—88,000, 74 per cent. increase.
Italy—53,000, 32 per cent. increase.
British Commonwealth—98,100, 35 per cent. decrease.

In view of differences of organisation as between the several navies concerned, these numbers are not strictly comparable.

Captain MACDONALD: Will these figures be borne in mind on the Continent?

5. **Mr. CHARLES WILLIAMS** asked the First Lord of the Admiralty whether he can give figures showing the total active service naval personnel of the British Commonwealth of Nations, United States of North America, France, Italy and Japan, in 1914, 1918 and 1932, respectively?

Sir B. EYRES MONSELL: With my hon. Friend's permission, I will circulate a statement in the OFFICIAL REPORT.

Following is the statement:

The approximate figures are as follows:—

——	1914.	1918.	1932-33.
U.S.A.	67,258	503,792	107,300
Japan	50,645	64,1[illegible]2	88,000*
France	69,585	80,000	63,800†
Italy	40,023	127,401	53,000
British Commonwealth of Nations.	152,000	427,000	98,100

* Number as given to League of Nations for July, 1931.

† Includes about 5,590 air personnel paid by Air Ministry.

The figures for the Members of the British Commonwealth of Nations are for July-1st August, 1914, for 11th November, 1918, and for 1st January, 1932. These figures indicate in a broad way only the variations in personnel allowed for under the Naval Estimates. They are, however, not strictly comparable owing to differences and changes in the organisations of the various Services.

EAST AFRICA (LOCUST PLAGUES).

7. **Captain P. MACDONALD** asked the Secretary of State for the Colonies if he can make any statement as to the progress which it is hoped to make during 1933 in connection with the abolition of locust plagues from the East African dependencies?

The SECRETARY of STATE for the COLONIES (**Sir Philip Cunliffe-Lister**): Experiments are being conducted in this

country into the possibilities of locust control by means of subjecting the flying swarms to a cloud of poisonous material discharged from an aeroplane. An account of the experimental programme will be found in the Fifth Report, which I understand will shortly be published, of the Committee on Locust Control of the Economic Advisory Council. The programme is being carried out under the auspices of that Committee, by means of a grant from the Colonial Development Fund, and with the co-operation of the Government of Kenya. It is too early to predict whether the progress of the experiments will be such as to permit of practical measures in East Africa during 1933.

BAROTSELAND.

8. **Mr. HOLDSWORTH** asked the Secretary of State for the Colonies how many visits have been made to Barotseland by successive chief administrators or Governors of Northern Rhodesia during the last 15 years; and whether these visits were made as part of the Governor's official duties?

Sir P. CUNLIFFE-LISTER: I am addressing an inquiry to the present Governor and will communicate with the hon. Member on receipt of his reply.

Mr. JAMES DUNCAN: At the same time will the right hon. Gentleman inquire how many visits the Paramount Chief has paid to Barotseland?

Sir P. CUNLIFFE-LISTER: If it interests the hon. Member I can inquire, but I do not know whether I should get an answer.

TRADE AND COMMERCE.

OTTAWA AGREEMENTS.

9. **Sir JOHN HASLAM** asked the Secretary of State for the Colonies which Colonies under his jurisdiction besides Ceylon have failed to implement the Ottawa Agreements; and what further steps he proposes to take to bring them into line with the rest of the Empire?

Sir P. CUNLIFFE-LISTER: The only other Colonies besides Ceylon are the Cayman Islands, where the matter is still under consideration, and Malta.

Mr. MANDER: Can the right hon. Gentleman say how many departures there have been by this country from the Ottawa Agreements?

Sir P. CUNLIFFE-LISTER: None, that I am aware of.

Captain Sir WILLIAM BRASS: May I ask how long this is going to be under consideration?

Sir P. CUNLIFFE-LISTER: The Cayman Islands are not very large, but I think their Assembly meets once a year, and I believe it expresses its opinion by acclamation.

Sir J. HASLAM: Will the right hon. Gentleman answer the last part of my question? What further steps does he propose to take?

Sir P. CUNLIFFE-LISTER: That question refers to Ceylon, and my hon. Friend will be aware of the telegram which, with the approval of my colleagues, I sent to the Governor to communicate to Ministers in Ceylon. That communication stated that His Majesty's Government here must be free when the time came to review the whole question of Ceylonese preference.

BANKRUPTCIES.

26. **Major NATHAN** asked the President of the Board of Trade if he will state the total number of insolvencies for each of the years to the 28th February, 1931, 29th February, 1932, and 28th February, 1933, so far as evidenced by the aggregate number during each of those periods of the orders for the compulsory winding-up of companies, resolutions for the voluntary winding-up of companies on the grounds of inability to meet liabilities, receiving orders made in bankruptcy, and deeds of arrangements and deeds of composition?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): I regret that it has not been possible within the time available to obtain the information desired by the hon. and gallant Member, but I will send him the particulars as soon as possible.

Major NATHAN: Will my hon. Friend publish that information in due course from the reports?

Dr. BURGIN: If they are not too long that shall be done.

EMPIRE MARKETING BOARD.

Mr. GRAHAM WHITE asked the Secretary of State for Dominion Affairs what the total cost of the Empire Marketing Board has been to the British taxpayer since its inception; and whether the Dominions have made any money grants or other contributions?

The UNDER-SECRETARY of STATE for DOMINION AFFAIRS (Mr. Malcolm MacDonald): The total expenditure from the Empire Marketing Fund from its inception in 1926 up to the 31st March, 1933, will be approximately £3,250,000. No contributions have been made by Dominion Governments towards this expenditure, but in most cases where grants have been made by the Board for research work in the Dominions, the respective Governments have contributed to the cost of the research.

FALSTER BRIDGE CONTRACT.

36. **Mr. HALL-CAINE** asked the Chancellor of the Exchequer if he is now in a position to make any statement with regard to the arrangements for raising a loan in this country to finance the construction of the Danish Falster bridge?

The FINANCIAL SECRETARY to the TREASURY (Mr. Hore-Belisha): I understand that discussions are proceeding satisfactorily, but my right hon. Friend is not yet in a position to make a statement.

Mr. HALL-CAINE: Will my hon. Friend give an indication as to when he will be able to give an answer to the question?

Mr. HORE-BELISHA: When the discussions, which, as I have said, are proceeding satisfactorily, are concluded. I cannot say when that will be.

CEYLON.

10. **Mr. SUTCLIFFE** asked the Secretary of State for the Colonies what were the imports into Ceylon of cotton piece-goods from Great Britain and Japan, respectively, from the beginning of the year to the latest available date; and if he will give comparable figures for the years 1913 and 1924?

Sir P. CUNLIFFE-LISTER: As the answer contains a long table of figures, with my hon. Friend's permission I will circulate these with the OFFICIAL REPORT.

Following is the table:

Imports of Cotton Piece Goods into Ceylon from the United Kingdom and Japan for the month of January, 1933.

Cotton Piece Goods.	Quantity in Yards.	Value in Rupees.
(a) Bleached:		
United Kingdom	277,291	92,311
Japan	782,250	84,913
(b) Dyed:		
United Kingdom	113,310	40,061
Japan	1,313,402	190,746
(c) Gray:		
United Kingdom	40,983	10,273
Japan	138,650	22,210
(d) Printed:		
United Kingdom	269,837	88,037
Japan	493,409	59,381
(e) Muslin:		
United Kingdom	Nil	Nil
Japan	Nil	Nil
(f) Other:		
United Kingdom	632	825
Japan	Nil	Nil
Totals:		
United Kingdom	702,053	231,507
Japan	2,687,701	357,250

Imports of Cotton Piece Goods into Ceylon from the United Kingdom and Japan for the years* 1913 and 1924.

Cotton Piece Goods.	1913.		1924.	
	Quantity in Yards.	Value in Rupees.	Quantity in Yards.	Value in Rupees.
(a) Bleached :				
United Kingdom	15,019,143	3,273,393	8,790,720	4,601,538
Japan	5,940	1,888	60,450	17,406
(b) Dyed :				
United Kingdom	11,628,439	2,154,039	3,835,997	2,759,827
Japan	46,142	14,183	2,223,672	891,873
(c) Gray :				
United Kingdom	4,206,390	802,307	2,412,682	1,065,062
Japan	Nil	Nil	614,800	281,573
(d) Printed :				
United Kingdom	8,450,204	1,704,286	5,392,774	2,907,654
Japan	1,200	255	75,546	46,251
(e) Muslin :				
United Kingdom	112,821	23,472	36,183	16,543
Japan	30	10	Nil	Nil
(f) Other :				
United Kingdom	333,180	621,753	229,189	196,158
Japan	13,238	107,023	95,414	77,291
Totals :				
United Kingdom	39,750,177	8,579,250	20,696,645	11,526,782
Japan	66,550	123,359	3,069,882	1,314,400

* Separate figures for January, 1913 and January, 1924 are not available.

11. **Mr. SUTCLIFFE** asked the Secretary of State for the Colonies what were the exports of tea from Ceylon to countries other than Great Britain for the last available yearly period?

Sir P. CUNLIFFE-LISTER: During the year ended 31st December, 1932, the exports of tea from Ceylon to countries other than Great Britain were 80,601,298 lbs. valued at £2,557,169, out of a total export of 252,823,755 lbs., valued at £8,076,911.

Mr. SUTCLIFFE: Will the right hon. Gentleman take into consideration the dissimilarity between that figure and the exports of tea from Ceylon to Great Britain?

Sir P. CUNLIFFE-LISTER: Yes.

12. **Captain ELLISTON** asked the Secretary of State for the Colonies if he has yet received a reply from the legislature of Ceylon to his recent telegram protesting against the denial of preferences for British cotton goods; and, if so, what is the nature of that reply?

Sir P. CUNLIFFE-LISTER: I have received no information of any action by the Ceylon State Council consequent upon my telegram to the Governor.

Captain ELLISTON: Will the right hon. Gentleman press for an early reply to his telegram, and also point out that the Lancashire cotton industry is entitled to some preferential treatment in view of the advantage secured by Ceylon?

Sir P. CUNLIFFE-LISTER: In my view the only satisfactory answer to the telegram would be the grant of preference.

Sir W. BRASS: Will the right hon. Gentleman bring a little pressure to bear on Ceylon to that effect?

Sir P. CUNLIFFE-LISTER: I have already indicated that Ceylon has been informed that it will be for the Chancellor of the Exchequer, not very far ahead, to consider what action should be taken.

Captain CROOKSHANK: Does not this show the disadvantage of giving rather fancy constitutions to Colonies and dependencies?

HOSIERY IMPORTS.

27. **Mr. LYONS** asked the President of the Board of Trade whether he is aware that certain foreign countries are allowing money from public funds to meet the costs of production of stockings or other hosiery exported from those countries to this country; and whether, in view of the harm done to the Leicester and other manufacturers, rendering the present duties ineffective, he will say what steps he proposes to take in the interests of British trade and employment?

Dr. BURGIN: I have no information which would suggest that foreign countries are using public funds in the manner suggested by my hon. Friend. The second part does not therefore arise.

Mr. LYONS: In view of what is considered by the trade to be a matter of great urgency in the interests of their own employment, will the Board of Trade deal with the matter forthwith if strong representations are made?

Dr. BURGIN: We do little else but consider representations.

Mr. LYONS: In this case will my hon. Friend promise something more than consideration?

IMPERIAL PREFERENCE.

39. **Sir J. HASLAM** asked the Prime Minister if he will take steps to ensure that only those parts of the Empire which have put, or propose to put, into operation the policy agreed upon at Ottawa shall have the benefits of Imperial preference within these islands?

The PRIME MINISTER (Mr. Ramsay MacDonald): The general policy underlying the Ottawa Agreements involved a recognition that benefits could not be claimed without a reasonable return, unless countries are precluded from granting preference. That policy will continue to govern our action, but I would rather not pledge myself as to methods of applying it.

Sir J. HASLAM: Will the Prime Minister draw the attention of the delinquent States or State to the intolerable situation and say that it cannot possibly continue? I think the right hon. Gentleman knows the Colony to which I refer.

The PRIME MINISTER: If my hon. Friend will communicate with the Board of Trade, he will find how the matter stands.

Mr. T. WILLIAMS: Can the right hon. Gentleman say how many Dominions or Colonies have negotiated voluntary agreements outside the settled terms of the Ottawa Agreements?

The PRIME MINISTER: I cannot carry that in my head.

Sir W. BRASS: Will the right hon. Gentleman communicate to the Government of Ceylon the answer which he has given?

Sir P. HARRIS: Is the right hon. Gentleman aware that some Dominions have taken away part of our preference by artificially depreciating the exchange—more than robbing this country of any preference?

AVIATION.

TRANS-ATLANTIC AIR ROUTE.

13. **Rear-Admiral SUETER** asked the Under-Secretary of State for Air whether he is aware that Pan-American Airways is starting the first lap of the Atlantic air route from New York to Bermuda this year; and what encouragement is being given to the civil aviation of this country to co-operate with the Americans in starting this trans-Atlantic air route?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): I am aware that Pan-American Airways are considering the opening of a service from New York to Bermuda. It is understood that their intention is to operate this service, if possible, in collaboration with Imperial Airways. His Majesty's Government are keeping a close watch on developments in conjunction with Imperial Airways.

ROYAL AIR FORCE PILOTS.

14. **Sir W. BRASS** asked the Under-Secretary of State for Air whether serving officers of the Royal Air Force when on leave are given permission to pilot civil aircraft for profit; and, if so, under what conditions these permissions are given and in how many cases they have been granted during 1931 and 1932, respectively?

Sir P. SASSOON: The answer to the first part of the question is in the negative; the second part therefore does not arise.

IMPERIAL AIRWAYS LINER (DISASTER).

Mr. SPEAKER: I have received two Private Notice Questions on the same subject, one from the hon. and gallant Member for St. Marylebone (Captain Cunningham-Reid) and another from the hon. and gallant Member for the Isle of Thanet (Captain Balfour).

Captain CUNNINGHAM-REID (*by Private Notice*) asked the Under-Secretary of State for Air whether he can make any statement regarding the disaster to the Imperial Airways liner "City of Liverpool"?

Captain HAROLD BALFOUR (*by Private Notice*) asked the Under-Secretary of State for Air if he can give the House any further information about the disaster to the Imperial Airways liner "City of Liverpool"; and whether the Secretary of State for Air intends to order the holding of a public inquiry into the causes of the accident at the earliest possible date?

Sir P. SASSOON: I regret that at this stage I can add little to the information which has already been published in the Press. The aircraft appears to have caught fire in the air and all the occupants, namely, 12 passengers and three members of the crew, lost their lives. The Inspector of Accidents and an assistant left England by air this morning for the scene of the accident, and until my Noble Friend has received a preliminary report from them it is not possible to make any further statement. Meantime, reports such as that the fire started in one of the engines should be treated with the greatest reserve.

The House may wish to know that since the last accident attended by loss of life, nearly 2½ years ago, Imperial Airways have flown over four million miles and carried over 99,000 passengers, a record of safety in which the company may take legitimate pride. The type of machine involved in this accident is one which has been in constant use for six years, and this is the first serious accident in the course of over two million miles flown by this type on regular service. I am glad to be able to say that public confidence has rightly refused to be shaken by this accident, and the company's early service to Paris this morning was filled up to capacity, with a waiting list of passengers anxious to travel had space been available for them.

As regards an inquiry, I would remind my hon. and gallant Friend the Member for Thanet (Captain Balfour) that under the approved international procedure the responsibility for investigation rests with the country in which the accident occurs, though it is customary to associate with the inquiry technical representatives of the country to which the aircraft belongs. I entertain no doubt that in the present case the responsible Belgian authorities will work in the closest and most cordial co-operation with the British experts whom, as above stated, my Noble Friend has despatched to the scene of the accident. Pending the receipt of further first-hand information as to the progress of the inquiry in Belgium and the form that inquiry will take, my Noble Friend thinks any decision as to the necessity or otherwise for a public inquiry in this country would be altogether premature. I take this opportunity of conveying to the relatives of those killed my Noble Friend's and my own profound sympathy in the loss which they have sustained in such tragic circumstances.

TRANSPORT.

RAILWAY ELECTRIFICATION (LIVERPOOL STREET-ILFORD).

17. **Major NATHAN** asked the Minister of Transport whether he can state the position as to the projected electric railway from Liverpool Street via Bethnal Green to Ilford and beyond?

The MINISTER of TRANSPORT (Mr. Stanley): The railway company concerned have informed me that they have schemes of London suburban electrification under consideration and that when the London Passenger Transport Bill has become law they will be prepared to submit definite proposals to the Standing Joint Committee of the Transport Board of the railway companies which the Bill proposes to set up.

FOOTPATHS.

18. **Mr. GUY** asked the Minister of Transport if he will take steps to ensure that in all cases where a grant is made from the Road Fund to a highway authority for the widening of a road no existing footpath shall be removed unless a new footpath is provided?

Mr. STANLEY: In the case of schemes assisted by grants from the Road Fund, it is the practice of my Department to require that where road widenings involve the removal of footpaths suitable alternative footpaths shall be provided.

Mr. SMITHERS: In any road widening, will my hon. Friend take into consideration accommodation for horses?

Mr. STANLEY: I understand that horses generally use the roads.

Mr. SMITHERS: *Has my hon. Friend* ever tried to ride a horse on one of these new macadamised roads?

CHELMSFORD-ROMFORD OMNIBUS FARES.

19 and 20. **Lieut.-Colonel Sir VIVIAN HENDERSON** asked the Minister of Transport (1) if he will state on what grounds the eastern traffic commissioners imposed a minimum fare of sixpence on Messrs. Hillman's omnibus services between Chelmsford, Brentwood, and Romford as from the 3rd April; and on what grounds this decision was upheld on appeal;

(2) if he will state what steps he, or the eastern traffic commissioners, are taking to ensure that an adequate service of short-stage motor coaches, at fares below sixpence, is available to the public on and after the 3rd April between Chelmsford and the intervening villages to Brentwood and Romford?

Mr. STANLEY: The grounds on which the traffic commissioners reached their decision were set out in their observations on Messrs. Hillman's appeal and were circulated to the parties concerned. I am forwarding a copy of these observations to my hon. and gallant Friend. My predecessor, after careful inquiry into the appeal, saw no sufficient reason for reversing their decision. In announcing his decision he expressed the opinion as regards these services that

"passengers wishing to travel short distances only should be carried by regular short-stage services and that if any additional facilities are required for such passengers they should be provided by the strengthening of those services."

The commissioners have recently considered applications for the strengthening of the short-stage services between Chelmsford, Brentwood and Romford, and gave a preliminary decision in the matter on 24th March. On the same day they informed the parties concerned that they would not enforce compliance with the condition as to minimum fares on Messrs. Hillman's services until it had been found possible to commence additional short-stage services on the lines set out in that preliminary decision.

Mr. HUTCHISON: Is the Minister aware that the majority of people who use these omnibuses are small wage earners and working people who can ill afford any increase of their fares, and that there is strong local feeling that the objections put forward both by the public and by the local councils have not been sufficiently considered?

Mr. STANLEY: My hon. Friend will appreciate that the increase of fares in this particular service will not come into force until the Commissioners are satisfied that alternative services have been provided.

TOLL ROADS AND BRIDGES.

15. **Mr. HALL-CAINE** asked the Minister of Transport what is the estimated total capital of the remaining toll roads and bridges in Great Britain; and whether he will consider taking steps to raise a loan for their purchase and ultimate freeing, the said loan to be liquidated by the revenue of the tolls purchased over a limited number of years?

Mr. STANLEY: No information is available on the point raised in the first part of the question. Apart from any other consideration, I have no power to give effect to my hon. Friend's suggestion. The provisions under which local authorities are empowered to take over privately owned toll roads and bridges are contained in Section 53 of the Road Traffic Act.

AUTOMATIC TRAFFIC SIGNALS.

16. **Mr. ATTLEE** (*for* **Mr. PARKINSON**) asked the Minister of Transport the number of points that are now worked by automatic traffic signals in London?

Mr. STANLEY: Ninety-four street intersections in the Metropolitan Police District and in the City of London are now controlled by traffic light signals. Arrangements have been completed or are in progress for the introduction of signals at a large number of other junctions.

Viscountess ASTOR: If the hon. Gentleman is reducing the number of men police, will he consider increasing the number of women police in view of the fact that crimes against children are growing all over the country?

Mr. STANLEY: I am glad to be able to announce that that is a question which ought to be addressed to another Department.

33. **Mr. ATTLEE** (*for* **Mr. PARKINSON**) asked the Secretary of State for the Home Department how many police have been taken off traffic duty since the introduction of automatic traffic signals?

The UNDER-SECRETARY of STATE for HOME AFFAIRS (Mr. Douglas Hacking): In England and Wales the installation of traffic light signals has up to the present released 553 constables from traffic duty.

Viscountess ASTOR: If the hon. Gentleman has been able to reduce the number of men police, will he consider increasing the number of women police, since crimes against children are growing?

DISTRESSED AREAS (RATE BURDEN).

23. **Mr. JOHN MORRIS** asked the Minister of Health if he can now inform the House of the extent of the financial assistance the Government will afford to the depressed areas in England and Wales for the alleviation of the heavy Poor Law rate burden borne by these areas?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): My right hon. Friend saw yesterday, with the Minister of Labour, a deputation from a number of local authorities on this subject, and the representations which were made are receiving careful consideration.

Mr. MORRIS: Are we to assume that assistance will be given by the Government to these depressed areas?

Mr. T. WILLIAMS: When will the Government make a pronouncement on the representations they received yesterday?

Mr. SHAKESPEARE: The matter is urgent, and everything is being done to expedite a decision.

Mr. WILLIAMS: May we expect a statement from the Minister before the Easter Adjournment?

Mr. SHAKESPEARE: That is our expectation, but I do not want to disappoint hopes.

Mr. THORNE: Is the hon. Gentleman not aware that at the meeting yesterday, or the day before, the Minister said that a statement would be made to the House before the Adjournment?

REGISTRATION (TRANSFER OF FUNCTIONS).

24. **Captain CUNNINGHAM - REID** asked the Minister of Health if he is satisfied that the transfer of functions under the Registration Acts provided for by Part II, Clauses 21 to 28, of the Local Government Act, 1929, are working smoothly in practice; and if the relations between the Registrar-General and the local authorities concerned have been harmonious?

Mr. SHAKESPEARE: Yes, Sir, these provisions are, my right hon. Friend believes, working smoothly and with a full measure of co-operation between the Registrar-General and the local authorities concerned.

ACCUSED ALIENS (COUNSEL).

32. **Mr. VYVYAN ADAMS** asked the Attorney - General whether, when an accused person belongs to a specified non-British nationality, it is the practice to allow him to be represented in court by counsel of that nationality?

The ATTORNEY - GENERAL (Sir Thomas Inskip): An accused person who is an alien may be represented in Court by Counsel of his own nationality provided that such counsel has been called to the Bar by one of the Inns of Court.

Mr. T. WILLIAMS: Is the Government of such a national in the habit of demanding the acquittal of the accused at the trial?

The ATTORNEY-GENERAL: Is the hon. Gentleman referring to other Governments?

Mr. WILLIAMS: No, our own.

The ATTORNEY-GENERAL: Certainly not.

POST OFFICE (AIR PARCEL RATES).

28. **Major ASTOR** asked the Postmaster-General whether he will consider the possibility of reducing the present charges for air parcels sent to India, East Africa, and South Africa in order to facilitate the transmission of urgent consignments of goods, samples, and copy for the Press bearing an Imperial interest?

The POSTMASTER-GENERAL (Sir Kingsley Wood): I have now had an opportunity of examining the results of the experimental period during which these air parcel services have been in operation, and I am glad to be able to announce that, as from 10th April, the present 1 lb. scale will be replaced by a ½ lb. scale, and the rates will in consequence be 2s. 3d. a ½ lb. to the Sudan, 3s. a ½ lb. to India and East Africa, and 3s. 6d. a ½ lb. to the Rhodesias and South Africa.

CRANE ACCIDENT, EUSTON.

35. **Mr. THORNE** asked the Home Secretary whether he has received a report of the crane accident which occurred at Seymour Street, Euston, on 24th March; and what action he intends to take in the matter?

Mr. HACKING: It appears on investigation that this accident was due to an error of judgment on the part of the crane driver, who drove the crane too far along the rails. I am advised that stops were provided on the rails and that the mechanism of the crane appeared to be in good order. In these circumstances it would appear that there is no further action which my right hon. Friend can usefully take in the case.

DISARMAMENT.

37. **Mr. MANDER** asked the Prime Minister if he is able to make any further statement with regard to his negotiations for disarmament, treaty revision and a settled peace?

The PRIME MINISTER: I can add nothing to the very full statement made on behalf of the Government in the course of the Debate on Thursday last, and by the Foreign Secretary in answer to a Private Notice question yesterday by my right hon. Friend the Leader of the Opposition.

KENYA (BOUNDARY).

38. **Mr. LINDSAY** (*for* **Lord APSLEY**) asked the Prime Minister whether any proposal was put forward during his visit to Italy for the further rectification of the boundary between Italian Somaliland and British Kenya; and, if so, if he will state the nature of the suggestion and the British reply thereto?

The PRIME MINISTER: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

COAL INDUSTRY (STATISTICS).

29. and 30. **Mr. DAVID GRENFELL** (*for* **Mr. DAGGAR**) asked the Secretary for Mines if he will state (1) the output of coal in Great Britain; the quantity exported; the f.o.b. prices for each year from 1920 to 1932, inclusive; and similar statistics for South Wales;

(2) The average weekly wage paid in the mining industry in Great Britain for each year from 1920 to 1932, inclusive?

The SECRETARY for MINES (Mr. Ernest Brown): As the replies to these questions involve long statistical statements, I will, with the hon. Member's permission, circulate them in the OFFICIAL REPORT.

Mr. GODFREY NICHOLSON: If my hon. Friend is preparing a table of statistics will he consider the inclusion of figures covering every other individual district as well?

Mr. BROWN: I could not undertake to do that. The table for which I am asked now would cover 24 different mines.

Mr. GRENFELL: Does not the answer to the questions cover all districts?

Mr. BROWN: One part of the question concerns Great Britain and another part, South Wales and Monmouthshire. It is that to which the hon. Member for Morpeth (Mr. Nicholson) refers.

Following are the statements:

Year.	Great Britain.			South Wales and Monmouthshire.		
	Output of Coal.	Quantity of Coal Exported.	Average Declared Value per ton f.o.b.	Output of Coal.	Quantity of Coal Exported.*	Average Declared Value per ton f.o.b.
	Thousand Tons.	Thousand Tons.	s. d.	Thousand Tons.	Thousand Tons.	s. d.
1920 ...	229,424	24,932	79 11	46,249	15,470	79 7
1921 ...	163,163	24,661	34 10	30,572	12,247	37 5
1922 ...	249,607	64,198	22 7	50,325	25,634	24 7
1923 ...	276,001	79,459	25 2	54,252	30,130	26 3
1924 ...	267,118	61,651	23 5	51,085	25,682	25 4
1925 ...	243,176	50,817	19 10	44,630	21,454	23 3
1926 ...	126,279	20,596	18 7	20,273	9,295	20 10
1927 ...	251,232	51,149	17 10	46,256	22,592	20 2
1928 ...	237,472	50,051	15 7	43,312	21,415	17 9
1929 ...	257,907	60,267	16 2	48,150	24,716	18 4
1930 ...	243,882	54,874	16 8	45,108	23,299	19 1
1931 ...	219,459	42,750	16 3	37,085	18,004	19 0
1932 ...	208,733†	38,899	16 3	34,874†	16,504	19 7

* From Bristol Channel Ports.
† Provisional figures.
NOTE.—Exports to the Irish Free State are included from 1st April, 1923.

The average weekly cash earnings of all workers employed in the coal-mining industry in Great Britain during the years 1920 to 1932, excluding periods affected by national disputes, were as follows :

	£ s. d.		£ s. d.
1920 (excluding October to December).*	4 6 11	1926 (excluding May to December)	2 13 9
1921 (excluding April to June) ...	3 11 7	1927	2 7 2
1922	2 8 1	1928	2 3 9
1923	2 11 8	1929	2 5 6
1924	2 13 2	1930	2 3 10
1925	2 10 8	1931	2 2 11
		1932	2 2 1

* The national dispute in 1920 lasted three weeks, but as quarterly returns only are available the period October to December has been excluded.

LONDON AND NORTH EASTERN RAILWAY BILL.

Reported, with Amendments ; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to—

Consolidated Fund (No. 2) Bill,

Ministry of Health Provisional Order (Chester and Lancaster) Bill,

Ministry of Health Provisional Order (Eton Joint Hospital District) Bill,

Preston Corporation Bill, without Amendment.

Amendments to—

Assurance Companies (Winding up) Bill [Lords], without Amendment.

SELECTION (STANDING COMMITTEES).

STANDING COMMITTEE B.

Mr. William Nicholson reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B (added in respect of the Solicitors Bill): Mr. Purbrick ; and had appointed in substitution : Major Llewellin.

Report to lie upon the Table.

WRITTEN ANSWERS.

UNEMPLOYMENT.

TOTALISATORS, GREYHOUND TRACKS.

Mr. DENVILLE asked the Home Secretary if he has considered the communication sent to him from the British Totalisator Manufacturers' Conference with regard to the unemployment caused by the cessation of the totalisator on greyhound tracks; and what reply has been sent?

Mr. HACKING: Yes, Sir; and a letter of acknowledgement was sent at the time to the hon. and gallant Member for Cardiff South (Captain Evans), through whom the communication was received.

GLAMORGANSHIRE.

Mr. E. WILLIAMS asked the Minister of Labour the number of persons in receipt of standard and transitional benefits, respectively, at the Maesteg, Pontycymmer, Ogmore Vale, Aberkenfig, and Bridgend Employment Exchanges for 1931, 1932, and to date 1933?

Sir H. BETTERTON: The following table gives the information desired:

Local Office.	23rd Feb., 1931.		Number of claims authorised for—			
	Number of claims authorised for—		Insurance benefit.		Transitional payments.	
	Standard benefit.	Transitional benefit.	22nd Feb., 1932.	20th Feb., 1933.	22nd Feb., 1932.	20th Feb., 1933.
Maesteg	2,391	812	967	404	2,880	3,145
Pontycymmer ...	844	343	782	316	512	944
Ogmore Vale	313	283	395	303	477	554
Aberkenfig	283	342	214	188	443	558
Bridgend	662	227	504	333	487	692

TRANSITIONAL PAYMENTS.

Mr. TINKER asked the Minister of Labour the number of applicants for transitional payment who have only been allowed payments below the maximum rates between the dates 25th January, 1932, and 4th February, 1933?

Sir H. BETTERTON: Determinations by public assistance authorities in Great Britain between 25th January, 1932, and 4th February, 1933, on initial applications for transitional payments included 451,476 in which payment was allowed at rates lower than maximum benefit rates. In the case of renewed and revised determinations the corresponding figure was 3,351,341. These figures relate to determinations, and not to separate individuals.

BETHNAL GREEN.

Major NATHAN asked the Minister of Labour the number of unemployed men, women and juveniles in Bethnal Green at any convenient date in February, 1931, 1932 and 1933, respectively, and the distribution of such unemployed by trades?

Sir H. BETTERTON: The numbers of unemployed persons, resident in the Metropolitan Borough of Bethnal Green, on the registers of Employment Exchanges at the dates in question were as follow:

Date.	Men.	Women.	Juveniles.	Total.
16th February, 1931	5,282	1,343	237	6,862
22nd February, 1932	5,023	1,011	234	6,268
20th February, 1933	5,508	1,108	207	6,823

I regret that an industrial analysis of these figures is not available.

ROYAL NAVY (VISITING SQUADRON, BALTIC).

Mr. DORAN asked the First Lord of the Admiralty whether the Government will consider sending a visiting naval squadron to the Baltic this summer?

Sir B. EYRES MONSELL: The matter is now under consideration.

ROYAL AIR FORCE (AMMUNITION DEPOT).

Mr. SPENCER asked the Under-Secretary of State for Air the number and grades of officers and other ranks employed at the No. 2 Stores (Ammunition) Depot; for what purpose the depot is maintained; and whether he contemplates closing it in the near future?

Sir P. SASSOON: The establishment of No. 2 Stores (Ammunition) Depot consists of three Royal Air Force officers and 83 civilians, of the following grades:

Royal Air Force:	
Squadron Leader	1
Flight Lieutenant	1
Flying Officer	1
Civilians:	
Civilian Assistant—Accountant	1
Clerks	8
Storemen and tradesmen ...	20
Labourers	38
Warders	16
Total	86

The depot is maintained to accommodate reserve stocks of ammunition for the Royal Air Force. The answer to the last part of the question is in the negative.

AIR MAIL SERVICES (RATES).

Mr. RANKIN asked the Postmaster-General the nature of the special steps he recently proposed to take to increase the use of the parcel and sample air mail services to India and Africa?

Sir K. WOOD: As I have to-day informed my hon. and gallant Friend the Member for Dover (Major Astor), as from 10th April the present 1 lb. scale will be replaced by a ½ lb. scale, and the rates will in consequence be 2s. 3d. a ½ lb. to the Sudan, 3s. a ½ lb. to India and East Africa, and 3s. 6d. a ½ lb. to the Rhodesias and South Africa.

PRIVATE SCHOOLS.

Major NATHAN asked the Parliamentary Secretary to the Board of Education what action His Majesty's Government propose to take on the recent Report of the Departmental Committee on Private Schools?

Mr. RAMSBOTHAM: I am not in a position to add anything to the answer which I gave on 10th November last to the hon. Member for East Birkenhead (Mr. White). There is no suggestion of proceeding in the near future with the legislation which would be required to give effect to the main recommendations of this committee.

WAR MATERIAL (EXPORTS TO CHINA AND JAPAN).

Mr. MANDER asked the President of the Board of Trade the exports to China and Japan since September, 1931, of military aeroplanes, tanks, armoured cars, heavy guns and high explosives?

Dr. BURGIN: The precise information asked for is not available, but during the 18 months ended February, 1933, the total declared value of the domestic exports of ordnance and high explosives from the United Kingdom consigned to China and Japan amounted to £51,816 and £399,653, respectively. It is not possible to state how much of the high explosives was for military use.

HOUSING (LOAN RATES).

Mr. HICKS asked the Financial Secretary to the Treasury what is the minimum rate of interest on advances made by the Public Works Loans Board at the present time to local authoritiess for the purposes of housing; and when the last change in such rate of interest was made?

Mr. HORE-BELISHA: The present minimum rate is 4 per cent., to which it was reduced from 4¾ per cent. on 11th October last.

OIL DUTY.

Mr. SPENCER asked the Chancellor of the Exchequer the estimated loss to the Revenue which would result if the hydrocarbon oil duty in respect of white spirit and turpentine were repealed?

Mr. CHAMBERLAIN: I am not prepared to commit myself to any estimate of the effect of hypothetical changes in taxation on next year's Revenue.

EXECUTIONS.

Mr. RHYS DAVIES asked the Home Secretary the names and ages of the persons executed in England and Wales during the year 1932, and the dates on which, and the prisons at which, each execution took place?

Sir J. GILMOUR: The particulars desired by the hon. Member are as follow:

Name.	Age on Conviction.	Date of Execution.	Prison.
Rice, George Alfred	32	3rd February...	Manchester.
Goddard, William Harold...	25	23rd February	Pentonville.
Pople, George Thomas	22	9th March ...	Oxford.
Michael, George Emmanuel	49	27th April ...	Hull.
Freedman, Maurice...	36	4th May ...	Pentonville.
Riley, Thomas	36	28th April ...	Leeds.
Roberts, John Henry	23	28th April ...	Leeds.
Cowle, Charles James	18½	18th May ...	Manchester.
Hutchinson, Ernest	43	23rd November	Oxford.

COAL INDUSTRY (PIT-HEAD BATHS).

Mr. TINKER asked the Secretary for Mines the total number of pit-head baths in use at the present time and the average number of persons who use them, with corresponding figures for Lancashire?

Mr. E. BROWN: The number of mines in Great Britain with pit-head baths in use at the present time is 130, of which 12 are in Lancashire. I regret that I am unable to state the average number of persons at present using them, but in general it ranges between 70 and 100 per cent. of the number employed at the mines concerned. The total number of men and boys employed in December, 1931, at the mines which now have baths in use was 164,707, of whom 13,331 were at mines in Lancashire.

TRANSPORT.

Rail and Road Conference.

Mr. SUMMERSBY asked the Minister of Transport if he can now give any approximate date for the introduction of legislation dealing with the recommendations of the Salter Report, apart from its financial proposals?

Mr. STANLEY: I would refer my hon. Friend to the answer which I gave to the hon. Member for the University of Oxford (Sir C. Oman) on 8th March.

Swing Bridge, Manchester Ship Canal.

Mr. GOLDIE asked the Minister of Transport whether he is aware that the Manchester Ship Canal Company propose to close for several weeks the swing bridge over the canal which is on the direct route from Warrington to Chester; what steps have been taken by his Department to ensure the provision of a temporary bridge or ferry service for the use of foot passengers during the closure; and whether, in view of the inconvenience likely to be caused to local residents, he will delay the closure of the bridge until such facilities have been provided by the company?

Mr. STANLEY: I have no information with regard to this matter, but I will make inquiries and let my hon. Friend know the result.

Street Widening, Leamington (Centre Tree).

Mr. GOLDIE asked the Minister of Transport whether he is aware that the Centre Tree of England, which abuts on the highway at Royal Leamington Spa, has at the instance of the local authority been surrounded by a red-brick wall, and yellow electric-light standards or reflectors have been erected nearby, thus destroying the rural nature of the site;

whether authority for this was granted by his Department; and whether he will take steps to preserve the amenities of the borough in the interests not merely of residents but the public generally?

Mr. STANLEY: The permission of my Department is not required for work of this character, nor for the erection of lamp standards, and I am not responsible for the amenities of Leamington, but I am informed that the widening of an adjacent street has made it necessary to protect this tree by a dwarf brick wall.

NEW LIVERPOOL-MANCHESTER ROAD.

Mr. TINKER asked the Minister of Transport when the new East Lancashire road, Liverpool to Manchester, is expected to be completed and in use for the public; and if a date has been fixed for the official opening?

Mr. STANLEY: I understand that 20 miles out of a total of 26 are already open to traffic, and that the remainder will be in use by the middle of this year.

ELECTRICITY CHARGES, CHELSEA.

Mr. A. TODD asked the Minister of Transport whether his attention has been drawn to the high rate of electricity charges in the borough of Chelsea in comparison with charges in the neighbouring boroughs; and what steps he proposes to take to provide cheaper electricity for the public in this borough?

Mr. STANLEY: The Chelsea Borough Council have communicated with me on the matter and intimated that they have requested the Chelsea Electricity Supply Company, Limited, to consider favourably the question of a reduction of their present charges. My jurisdiction with regard to the revision of maximum prices does not arise until a formal application is made to me in accordance with the provisions of the Electricity (Supply) Acts.

ORDERS OF THE DAY.

INDIAN CONSTITUTIONAL REFORM.

Order read for resuming Adjourned Debate on Question [*27th March*].

"That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."—[*Sir S. Hoare.*]

Question again proposed.

3.18 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): Many a time I have sat in the jungle in Central India watching a bait, in the form of a bullock or calf tied to a tree, awaiting the arrival of the lord of the forest, and put there as a trap to entice him to his doom. On this occasion, I have exactly the same feelings as those of the miserable animal whom I have so often looked upon in that position, and, if I compare myself to that bait, I may compare my right hon. Friend the Member for Epping (Mr. Churchill) to the tiger. I hope that hon. Members and the right hon. Gentleman himself will remember, however, that there is waiting for the tiger a pair of lynx eyes and a sure and safe rifle to ensure his ultimate fate. My right hon. Friend the Secretary of State referred to the difficulty which he had in keeping two points of view in consideration, and I have exactly the same difficulty on this occasion when I reflect that the hon. Member for Caerphilly (Mr. Morgan Jones), who is to speak on behalf of the official Opposition, is also prowling in the neighbourhood. In fact, I am in between those two noble mammals. If I restrict myself solely to facts and not to fancies in the few remarks that I have to make, it will be because, in the very near future, we shall have so much fancy coming from the bench on my right.

The Government on this important occasion have adopted a procedure which is very often adopted with the best pieces of British mechanism. I believe it is a fact that when any Rolls-Royce car is made, it is the habit to run over the machinery in the shop and then to run it on the road before it is handed over. When we are dealing with one of the most complicated pieces of constitutional machinery that this country has invented, we propose to adopt exactly the same procedure as is adopted with the best types of British mechanism, and we propose to send these proposals to a Joint Select Committee of both Houses of Parliament, in order that they may be severely and closely examined, so that when we hand over this conveyance to the peoples of India it may carry the millions confided to its care in the same way as that piece of British mechanism to which I have referred.

The hon. Member for Don Valley (Mr. T. Williams), speaking on behalf of His Majesty's Opposition, asked us whether our policy involved the consideration of any substantial changes in the Committee or whether it would consist only of adjustment of details. I think the best course that I can take in reply to that question is to refer the hon. Gentleman to the Motion which I am supporting this afternoon. He will see that the terms are, as have already been read by you, Sir, from the Chair:

"That a Joint Select Committee . . . be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

I think that no words of mine can improve upon the wording of that Motion. We have heard from both benches the further criticism that these proposals have no clause in them which implies that the safeguards, for example, are only for a transitional period. I would answer that Parliament on this occasion has as large and important a responsibility as it has ever had upon any question. We have, in fact, a serious enough decision to take already, and it is true that it is our intention that any Amendment of this Act of Parliament should be by a further Act of Parliament, except in so far as any Amendment to the Constitution could be effected by an Amendment to the Instrument of Instruction. These instruments, if amended, I would remind hon. Members, must be submitted to both Houses of Parliament. The fact, therefore, is that Parliament, which has proposed the scheme, must take the responsibility and will have the responsibility for any alteration in the scheme, which I think is a fair constitutional procedure.

Further, when we consider the stability that it is necessary to give for the many diverse elements in India, I think we shall agree that this is the wiser and the better course.

My hon. Friend the Member for Finchley (Mr. Cadogan) raised a question about the future recruitment of the Services. The decision, as announced in the White Paper, that this matter will be open for consideration after five years in no way prejudges the issue of the future recruitment of the Services, and in this matter, as in the matter to which I have just referred, the ultimate authority will be in the hands of those of us in Parliament who have fashioned this scheme. A further criticism that has been put forward by hon. Members opposite is that we should have seen that the assent of Indians was required for this scheme. We have throughout taken every opportunity of consulting India. We have conducted our procedure in order that in this immense problem we shall have all the advantage of the advice of Indian statesmen on these questions, and I can only say that so carefully have we considered the point of view of India that we have even come up against criticism from the other side on this very point. I would remind hon. Members that it is our intention, as the words of this Motion imply, to empower the Joint Select Committee to call into consultation representative Indians; and I would reply to the hon. Member for Hanley (Mr. Hales), who asked us to take every opportunity of consulting Indian opinion, that we realise the value of his services in this connection, and that we have not lost that point from our minds.

These are mostly questions of procedure, and I would like now to consider various points which have arisen in the Debate as being points in the proposals and as to whether the proposals are worthy to send to a Joint Select Committee. My hon. Friends on the Opposition Benches have objected to the severity of the financial and economic pre-requisites to federation which are included in the pages of the White Paper. I would only remind them that these find a place in the Financial Safeguards Committee's report to the Round Table Conference, and I would wish to say, with all responsibility, that we cannot contemplate setting up new Governments in our scheme unless they are endowed with adequate resources to ensure solvency. It is a primary consideration which, I feel sure, has been realised by hon. Members opposite.

On the question of the financial safeguards themselves, as apart from the financial and economic pre-requisites to federation, I would remind hon. Members opposite that on the 12th March, 1931, the Secretary of State in the Labour Government announced that

> "the safeguards referred to by the Federal Structure Committee, including the powers of the Governor-General in relation to currency legislation, are essential and cannot be abated if we are to set up a new Constitution with success."—[OFFICIAL REPORT, 12th March, 1931; col. 1432, Vol. 249.]

Further, there must be many investors, British and Indian, who on the inception of great constitutional changes demand that the stake they have in the stability of India should be safeguarded. It is not necessary for me to discuss in detail the exact nature and extent of those safeguards, but it is sufficient for me to state that their objective is the maintenance of the credit and stability of the Federation and that the provisions enumerated in the White Paper are designed to provide re-assurance, if that should be needed, that the future Indian Ministry shall be able to maintain a high credit in the financial markets of the world. It is our confident hope that the future Indian Ministry will jealously protect the credit of the Federation, and we are sure that, like other Governments, the new Indian Government will recognise its vital interest in so doing.

Besides these criticisms of financial matters, we have heard considerable criticisms of our proposals for representation in the Legislatures, and I refer in particular to the question of the franchise. I remember that before I went to India on the Franchise Committee I was profoundly affected by a speech by the right hon. Member for West Birmingham (Sir A. Chamberlain), in which he advised us to build up the future representation of India on the old system of the Panchaytas, and I went to India inspired by his remarks. Unfortunately, on our arrival in India we discovered that these village organisations, indigenous as they are to India and to her history, have lapsed at the present time. But as the hon. Member for North

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Hammersmith (Miss Pickford) remarked, there are at present only 12,000 Panchayats out of 458,000 villages in India, and these Panchayats are at present very largely kept in being with the help of British administrators. We inquired very closely into the possibility of using these Panchayats or village boards as the basis of a system of indirect election, and it was only after mature consideration that we were finally convinced that the system of election in the very few Panchayats that exist among the myriads of India's villages did not form a suitable basis of election or of a system of indirect election. This question of the relative merits of indirect and direct election is one which will surely form one of the most valuable points for the consideration of the Joint Select Committee. I will say no more on this point, except that those of us who went there were convinced that direct election was the better system.

We have further been criticised because it is said that, without paying due regard to those many millions of agriculturists who form the majority of India's population, we are willing to hand over to a small urban majority and to a number of lawyer politicians in particular the whole Government of India. When you reflect on the basic nature of the franchise which we have suggested you will see that that lack of balance which existed in the Franchise Report of the Southborough Committee between urban and rural interests has been readjusted in our recommendations and accepted in this White Paper. It may confidently be said that the franchise is based, as it should be, on an equal distribution between the ryots and the small cultivators, who under our proposals will form the backbone; and the urban interests which previously predominated in the franchise. It has been a proud boast of our Imperial policy that we have never neglected to build up our Imperial structure upon a happy and contented peasantry. I have often been told that the finest moment in our Imperial history was when Cromer built up the constitution which he did in Egypt on the basis of a contented fellaheen. In this case, we have tried to see that the representation in the Legislatures shall be based upon prosperous and contented cultivators.

We have been very much criticised over the women's franchise. That is a point with which I should like to deal at some length. I think that those who have criticised us so much in this House for not further increasing the women's franchise are not necessarily doing the women of India a good turn by the criticisms that they make. If you consider the fact, you will find that the opportunities for women have been enormously increased by our proposals. We propose that there shall be nine seats for women in the Central Assembly. It is the first time that women have had representation in the Central Assembly of India. It has been said that the proportion of men and women voters has not been improved, but I would remind the House that the numbers of the women electorate have been increased from 55,000 to 365,000 at the centre.

Viscountess ASTOR: The White Paper says that there will be no increase in the women voters for the Federal Assembly.

Mr. BUTLER: I am glad to have given the Noble Lady an opportunity of making a point on which I know she feels keenly, but the position is, as the White Paper states, that the proportion of men to women voters is not increased. I have said, however, that the actual number of voters has been increased by seven times. Further, in reply to the apprehensions of the Noble Lady, I would say that in the White Paper we have purposely put a phrase which shows that we realise the importance of this point and hope that it will be further considered by the Joint Select Committee. In the Provinces for the first time there are to be 41 seats reserved for woman and the actual extent of the franchise has been increased just over 6,000,000 for women alone. I think, therefore, that it is a slight exaggeration to say that opportunities are not being given to the women under our new franchise. If I may borrow an offensively male term in this connection, I would ask the women of India to set about manning the seats in the Provincial Legislatures and in the Centre. If they will do that they will find that they are having increased facilities in the government of India.

The hon. Member for North Hammersmith referred to the dropping of the literacy qualification. In this we have followed the idiosyncrasies of each indi-

vidual province, and where the administrative machine of a province granted the literacy qualification, as in Madras, we have improved it. We have based our proposals upon that test. A further point arises here. There has been criticism that the women's vote, especially in regard to wives, should be made on application. There has been opportunities for discussing this point with the authorities in India and the Government at home has had the chance of considering it in detail. Our experience has gone to show that it would put too great a burden on the administrative machine, and would make it too responsible a task to ask the administrative machine in India to put all the wives on the roll, in fact, we have found that social questions of very great severity would arise and that many of the men voters would find it extremely unpleasant, and in fact repugnant, if we asked for the names of their wives at all. In particular, I would remind the House that the choice of the wife is always a very difficult problem. The system of application is an easier way out of the difficulty. I would reassure the Noble Lady on this point, for the White Paper again shows that we appreciate the importance of this point for the women of India. We have inserted a provision which says that if necessary after the first two elections provincial Legislatures shall be allowed to alter this point and to insert women on the roll in the first instance. I hope that that will be some satisfaction to the hon. Member. Like her, I believe that the social position of women in India is one of the most important points that the Indian Constitution has to take into consideration.

Hon. Members opposite asked about the representation of labour. I would reply that labour is to have 10 seats reserved for it in the Central Legislature and seats reserved for it in the Provincial Councils on a basis which is in advance of anything that was given to labour before. In answer to the speech of the hon. and gallant Member for South-East Leeds (Major Milner), I would only say that my memories of working with him in the interests of a proper representation of labour in India have been fulfilled in the terms of the White Paper. I would like to thank him for the terms of his speech and to say that I hope it will be to his satisfaction that labour in India will start on the right lines.

The hon. and gallant Member for Wycombe (Sir A. Knox) raised a point about Europeans, and referred to a dinner in Calcutta a few months ago at which a speech was made by Mr. Carey Morgan. I am able to say that my right hon. Friend has received a letter in the last day or two from one who is entitled to speak on behalf of the European commercial community in India. This letter says that cables have been received since the publication of the White Paper from the Associated Chambers of Commerce, the European Association and the Royalists giving full general support to the proposals outlined in the White Paper subject to amendment of details and to the conditions prevailing at the inauguration of the new constitution. I would also refer to a speech made by Sir Edgar Benthall in the Assembly, in which it was said that if India was going to have a federation with responsibility the sooner it was brought about the better. I think that answers the points about Europeans raised by my hon. and gallant Friend.

The hon. Member for Finchley raised one of the most important points in our Debate. He said, with all his knowledge of India, and in language which he alone can command, that it is vital to the future of India that the administration shall not run the risk of breaking down, and he put in the forefront of his remarks the question of irrigation. Irrigation, under the proposals of the Simon Report, and under our proposals in this White Paper, was and is to be a transferred subject. I would like first to answer his point by reference to the manner in which transferred departments have been conducted by Indian Ministers since the inauguration of the reforms 14 years ago. The largest hydro-electric scheme in India at Maudi in the Punjab has been administered by the transferred departments of the Government of that province. The installation at first had a capacity of 64,220 horse power, and when the third and last stage is completed it will give 161,000 horse power. When it is finished it will be, I think, the largest hydro-electric scheme in the world. The urban population for which it provides numbers one and one-fifth millions, and the water has to be brought in a tunnel nearly three miles long from the mountains to serve the populous districts of the Punjab with

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power. I have taken that scheme because I believe it to be an instance of the success with which Indian Ministers have carried out a magnificent and comprehensive undertaking for the people of India. They themselves would be the first to acknowledge that they have done this with the aid of European advice, and I can only hope that this scheme, being as it is an example of many schemes of development in other Provinces all over India in which there has been collaboration between our two races, will be a happy augury for the future administration of the departments reserved at present.

The hon. Member referred in particular to irrigation. We have had a particular problem in connection with, perhaps, the largest scheme of irrigation in India, the Sukkar barrage, owing to the special position of Sind and its financial obligations. Although this scheme will be administered by an Indian Minister we have thought it right that a special responsibility in regard to its administration should be given to the future Governor of Sind. Although we hope the scheme will be administered in exactly the same way, owing to the special financial conditions in that Province we have made that special provision. The hon. Member for Finchley also referred to the importance of having a strong central government, and to apprehensions which are undoubtedly in the minds of hon. Members about the need for trying an experiment in the Provinces first. From my contact with Members I find that to be a matter on which they feel very strongly.

As we have touched upon the matter of the transferred departments I think it would be wise to pose another dilemma in addition to the dilemma that some Members feel about the difficulty of reconciling responsibility with safeguards. The dilemma is this—if you accept, as my right hon. Friend the Secretary of State said in his opening remarks, that the future of India should be built up on the principle of provincial autonomy, or decentralisation, it is surely impossible at the same time to institute a government at the centre which will be interfering with the administration of transferred departments in the Provinces. It is a dilemma just as important as the previous one. But I sympathise with those hon. Members who feel that in a period of emergency it is important to have a strong hand ready to intervene. Our scheme avoids the dilemma of perpetual interference by the central government in the affairs of an autonomous Province, but it emphatically provides, by the proposals in the White Paper, for the ultimate control of Parliament in any question of emergency arising under the special responsibilities. I therefore maintain that we have faced that dilemma with success.

Take the question of discrimination and the minorities and the difficulty there might be in a central government intervening in the affairs of a minority, whatever its complexion, religious or otherwise. If hon. Members consider our proposals they will find that if the special responsibility of the Governor is invoked, the chain of responsibility will go through the Governor-General in his personal capacity and come ultimately back to the Imperial Parliament, which has been the author of this scheme. It has astounded me that people should have regarded this question of the setting up of Western institutions in India so entirely through Western eyes. A system of government has grown up during the last 14 years in India which is worthy of study. There are certain Oriental features already developing in the government of India as it has been conducted in the Provinces. For instance, we have put in this White Paper a provision that the Governor can at his discretion preside at the meetings of his Councils of Ministers, and there is a provision that a member of minority communities should be included in the Cabinet.

When hon. Members reflect upon these provisions, which are not similar to our conception of western responsible government, and consider also the future government at the centre in India, which will consist of representatives of the Princes and representatives of British India working together, they will realise that new philosophies will grow up in those conditions, and that in our proposals we are actually combining the best of the East and of the West. The hon. Member for Aldershot (Viscount Wolmer) seemed horrified that the executive should associate itself with party politics. We maintain that in our proposal it may

be a happy feature of the future of government in the Provinces that the Governor should be in close association with his colleagues in the Ministry, and we wish to encourage it. It is difficult to deal in generalisations when thinking about India, and I think if hon. Members study the details they will find that this Constitution has in it the germs of what will best suit East and West.

In conclusion, I would like to say a word about the States. As regards the Princes, my information is that the general body, including a number of important Princes who were not associated with the recent proceedings in the Chamber, stand by their previous declarations in favour of federation. At the meeting of the Chamber of Princes last week at Delhi, a resolution was passed in favour of the continuance of the discussions with accredited representatives of the Princes for securing the stability and smooth working of the proposed Constitution. The best answer to any criticisms that have been made in this Debate as to the administration of the States themselves, is the example of their former government. This plan is not born of expediency or fashioned in haste, or the result of any political compromise. As we have worked upon it, we have come to know and to believe in our hearts that it is the best. It combines in a practical manner the two ideals of British Imperial policy described by Lord Morley, responsibility for the welfare of the people, and evolution towards self-government and ultimate political independence.

As one of a generation who may have to help to work this plan, I would only say that India has provided this country with some of the most coloured pages in our history. It is not our wish to indulge in peroration or that the future Constitution of India should be bedecked with a profusion of political oratory in entering thus into the arena of party politics. There is a generation of young men in India—Assistant-Commissioners in the Indian Civil Service, district commissioners of police, young partners in business and officers in the Army, among whom, I may say in passing, I have many friends and some relations—and I cannot believe, as the hot weather is coming on, that they will wish me to indulge in perorations or in any form of political sob stuff. I believe that what they will want is that we shall go into this plan in a thoroughly businesslike way. That is the suggestion of the Government. We propose that this matter shall be considered in exactly the same manner as the piece of English mechanism that I have already described, and we are confident that young England will work with young India in bringing this plan to some successful conclusion. I think the best way that I can conclude my remarks is by taking a quotation from that master of the English Constitution and of constitutional machinery, Stubbs, in which he says:

> "We trace the gradual wear of the various parts of the machinery until all roughnesses are smoothed away and all that is superfluous entangling and confusing is got rid of, the balance of forces is adjusted and the power of adaptation to a change of circumstances is fully realised."

That, as he says, is the story of later politics, of a process that is still going on and must go on as the age advances and men are educated into wider views of government, national unity and political responsibility.

3.54 p.m.

Mr. MORGAN JONES: I beg to move, in line 5, to leave out from the word "particular," to the end of the Question, and to add instead thereof the words

> "to devise a scheme which, by giving effect to the repeated pledges given by His Majesty's Government to raise India to the status of an equal partner in the British Commonwealth of Nations, will command the assent of the people of India, and to this end this House is of opinion that, in order that the representatives to be consulted should include representatives of all sections of Indian political opinion, persons now under arrest in India for political offences involving no moral turpitude should be released."

I feel sure that the whole House will join with me in offering to the hon. Gentleman who has just resumed his seat our most hearty congratulations on a speech which—if he will allow me to say so—was most felicitously phrased, and was delivered in so agreeable a maner as to commend itself to every Member of the House. He charmed us by the way in which he developed his argument. In drawing the attention of the House to this Amendment, after two days of general discussion on the Motion, I would like to recall to the memory of hon. Members the concluding sentence of the

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speech which was made by my hon. Friend the Member for Limehouse (Mr. Attlee) on Monday afternoon. He used these words:

"We shall serve on a Joint Select Committee and do our utmost to contribute to a solution of this problem, but we cannot accept this as a solution. We shall work, as far as we can, to see that those who speak for India shall have a chance of putting their points to the Select Committee, but unless great alterations are made in this document I very much fear for the future of peace in India."—[OFFICIAL REPORT, 27th March, 1933; col. 732, Vol. 276.]

In addition to that, the House will recall that the hon. Member for Limehouse had read out in the earlier stage of his speech a carefully-prepared declaration on behalf of the party to which we belong. I should like to remind the House of the exact purpose with which this Amendment is presented and the object also of making the declaration which was made on Monday. We are extremely anxious that the frame of mind in which this party approaches this problem shall be clearly apprehended by all Members in all parts of the House.

We do not desire that at some future date when, presumably, the record of the work of the Joint Select Committee is available to the public and the conclusions of that committee are on record, that this party shall be told: "You joined the committee; you must therefore bear responsibility for this, that or the other conclusions of that committee." I wish to make it abundantly clear to this House now, before we enter that Joint Committee, that we enter it with the declaration which we made on Monday, and with the Amendment which I moved to-day, clearly in our minds. It follows from that that I may make this further point: That this party, in accepting entry into that Joint Committee, enter it entirely unpledged and entirely uncommitted, so far as the Government is concerned. There is no obligation upon us, implicit in our joining in this Joint Committee. Our hands therefore must be regarded as being entirely free—with one limitation only. That limitation, as I conceive it, will be this: That the representative or representatives of this party upon that Joint Select Committee will participate in its work with every possible desire to assist the work of the committee, but keeping clearly in mind—my Amendment draws the attention of the House to this point—not only the repeated declarations of this party concerning India's right to self-government but also, I would remind the Secretary of State for India, the repeated declarations of successive Governments on that matter as well.

Those who represent us on the committee will, I trust, hold up to the Government and those who will sit upon the committee these officials declarations on behalf of successive Governments, as well as our declarations, so that, in the ultimate result, as close an approximation as possible may be achieved to the ideal which we have held before our eyes for very many years. Having indicated, as my hon. Friend the Member for Limehouse did on Monday last, our readiness to participate in the work of the Joint Committee, I think it will be conceded to us as a right that it is our duty to call the attention of the House to what we would regard as desirable conditions for making the work of the Joint Select Committee as effective as possible. It is a truism, surely, that our main concern in this discussion this afternoon, as it will be of the Joint Select Committee when it meets, is the well-being of India and of Indians. Indeed, that point is conceded by implication in the fact that we have been informed that representatives of Indian opinion will be invited to London in order to participate in some way or other in the deliberations of the Joint Select Committee. But I would remind the House of words which the Secretary of State for India used on Monday last. I quote them in order to bring them to bear upon the point I am about to submit:

"No scheme that does not honestly face all those problems"—

That is, the problems of British India and of the Indian States,

"and make a serious attempt to reconcile those interests—quite often conflicting interests—is worth the paper on which it is written."—[OFFICIAL REPORT, 27th March, 1933; col. 703, Vol. 276.]

I submit to the House, quite seriously and quite honestly, and not in order to make a debating point at all, that it really is no good suggesting that you have a favourable atmosphere in India for the discussion of these proposals until all people who represent all shades of opinion

in India are free to discuss them among themselves. I dwell for a moment upon this point because it is rather vital. As everybody knows, there are thousands of people at this moment in gaols in India. It is also well within the knowledge of the House that large numbers of these people—probably the majority—belong to the most influential body of organised opinion in India. Whether it is opinion which is commended by this House or is not commended, it is the largest body of organised opinion in India, and its leaders, the people who are largely responsible for moulding the opinion of that organised body, are at this moment in prison.

We are told, and have been told by the right hon. Gentleman frequently, that the attitude of the Government is that before there can be any consideration of release for these people, there must be a declaration that the policy of Non-Co-operation has been abandoned. How does the right hon. Gentleman propose to put that to the test? Does he honestly expect those people individually to tell him, "We have abandoned Non-Co-operation"? Next Friday, I believe, there is to be a conference of the Congress party in Calcutta. That Congress assembly has been banned by the authorities in India. I submit to the right hon. Gentleman as a fair proposition that if he wants these people to make a declaration that they have abandoned Civil Disobedience or Non-Co-operation, the only way he can expect it is to allow them to have an opportunity to discuss the matter in general conference, and he is really asking too much when he invites them individually and severally to abandon the Civil Disobedience Movement, without giving them an opportunity to consult with their colleagues in the movement. I want to show how really big a bearing this has upon the measure even of consideration which these proposals will have in India. Sir Tej Sapru, speaking at the last meeting of the Round Table Conference, about Christmas last, used these words:

"We feel that it is not merely our duty, but it is also your duty to mobilise public opinion in favour of that Constitution in my country. And I do suggest that unless we are able to convince the political classes which have been taking deep interest in these matters—classes who have been a source of trouble to you and of trouble to some of us—unless we are able to convince them, the chances of the Constitution making a wide appeal to the country are of a very limited character. May I say in all sincerity that there are some matters on which I very radically differ, and have differed, from the Congress in my country."

And will the House mark this sentence?

"But with all my difference from the Congressmen, I hold that so far as Mr. Gandhi is concerned, he sums up in his personality the highest degree of self-respect of India and of the highest degree of patriotism in the country."

That is not the view of a Congress man. It is not the view of a Labour man. It is the view of a person who, politically, has found himself in conflict with Mr. Gandhi and his friends in India, and yet he submitted to the Government before Christmas that there was no chance of these proposals even getting consideration without Mr. Gandhi and his colleagues being free to discuss this matter in consultation with their political friends. I will not press the matter further, but I had to discuss it, because it is the second part of the Amendment which I am submitting to the House.

I merely want to add this last word. What the obstacle to this may be, I really cannot tell. Whether the obstacle is here, at home, or whether the difficulties are mainly being raised in India, I cannot tell. But if this House is called upon to take the responsibility for endorsing these proposals or otherwise, no one, however highly placed either in India or here, has a right to put an obstacle in our way in securing complete consideration for these proposals in India, and I submit that it is hardly playing fair to the House of Commons to ask it to accept proposals of this sort unless the proposals that are to be presented shall be discussed in an atmosphere as free from bitternes and prejudice as it is possible to secure.

I have dealt with the second part of my Amendment first. I now turn to the first part. It says:

"to devise a scheme which, by giving effect to the repeated pledges given by His Majesty's Government to raise India to the status of an equal partner in the British Commonwealth of Nations, will command the assent of the people of India."

This portion of my Amendment calls attention to "repeated pledges," and there is no one in this House who will controvert the proposition that pledges have been given by Government after Government, and they have not been

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entirely indefinite pledges. The words used have been so explicit that it is almost difficult to believe that any interpretation but one could be given to the words used. We are asked this afternoon to implement one step further the proposal that Indian people shall have a larger share—if I may use a non-controversial term—in the government of their own country. No one will deny that in the Government of India Act, 1917, there were clearly-used words which have been interpreted by the Indian people ever since as implying that the Government of Britain intended that India should enjoy a measure of self-government within a fairly decent limit of time.

I dwell for a moment upon this point, because it really will not do for some of the critics of the Government who are in the House at this moment to cavil at the demand for a larger share of self-government for India, seeing that from 1917 to 1922 there was a Coalition Government in office in this country, and in that Coalition Government there were four present Members of this House who were influential members of that Administration. They were the right hon. Member for West Birmingham (Sir A. Chamberlain), the right hon. Member for Hillhead (Sir R. Horne), the right hon. Member for Carnarvon Boroughs (Mr. Lloyd George) and the right hon. Member for Epping (Mr. Churchill). All four were members of that Coalition Government. I have called attention before to an act which took place in which the right hon. Gentleman the Member for Epping himself participated in 1921. I turn aside for a moment to say that the right hon. Member for Epping was kind enough to explain to me privately in what sense he acted on that occasion, and I would not for all the world like to do violence to his interpretation of his action on that occasion. But, with all respect to the right hon. Gentleman, I really must press this point, because the Minister, highly placed as he was on that occasion, did not act in his private capacity. He went to the Imperial Conference in 1921, and there, speaking not in his private capacity, not for himself but for the Government of which he was then a member, he used the phrase of which Lord Irwin reminded him in the "Times" of 24th November, 1931, and he reminded him of it for the reason that the right hon. Gentleman had used this phrase in the House:

> "Now that they had before them the actual legal provisions of Dominion status, was there anyone who did not see the folly and the wrong of declarations that excited the hopes of the Indian political classes that, after a brief period of transition, full Dominion status would be conferred on an Indian Central Legislature?"

The right hon. Gentleman was shocked that people should be so shamefully misled. Lord Irwin reminded him of a sentence from a speech of his own in 1921. These are the words:

> "We well knew how tremendous was the contribution which India made in the War in 1914."

Then there are some intervening words, and he went on:

> "We owed India that deep debt, and he looked forward confidently to the days when the Indian Government and people would have assumed fully and completely their Dominion status."

I am afraid this is not the first time I have suggested that a retrospective glance at the right hon. Gentleman's record would not do him any harm in this matter. I did so on a previous occasion, and the right hon. Gentleman told me then: "Oh, I used the phrase 'Dominion status' on that occasion in the ceremonial sense." What this ceremonial sense really means, I cannot tell. Perhaps the right hon. Gentleman will define it when he speaks presently. Now we come to 1926, when the late Lord Birkenhead, speaking in the House of Lords on the 7th July, said:

> "We no longer talk of holding the gorgeous East in fee. We invite, in a contrary sense, the diverse peoples of this continent to march side by side with us in a fruitful and harmonious partnership, which may re-create the greatest and the proudest days of Indian history."

I do not know what sort of partnership he had in mind, but I cannot see them marching side by side in a harmonious relationship shackled by the provisions of this White Paper. They will not march very far, certainly. Then I would recall to the House the recommendations of the Simon Commission, which are well known to everyone, and I would again recall to the House the declaration of Lord Irwin, speaking, not as a private individual, not as an insignificant member of any party, but speaking with all the authority of a Viceroy of India. These were his words:

"I am authorised on behalf of His Majesty's Government to state clearly that in their judgment it is implicit in the declaration of 1917"—

made by Mr. Montagu, when Secretary of State for India in the Coalition Government, in the House of Commons,

"that the natural issue of India's constitutional progress as there contemplated"—

I would ask the House to mark these words—

"is the attainment of Dominion status."

The right hon. Gentleman, I think rightly, complained on a previous occasion that we often used these phrases somewhat lightly. Very good. I overlook his own lapse from grace in that matter. It is quite true that, when we are talking to these people in terms of the future relationship of themselves with us, it is important that precise language should be used, and that we should not deceive them even by a syllable. I submit that I have proved, by references to other Governments, that this House, through its Ministers, is overwhelmingly pledged to the proposition that the Indian people shall possess Dominion status through the medium of a legislature of that sort. But what am I to say of this Government? The right hon. Gentleman became Secretary of State for India immediately after this Government came into office, and in December, 1931—I think he was in office then—there was issued a White Paper containing the most explicit statement as to the conceptions of the Government concerning the future legislature of India. Let me read the words of the Prime Minister himself. To be precise, I will read the whole paragraph. He said:

"At the beginning of the year I made a declaration of the policy of the then Government, and I am authorised by the present one to give you and India a specific assurance that it remains their policy. I shall repeat the salient sentences of that declaration. The view of His Majesty's Government is that responsibility for the government of India should be placed upon legislatures, central and provincial, with such provisions as may be necessary to guarantee during a period of transition the observance of certain obligations and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights."

I would direct the attention of the House to this next paragraph:

"In such statutory safeguards as may be made for meeting the needs of the transitional period, it will be a primary concern of His Majesty's Government to see that the reserved powers are so framed and exercised as not to prejudice the advance of India through the new situation to full responsibility for her own government."

I ask, in all good faith, how does this White Paper square with the most explicit promise made, not merely on behalf of the Labour Government, but on behalf of this Government, including the right hon. Gentleman? How does he square the White Paper with this declaration?

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): They are substantially the same.

Mr. JONES: We shall see presently, if the right hon. Gentleman will allow me to go ahead. I ask that question rhetorically, if I may say so, at the moment. I shall come to it a little more closely presently, because I submit that there is a vital difference between the significance of this White Paper and the declaration of the Prime Minister. Before I go on, let me now turn to some other words used by the right hon. Gentleman. They are in Command Paper 3772. That was in January, 1931, before the present Secretary of State was in office. I ask the House to listen to these words:

"What have we been doing? Pledge after pledge has been given to India that the British Raj was there not for perpetual domination. Why did we put facilities for education at your disposal? Why did we put in your hands the text books from which we draw political inspiration, if we meant that the people of India should for ever be silent and negative subordinates to our rule? Why have our Queens and our Kings given you pledges? Why have our Viceroys given you pledges? Why has our Parliament given you pledges?"

Sir S. HOARE: I am afraid I do not recognise that quotation. I do not object to anything that is said in it, but the style seems to be much more eloquent than my own.

Mr. JONES: It may sound a little more verbose than the right hon. Gentleman's speech, but I submit to him that I did not read it as being his. I was speaking of a gentleman who really is capable of this eloquence, namely, the Prime Minister. He was speaking on the 19th January, 1931, and the words are his. I have quoted them textually from the document. What is the answer to these questions? Why have we given all these pledges? Why have our Kings and

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Queens used these words? Why have they spoken in these prophetic terms of the Indian people? Why has this Parliament given pledges of various sorts? Can it be assumed or pretended that this White Paper is a redemption of the pledges to which I have referred?

Lieut.-Colonel APPLIN: It is a first instalment.

Mr. JONES: I have heard it called a first instalment, but the second and last instalment would seem to be very long in coming. We are told that these proposals are the effort of the Government to redeem those pledges, but they are so circumscribed. I do not want this afternoon to go into a detailed discussion of the safeguards, because they have already been discussed by my hon. Friends on this side. I merely say that I subscribe entirely to the criticisms which my hon. Friends have advanced against these proposals, and especially as regards the safeguards. There is, however, one sentence to which I would like to call the attention of the House. Perhaps it is not always fair to take a sentence out of the context, but in this case I do not think I am doing injustice to the Secretary of State's speech by taking this sentence out of its context. I think the point is still quite clear. The right hon. Gentleman said, in order to give comfort to the critics of the Government's policy, "Do not be alarmed. These safeguards, I assure you, are quite effective; they are not paper safeguards; they are really effective." And, by way of showing how effective they are, the right hon. Gentleman used these words:

"But I would ask hon. Members to look very carefully at the proposals which we have made in the White Paper for the constitution of the Federal Legislature and of the Provincial Legislature; and, if they analyse these proposals, I think they will agree with me"—

I ask the House to mark these words—

"that it will be almost impossible, short of a landslide, for the extremists to get control of the federal centre."

Then he went further, and said:

"I believe that, to put it at the lowest, it would be extremely difficult for them to get a majority in a province like Bengal."—[OFFICIAL REPORT, 27th March, 1933; col. 706, Vol. 276.]

There may be a case for taking steps—I do not subscribe to it, and I do not admit it—there may be a case, from the right hon. Gentleman's point of view, for erecting a barricade to prevent what he calls extremists from arriving at a position of power; but there is no case in favour of pretending to erect a legislature and then saying that that legislature is so carefully safeguarded by a barbed wire of safeguards that no one whom he regards as an extremist has a hope of ever having a majority inside it. The right hon. Gentleman and his friends—and in this matter I associate myself with him—and some of my friends on this side, agree to support the constitutional methods of development in our land, but I wonder what the right hon. Gentleman would think, supposing that we, some day, having secured a Parliamentary majority in this House, proceeded to carry a Bill through the House to make it impossible for extremists like the right hon. Gentleman the Member for Epping ever to have a majority. Surely, if there is any merit at all in your Legislature, it ought to be that it is a reflex of the minds and aspirations of the people at large. If you take steps to bolt and bar the door against a large section because you call them extremists, clearly your Legislature is in danger of becoming a mere sham and a fake.

Let me take one safeguard alone—the Army. The right hon. Gentleman flatters himself, I think with truth and propriety, that in the long run, whatever happens, there is an Army. Let me see what he says:

"Compare the Indian position with the Irish position? In India the Governor-General, the Provincial Governors and other high officials are still to be appointed by the Crown. The security Services, the executive officers of the Federal and Provincial Governments, are still to be recruited and protected by Parliament. The Army, the ultimate power in India, is to remain under the undivided control of Parliament. Those are no paper safeguards. Here are the heads of Government endowed with great powers and given, as I shall show a few minutes later in more detail, the means of carrying those powers into effect. The effect of these provisions is, broadly, this, that when in the exercise of his responsibilities a Governor feels constrained, for example, to differ from his Ministers the orders which he issues to the Services will be no less the legal orders of the Government than if they had resulted from his Ministers' advice."—[OFFICIAL REPORT, 27th March, 1933; col. 709, Vol. 276.]

What sort of Legislature do you call this, a Legislature which knows, to begin with,

that the largest section of organised opinion in India has no hope of securing a majority inside it? What sort of Legislature is it where the most highly placed officer of the Crown can forbid the introduction of a Bill, can order the alteration of a Bill, and, when the Bill has passed the Legislature, can even withhold his signature from it? This thing is a sham. The safeguards simply hamstring the progressive forces of India in that sense. Take the question of finance. What sort of Parliament would this be if it had no right to determine how its taxes were to be levied, how they were to be spent, how much was to be spent upon this department and upon that? Some centuries ago one of your predecessors, Sir, was held down in the Chair because Parliament insisted upon the right of this House to determine how taxes should be levied, and yet here is this Parliament more than 300 years later declaring to the Indian people that they can look after waterworks and sewers. But control finance? No. Control the Army? No. What sort of Government is it which has not the power even to appoint its Civil Servants? It has not as much power as a glorified county council in England.

We are told that we have a right to make these reservations because of our interests in India. I should be the last to deny that we have the most intimate interests in that vast sub-continent, but, however important may be the case for safeguards, I ask this question still. In view of the enormous powers with which these Governors and the Governor-General are endowed, is there not some safeguard necessary for the Indian people? In Ceylon, for instance, there has been a change in regard to the electoral system. The system there has worked very well. The trouble in Ceylon is the interferences which the Governor has undertaken with the activities of the local Legislature. If this kind of procedure is imposed upon the Indian people it will have two effects. It will endow the Governor-General and the Governors with authority which they ought not to be endowed with and the fact that they are so endowed will reduce the measure of responsibility which the people of India will themselves feel for their own self government.

I have tried as best I can to present the case in support of my Amendment. It contains two points. One is an appeal for the amelioration of the relationship between ourselves and the Indian people by a consideration once again of the liberation of the incarcerated prisoners. I am sure that these proposals cannot be properly considered in an atmosphere of bitterness and prejudice such as this situation creates. The other is this. I think I have shown that the Government, this Parliament and Members of this House are already committed up to the hilt in pledges in respect of India's development towards self-government. India is not to enjoy it. Clearly she is to be kept down by force. The Government relies upon its Army. The Government relies upon its superior strength. May I recall to the House the words of one who tried force fairly extensively in his lifetime. Napoleon, looking at the wreckage of his Empire from the rocks of St. Helena, contemplating the disaster which had overtaken his life and his efforts, used words something like these—I am speaking from memory: "Alexander, Caesar, Charlemagne and myself all founded Empires. Upon what were our Empires based? Upon force. One conqueror there was who founded an Empire upon love. He placed it in the hearts of men, far beyond the limitations of time and space, and to this day millions would willingly die for him." I desire my country to engender a love of that sort amongst its political associates. I should like the people of England and of India, and of all other parts of the world for which we are responsible, to keep the name of our country dearly in mind not because of our imposed will or superimposed force but because of this fact, that England trusted them and, in trusting them, endowed them with the means to govern themselves.

5.41 p.m.

Mr. CHURCHILL: The two able and informing speeches to which we have listened are fitting elements in the introduction of the third day of this important Debate and, indeed, the whole character and quality of the Debate has shown the keen interest that the House has taken in the subject of Indian constitutional reform. That is as it should be. Our ancestors never grudged attention to Indian matters. Read the great Debates on the impeachment of Warren Hastings, or the Indian Bill of Mr. Pitt or Mr. Fox, or the Debate upon the assumption of the Imperial Crown by

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Queen Victoria, or the Debates of 1919. All these fill our Parliamentary records. And yet I think the Debate that we are engaged in may well be more important not only than any but perhaps than all these foregoing Debates put together. Whereas all these discussions in the past were the slow, gradual, steady building up of a great structure of peace and order in India and increasing the authority and vigilant attention of Parliament over all the Indian scene, we are now confronted with proposals which mark the definite decline, and even disappearance, of our authority in India, which proclaim our disinteresting ourselves in the welfare of its people and our readiness to hand over, after 180 years, India's fortunes to Indian hands.

We are to do this at a time in the history of the world when the processes of Parliamentary government and electioneering are becoming increasingly distrusted and discarded throughout the Western world. We are to do it at a time when the struggle for national existence and for the maintenance of secure, firmly attached markets is becoming ever more fiercely intensified and when we see the most powerful, the most civilised, and the most modernised countries resolutely seeking to hold, to acquire or to regain oversea possessions and without the slightest compunction claiming and asserting the rights of colonisation and the rights of conquest. When you think of what we are discussing and of the situation of the world, surely, it is not too much to say that this Debate is fraught with memorable consequences both to the people of Great Britain and to the numberless peoples of Hindustan.

We are approaching the end of this Debate, but it is only the beginning of what may be one of the most serious controversies of British politics. It will be a painful controversy, because it must necessarily largely be conducted against friends or former friends. It will be a long controversy, because the procedure which is prescribed makes it impossible that the Bill to be founded upon the White Paper can become law for 15 or 18 months, and, as I gather, three or more years may elapse after that before the system of Federal Government responsible at the Centre of India can be brought into existence.

Let me, then, survey the whole scene, and I begin at the turning point with the Montagu-Chelmsford reforms. The Montagu-Chelmsford reforms have failed. They were an experiment, admittedly hazardous and doubtful, made in good faith, but they have failed. They have failed by every test, moral and material, which can be applied. Every service which has been transferred to Indian hands has deteriorated markedly. Nepotism, corruption, inefficiency, general slackening, a lowering down of the Services has invaded and infected all the departments which have been experimentally handed over and which, I may remind the House, are of such vital consequence to the daily life of the masses of the Indian people. Instead of increasing contentment, these reforms have aroused agitation and increased disloyalty. Instead of bringing peace between jarring races and rival religions, they have only awakened old passions which were slumbering, and slumbering profoundly, under the long pax Britannica. These reforms have concentrated the mind of India so far as it is conscious and vocal during the whole of this period upon political and constitutional change, and diverted the energies of the country from all those important material and administrative improvements which are really the main interests of the Indian peasant and of the Indian workman. They have not even contented those political classes for whose satisfaction they were originally conceived.

I do not wish to make this statement too sweeping, because, no doubt, a lot of good work has been done, and will be done, but still, in the main, the first fact on which we should stand to-day is the failure of the Montagu-Chelmsford reforms. I say they have failed. I dare say that my Noble Friend the Member for Horsham (Earl Winterton), who I am told has a rifle carefully loaded for me, will say that I shared the responsibility for them. I will not disclaim any responsibility. I was not, in fact, a member of the War Cabinet which continued to rule until November, 1919. When the regular Cabinet was restored and for the first time I was asked, officially or unofficially, to express an opinion upon these matters, the Montagu-Chelmsford reforms had already been read a Second time in both Houses of Parliament, and had come to us with

the unanimous recommendation of the Joint Committee of both Houses, or almost unanimous. But still I was a member of the Government, like my right hon. Friend the Lord President of the Council. We were both members of the Government, and, I have no doubt, made speeches in support of the Administration and its general policy, as others have done before and will perhaps do hereafter. Here I am going to defend my right hon. Friend as well as myself, and carry him along with me under my aegis. We shared our responsibility with all the Members of the House of Commons at that day.

The great scheme of Mr. Montagu and Lord Chelmsford passed through Parliament without a single division. We may well ask why the Members of those days, many of whom are in the House to-day, behaved in this manner, and what were the reasons which led us to this supine neglect? I suppose that we thought, "It must be all right." We thought, "The India Office have approved the plan and all the details have been carefully discussed with the Government of India. The 'Times' newspaper writes able articles in its favour." So we thought, "No doubt the Secretary of State is a very nice fellow, has taken immense pains, and has set his heart on the scheme." No doubt we thought 10 years ago: "We must not add to the difficulties of the Prime Minister whose burdens are so heavy and who has to go abroad so often. We must back up the National Government which has just been returned by so large a majority." I suppose that we thought all those things, and with a little assistance from the able Whips the scheme was allowed to pass through without even any serious examination by Parliament. We are all to blame.

I remember seeing—I do not think that I attended those Debates—on one occasion an elderly member of the Conservative party standing up there—Colonel Yate—apparently very excited and making frantic gestures of warning, but we all said: "Oh, he is only one of those die-hards. Some fellow who has been a lot in India and consequently cannot know anything about it." I am glad to revive his memory to-day. Although we Members of that Parliament may be all to blame, to-day we are dealing with issues which far exceed in importance the mere awarding of praise or blame to individuals. Let no one who sits here, or wherever he sits, delude himself by supposing that he can escape responsibility for what is now proposed by casting the blame on the past. Here we have to deal with the present and with the future, and every one, from the youngest Member to those who have longest borne the burden of affairs, is accountable to the nation and to history for speeches, votes, action or inaction now and in the critical months which lie before us. If mistakes were made in the past, do not repeat them now. If there are elders in this House who look back with remorse to decisions with which they have been associated in the past, let not those who are more happily situated prepare for themselves sombre self-reproaches in the afternoon or evening of their lives. Blame me if you will, blame the Parliament of those days if you will, taunt me if you will, discount my opinion, as you are entitled to do by any words I have spoken before, if you will; but in your hands, and on your heads lies the responsibility of what you yourselves are now about to do.

The conditions of the last General Election were very exceptional; probably they were unique. Very large numbers of Members are here who have not been here before, and who did not, in many cases, expect to be called upon, and all the more credit to them for coming forward to face the task of fighting an election with no hope or ambition. It is to those Members I particularly appeal. Let them take warning from what has happened in the past. Let them be careful. Let them beware that in years to come when another House of Commons will be here and perhaps other trains of thought will rule our minds, they do not find themselves sitting by their own firesides when across the dark distances from India, to quote a celebrated phrase of John Morley, they hear

"the dull roar and scream of carnage and confusion"

coming back to us. Then bitter will be their feelings of responsibility and of agony when they feel that they themselves played a part in bringing about a situation of such frightful disaster. I appeal to them to discard altogether the

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mere recriminations about what happened in the past. Mind you, they cannot throw the blame upon the past nor can they throw the blame upon the people. What more could the British democracy have done than give the majority which they gave at the last election. Never was there such a vote in favour of the greatness of Britain. Some may say mistaken in some way. I am not arguing that. But everyone knows that the impulse which brought all those millions of very poor people was the strength, honour, and endurance of our country, and its greatness among the nations.

It is no good saying that democracy is doing this. If any failure occurs, it is in the respresentatives which democracy has chosen, or in those who have the power to direct their actions. The first question which we should ask ourselves and which was touched upon by the right hon. Gentleman, is: Are we free to decide, are we free or are we pledged; are we free or are we bound, and to what extent are we bound? We cannot be bound by individual speeches. They may reflect upon the individuals who make them, or may not, but the policy of the State must be determined only upon legislative action and solemn declarations made by the Sovereign on the advice of responsible Ministers. In these days, when so many speeches are made by all people who take part in politics, it would be most dangerous to admit for a moment that speeches even of Ministers and Members of the Government can be taken as pledges and as bonds which fetter the power of Parliament and the representatives of the nation to deal with the great problems of the day as they think right and best. Happily there is no dispute whatever between me and the Government about that. I have always taken my stand on Clause 41 of the Act of 1919. My right hon. Friend the Secretary of State read out a passage, carefully prepared, every word of which had been carefully weighed, on Monday last to prove that we were not bound, or pledged, or committed in any way except in so far as you may say by way of moral obligation, the general trend of our institutions, and the growth of opinion in India. Therefore, I say that we have a right to decide.

Let me ask: have we the power? During the last Parliament, under the late Viceroy, very serious disorders broke out all over India. There were religious massacres of Moslems by Hindus, and there were reprisals. There were perpetual riots in Calcutta and Bombay. We saw the Congress burning the Union Jack at Lahore, with impunity. We saw prolonged paralysis of Government around Peshawar. We saw Lord Irwin negotiating with Mr. Gandhi. We saw the Indian Congress hoping to establish itself as a parallel Government in India and presuming almost to stand between the Government of India as an interpreter to the people of India. Side by side with all these events we had the undermining perorations of the Round Table Conferences, leading Indians to assume, without any warrant from Parliament—because we know that Parliament is free—that they would very shortly be called upon, after a brief period of transition, to assume responsible Government in India. When I protested against this state of affairs, against these tendencies, when I urged that it would be necessary, sooner or later, to break the Congress and Mr. Gandhi and all that his movement stood for, the late Secretary of State, Mr. Wedgwood Benn, and his like, were accustomed to reply that I sought a reign of blood and terror in India, that artillery and machine guns would have to be used ruthlessly, that large reinforcements of troops would have to be sent from England into the country. All these hideous nightmares were paraded for our warning and alarm.

The present Government, the present Viceroy and the Secretary of State, who both share the credit, have acted as I then advised, and what has been the result? Order has been largely restored throughout India. The Civil Disobedience Movement is broken. Mr. Gandhi, upon whom the Prime Minister and Lord Irwin lavished their caresses, has been in prison—I am sorry for it, for many reasons—for more than a year, together with a very large, but happily diminishing, number of his followers. Hardly anybody has been killed or severely hurt. Not a single British battalion has been employed except on the frontier. Very few collisions have taken place of a serious character between the police and the rioters. The decision of the Government of India to enforce the law with-

out fear or favour has been instantly accepted throughout India by the overwhelming mass of the people. I believe, therefore, that there is no doubt of our ability to govern India justly and wisely, in our own way, and to entrust able, educated Indians, with whom alone the Government of India can be conducted, with an ever broader share of responsibility in the administration, as and when we think fit.

I reject, therefore, the defeatist argument that we have not the power. We have the power, and we have the right to decide. I know that the Secretary of State will tell me that the mere enforcement of law and order would not have produced peace unless accompanied by the kind of proceedings in which he has been indulging at the various Round Table Conferences, and that it is the hopes excited by Ministerial speeches about the advent of central responsible Government in India which have calmed the passions which had formerly been rife. There I differ from him entirely. I believe that is the reverse of the truth. Just as the disorders in India under Lord Irwin arose largely from the rumours that the British Raj—to quote a term well known now in our controversies—was coming to an end and that the Gandhi Raj, or the Congress Raj, would succeed it; just as these rumours promoted the disorders under Lord Irwin, in the same manner these same rumours have hampered the restoration of order, have delayed the revival of confidence, have made the officials less sure of themselves and have spread that feeling of unrest and approaching change among all political classes. The achievement of my right hon. Friend and of Lord Willingdon, who both deserve credit, is remarkable, and it is the more remarkable that they should have so easily restored order in the face of all this continuous undercurrent of political and constitutional insecurity.

If, then, we have the right and power to choose freely, what should our choice be? We are often taunted by those who say: "What is your alternative? I do not think that is a very fair question to ask. You have a great Government in power, with all the resources at their disposal, who, after these many years of labour, have produced this White Paper and their scheme of 110,000 words. Why should they say to a few poor gentlemen who represent the Conservative party—[*Interruption.*] If the Noble Lady the Member for the Sutton Division of Plymouth (Viscountess Astor) will go to her constituency, she will find out who represents it. Why should a few of us be expected to present another complete, brand-new, elaborately-worked-out system? We in this matter have the great advantage that we employed a Statutory Commission, which for three years travelled about the length and breadth of India and presented a report, unanimously agreed to by all parties, and we, in our humility, think we are in the first instance entitled to rest ourselves broadly and confidingly upon that. I have never considered the Report of the Simon Commission—I do not know that I ought to call it that any more; I think I had better say the Report of the Statutory Commission, not wishing to embarrass my right hon. Friend the Foreign Secretary—I have never regarded the Report of the Statutory Commission as if it were a final revelation, sacrosanct, incapable of modification or amendment of any kind.

In particular, many of us have argued that the police should not be handed over to the provinces, and we will argue that as opportunity occurs on the Floor of this House. To do justice to the Statutory Commission, they did not say that the police should be handed over in this crude manner. They used a lot of arguments, some of which we heard yesterday, about the only way to stop the police being abused is to put them in the hands of the people who are abusing them. But when it comes to their actual recommendations there is a very hopeful and very helpful recommendation, namely, that one or more—that is better still—nominated Ministers should be attached to the Governor of every province. Obviously, if that were so, the Governor of any province where the conditions rendered it necessary could entrust the portfolio of the Home Office to one of the nominated Ministers who enjoys his confidence. I say this to show that, while we do not accept the Simon Commission as the final word, to be accepted exactly as it stands, it might well be taken as the basis for Parliamentary examination. We have contended that it should be so taken and that its members should carry special weight in our debating and should have

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been used in all the subsequent negotiations and consultations with the Indian delegate.

That seems to be a not unreasonable position for private Members to assume in this matter, but the Secretary of State twists our attitude to suit his own contention. He made a speech the other day in which he taunted those who said that they supported the Simon Commission as a basis, with being prepared to force democratic Government in India upon the provinces. He argued, in effect, that by adopting the proposals of the Simon Commission as the basis of discussion we had stultified ourselves in opposing the application of the same principle or of the same system to the Central Government of India. That is another warning to the House of the advantage which will be taken—I am sorry to say it—by the Government, by those I will call the Round Table-ites, of every step taken by their opponents towards compromise and agreement. Only two days ago the Secretary of State said that practically everyone in the House was eager for the setting up of provincial Government in India. I will therefore declare quite plainly, speaking entirely for myself, that while for the sake of agreement between all parties I attach the greatest importance to the recommendations of the Statutory Commission, and many of us are willing to see further experiments made in the provinces, it does not follow at all that we think that that experiment will succeed.

I think that in many of the provinces responsible Government will only accentuate administrative deterioration, racial and religious unrest and political tumult, which have been the fruitful results of the Montagu-Chelmsford scheme. Far from advocating such a scheme, or forcing such a system upon the people of India, or being eager to do so, I wish sincerely that matters had not been handled in this way or had come to this pass; but for the sake of agreement, despite our misgivings—you cannot stop the progress of the world because of misgivings—I should be quite ready to make it clear, by all practical tests, that we are sincere in doing all in our power to help Indians to a greater share in the responsibilities of Government—I think we might well begin in some of the provinces, as was suggested by a Noble Lord yesterday—provided, of course, that the power which is given, the delegated power, can be resumed without serious disturbance if it is found to work to the injury of the people of India.

If we thus agree to provincial self-government, it is not because we are forcing it upon anybody, it has been forced upon us; it is not because any of us think it will succeed, it will most likely fail, but if it fails at least the disaster is local not general, it is subordinate not supreme; and, as long as the central Government of India is intact, secure, or to quote the jargon in this matter in India—unitary—it will always be possible to help a province which has fallen into disorder or in which the administration has scandalously degenerated, whose people are suffering from a failure of essential services; it will always be possible to help them back to such poor structure, poor but precious, of justice and civilised organisation which we have hitherto been able to erect in India. If, on the other hand, the provincial experiment succeeds over the whole of India or in a particular province, or in some provinces, we shall have to admit that a tremendous argument has been established, an argument of facts, not of words, an argument of achievement not of aspiration for a further advance. It we were provided after 10 or 15 years with a considerable number of prosperous, orderly, contented, loyal provincial units, nothing could stop an arrangement being made to weave these units into the higher synthesis of a Federal organisation.

There are two contentions of His Majesty's Government to which I must refer. The first is that none of the Liberal elements in India, on which they are relying, will take part in provincial autonomy unless they have the police handed over to them and unless Federal government is set up at the centre. All I can say about that is that it is not an argument which should weigh with us. We are here to give what we consider right and wise, not to give what we consider wrong and unwise because it is the minimum necessary to satisfy some not very representative Indian political groups. The second point was contained in the speech of the Foreign Secretary yesterday. He used what I think is an even more questionable argument in his

guarded, balancing, lukewarm but brilliantly ingenious speech with which he regaled us, and I could not help thinking as I listened to it of the cynical remark, "Distrust first thoughts; they are usually honest." I think we all understand, anyone who lives long enough in this House and who has experienced the vicissitudes of going in and out of Government will realise, the difficulties with which he had to contend and will admire his craftsmanship in dealing with them. On these occasions the skilful advocate will always look for a new fact. When a search is being made for reasons for a change of opinion the first thing is to search for a new fact, and the right hon. Gentleman produced a new fact; that the Princes of India offered to come into Federal government only if it was to be upon a responsible basis.

Is it possible that the right hon. Gentleman does not know, has he never heard, of what lay at the back of that extraordinary stipulation on the part of the Princes? I have heard on fairly good authority that the disappointment of the Princes, their alarm at the announcement of Lord Irwin that Dominion status was brought to the fore again, made them feel that they must look to their own future, secure their future under a totally different order of things. Then members of the Congress party discussed with some of the Princes, and an arrangement was made very much on the basis of what my right hon. Friend opposite would denounce—if you will help us to gain more power at the centre we will see that you keep your full rights over your own subjects in your States. That is the only reasonable explanation of such a stipulation on the part of the Princes.

I confess that I am not attracted by any part of that argument. I am not particularly anxious to see the Princes at this juncture brought into the Central Government of India, nor am I anxious to set up a Federal system in India. I am not at all induced by the argument which suggests that we should do something which we do not like in order to accomplish something which we like still less. In this Debate His Majesty's Government have been very apologetic. Perhaps that is too much to say; at any rate, they have been very deprecatory. The Minister of Health, who I do not see in his place, went even further in humility and moderation, in the moderation of his enthusiasm for the Government's proposals, than anything I have heard said in this House. Speaking on Saturday in his constituency, in contact with the opinion of his constituents, he said of the White Paper that

"It was in the first place only a suggestion."

This product of so many conferences, inquiries, discussions, debates, the labour of the East and the West, this White Paper, for which we were told to wait and not prejudge the issue before it came out, the Minister of Health now says is "only a suggestion." I think that is going too far. We should really have a little stiffer attitude from the Government about their own proposals because they are every day engaging great masses of opinion in support of them. But they have been apologetic, and no one can say that the Motion which we are to vote upon now is not very cleverly and very adroitly framed, obviously with the intention of dodging a Division and confronting Conservative opponents of this policy with a proposition which they cannot possibly resist. Who can resist a Motion which begins by stating that no decision is to be taken by this House? Who can resist a Motion for appointing a Joint Select Committee, not in substitution for the ordinary Committee and Report stages in this House but in addition to those stages, and as preliminary to the Parliamentary procedure involved in the passing of a Bill? Certainly no one can vote against such a proposal. I think it is our duty to give the Government all possible support in repulsing the extremist Motion put forward by the official Opposition, and I shall certainly contribute my vote to what I trust will be for them a thoroughly satisfactory majority.

But do not let the House delude itself by supposing that the dangers of this question are passing away. On the contrary, this Committee which is to be appointed is appointed by a Government which will have an overwhelming majority upon the Committee and which, in addition, to its own majority will have all the support of the Socialist representatives and all the support of the Liberal representatives. The position of Conservative Members on that body, those who are not addicted to, or affected to, the Gov-

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ernment will, indeed, be forlorn. They will sit hemmed in on all sides by men pledged to secure the triumph of the Government policy or even to carry it further, and then after prolonged discussions have taken place and these unfortunate representatives have been voted down time and again by the machine, the overwhelming machine, at the disposal of the Government, the Government will present to Parliament a Bill which they will say is based upon the report of an impartial Select Committee which they appointed for that end.

I think that the Conservative party is asked to take an immense responsibility. Every party in this country has its own function. The Labour party is concerned with the minimum standards of life and labour, the Liberal party have their liberty, and it is an honourable charge, but the Conservative party have always had the duty of holding together the strong body of constitutional authority in the State and the possessions we have throughout the world. It has always been their duty to view with great caution and in a critical faculty widespread proposals for constitutional change. Now you see what happens when the Conservative party, instead of putting its hand on the brake, is led to put its foot on the accelerator—the whole balance of our public life is destroyed.

I invite hon. Members to see how events will develop. The Conservative party controls this House of Commons. [HON. MEMBERS: "Ought to do so!"] And Parliament controls the Viceroy and the Government of India. These in their turn come into play. We see the strange and unnatural spectacle of the Imperial Government turning its strength against its own interests and rebuking its own friends. We see the pressure which is put on the Princes. We read the extraordinary incident referred to by the right hon. Member for Hillhead (Sir R. Horne) of the altercation, or discussion, between the Jam Sahib and the Viceroy only the other day. We do not see so closely the pressure which is put on the officials. For five years past the high personnel of India has been arranged, continuously arranged, with a view to securing men who will give a modern and welcome reception to these sort of proposals. It is one of the greatest evils of the Montagu-Chelmsford reforms that throughout the Service the path of promotion has tended to be more easy for those who readily throw themselves into what are regarded as the irresistible moods of the British nation.

Sir JOHN WARDLAW-MILNE: Has the right hon. Gentleman any proof of that statement?

Mr. CHURCHILL: I say that the officials ought not to have been quoted by the Secretary of State. I did not introduce this topic. The hon. Gentleman who is so ready to act the bully—[HON. MEMBERS: "Withdraw."] I have a very difficult task. I do not wish to have any quarrel with my hon. Friend, and, if I said anything discourteous to him, I am sorry. But I am bound to say that I am stating a case with enormous forces ranged against that statement, as I see, and therefore it is not, perhaps, particularly valiant for an hon. Member to leap up in that way.

Sir J. WARDLAW-MILNE: On a point of Order. Is the right hon. Gentleman entitled to make statements like that when he is asked in a very courteous way if he has any proof of his statement made against the Indian Civil Service, a most sweeping statement made against the whole of the Indian Civil Service?

Mr. CHURCHILL: I am replying to the statement of the Secretary of State that practically all the high officials in India were in favour of this White Paper, and I think it is perfectly fair to say, in view of that, that during the last five years, and even during the last 10 years, the kind of opinion which has been promoted to leading positions throughout the Indian Civil Service has been that of people who are supposed to be modern-minded and acting in the spirit of the Montagu-Chelmsford reforms.

Sir S. HOARE: The right hon. Gentleman has no justification whatever for that statement.

HON. MEMBERS: Withdraw.

Mr. CHURCHILL: I will never withdraw a statement which I am certain is founded on fact. Then the Secretary of State claimed all the commercial classes. Of course, when the Conservative party

of this country is known to have thrown its weight behind a scheme of this kind—this has been going on for the last three years—the commercial classes in India have despaired, and their despair is now quoted as if it was their approval. When the Prime Minister emphasises the safeguards, when the White Paper emphasises the safeguards, they are, of course, magnified for British consumption, and when it comes to India the opera glasses are turned round the other way. There are two audiences and two voices. We heard that the Government was confronted with the dilemma—either the safeguards are real, in which case responsible government is a sham; or responsible government is real, in which case the safeguards are a fraud. There is another dilemma into which we must ourselves be careful not to fall. That is, are we opposing this scheme for what it concedes or for what it withholds? Let me say that I think we ought to condemn it both for what it concedes and for what it withholds. The greatest objection to the scheme is that it neither gives nor withholds on any coherent or workable plan. On the one hand it offers autonomy in the most sweeping terms; on the other it sets up autocracy in an extreme form. It leaves these two opposite principles to struggle together within the heart and brain of the government of India.

It is a perfect plan for inaugurating an era of ceaseless strife, and the contending forces are evenly balanced. Both are armed with great power and great facilities, so that their warfare will be long, exciting, equal and calamatous; but I cannot conceive a scheme of which it could more properly be said that it comes "not to bring peace but a sword." The Viceroy or Governor-General is armed with all the powers of a Hitler or a Mussolini. There is practically nothing that he cannot do in the sphere of the Army and foreign affairs. He has the power to tax apart from the Legislature; he has the right to safeguard minorities; he has the right to safeguard the interests of the Civil Service; he has the right to safeguard the interests of the native States; he is authorised to prevent commercial discrimination. All these great powers are confided to him. By a stroke of the pen he can scatter the Constitution and decree any law he pleases, or martial law, which is no law at all. Of all these he is the sole judge.

Such a functionary is a dictator, and he has behind him a very powerful Army. Yet at the same time he is instructed to work a democratic Constitution tactfully, and to govern by consent, when consent is not forthcoming. I pause to ask, have such opposite qualities ever been united in the breast of a single human being? The phlegm of Bismarck, the energy of Mussolini, the special knowledge of Colonel Lawrence, the high ideals of Mr. Gladstone, the deft persuasiveness of the right hon. Member for Carnarvon Boroughs (Mr. Lloyd George)—all would seem to be needed in the functionary who has to discharge these opposite tasks and with so much thoroughness. The Secretary of State said yesterday that the Viceroy would have less to do than he had to do now. I should have thought that that was an absolutely absurd contention.

Let me look at the constitutional aspect. All these safeguards which are placed in the hands of the Viceroy are not new; they are not new creations of the Government. They all reside at the present moment in the structure of the Government of India, in the Viceroy and his Council, in the Secretary of State and his Council, in the great Indian Departments, and in this House. They are all there. But what we are doing now, and I think it singularly unfortunate, is to pick out all these essential safeguards and to set them out in a row, in a category, to be the target of every kind of criticism, and to place the Viceroy in a position where he, the representative of the King-Emperor, is responsible and can be made responsible and blamed for almost everything that takes place in this vast Empire.

But there is one notable omission from the Viceroy's powers. He is removed from the people he has to govern. The only functions of Government, practically, that are outside his jurisdiction, are those which concern the daily welfare of the masses, their education, justice, hospitals, their railways, their engineering works, the care of their forests and natural resources, the weight of taxation. He can, I gather, increase taxation, but not diminish it. All these things are beyond his power. We have a superman, not yet found, who has everything laid upon him except to mitigate the lot of the common

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people. That is judged unworthy of his attention; that can be safely transferred and handed over. I even heard the Secretary of State boast, glory in the fact that the affairs of 230,000,000 people were handed over freely, lock, stock and barrel, to these new legislatures, untrained and untried, which in all other respects are to be carefully controlled by safeguards.

I hope the House was stirred by the very powerful speech of my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood). He certainly struck a new note in this controversy. The powers of the Viceroy and the Governor-General, immense as they are, are counter-worked, to make things equal, by other provisions of this Constitution. The holder of these great powers is rendered virtually impotent. For his information he has to depend upon responsible Ministers; he has to work through them and the departments which they control. The police, 180,000 of them, in five years are possibly not even to be recruited by him. Even the Army is spoken of as a force which is to be transferred some day to Indian hands. All the great services which make the life of the Indian superior to the life of the Chinese have been taken from the purview of the Viceroy. The British officials are provided with an emergency exit so that they can throw up their jobs, should their condition become intolerable. The lonely Satrap has all the power, but it is blind power. He has no means of acting upon the hundreds of millions of people he controls, except by troops. His position is very similar to that occupied by the Tsar of Russia before the Revolution, with immense power, immense ceremony, mighty military forces, but no real contact with his people.

Where, I should like to know, would a general be without his staff? Where would a Member be without his local organisation? Where would a Minister be without his Department? Where would a Government be in times of distress if the police were withdrawn from the control of the Executive? Such is the position of the Governor-General. He can tax, but who is to collect the taxes? He can overrule an Act of commercial discrimination, but if there is a boycott to effect the same purpose as the Act would have done, he must go to the very Ministers he has overruled and ask for their support in controlling the boycott. He can protect the rights of the Civil Service, but their appointment, their treatment, all their daily affairs, will be in the hands of responsible Ministers, who, I cannot help feeling, will increasingly wish to get a very large reduction in the number of white officials. Why should they wish these officials gone? My right hon. Friend has made it abundantly plain. These British officials are to be the cadre, the steel framework upon which this country has to rely to enforce all the safeguards.

Of course, the position of these officials will be very invidious. You cannot consider the state of the Indian Services as they are to-day; you have to consider the state in which they will be in four or five years' time, when they have been under responsible native administration. They will be the organism of Indian life, and it is by no means to be taken for granted, indeed it is even improbable, that these great departments can be taken over at a moment's notice by the Viceroy or by the Governor-General simply by an act of power at a time when probably there is a great Nationalist movement in progress in India, and when he is overruling and dismissing the responsible Government which has been set up. Why should Indian officials risk their livelihood and their careers against their own fellow-countrymen in an emergency of this kind, for the sake of an Imperial Power—an alien Power I think the Foreign Secretary said they called it—which has declared itself in process of liquidation and is actually in train to hand over its authority to a new regime? My right hon. Friend the Member for Hillhead quoted a statement from Sir Tej Bahadur Sapru yesterday, but he left out, by accident, a very important passage which I must read to the House:

> "The Constitution, however, places such a powerful weapon in your hands that if you can send into your legislatures the right sort of men, I have not the least doubt you can achieve all you want probably much quicker than you imagine, because the cumulative weight and effect of these changes will be such that they dare not resist your demand for the further expansion of the Constitution, its natural and logical evolution being Dominion status."

A little further on he said to his colleagues:

"I would advise you all to grasp power, for it is far better that you should send those who oppose you to gaol than suffer yourself to be shut up. I therefore say it is the duty of every one of you to capture the machinery."

Mr. MAXTON: Hear, hear!

Mr. CHURCHILL: Yes, and that is very like the doctrine which the hon. and learned Member for East Bristol (Sir S. Cripps) unfolded the other day. Proceed by constitutional measures until you get control of the police and the Army, and then go ahead with your revolution. But I am bound to bring these points to the House although they are by no means in harmony with the mellifluous language which is usually employed on these occasions. If this is the position of the Viceroy, with all the power and, as I say, without the executive machinery to exercise that power, look, on the other hand, at the position of the Indian Parliament. They would have all the constitutional title-deeds. There is no constitutional argument that will not be at their disposal. They will be able to claim that they are the elected representatives of the people. They will have control of the party machine, of the organisation of elections, and so forth. They will have the great bureaux in their hands. They are told that they are responsible for the well-being of the nation. Endless means of friction will arise between the responsible officials and the Government or the Governor-General and they will have a hundred means of making their pressure constant upon those harassed functionaries. I am amazed at the perverted ingenuity with which the Government have arranged a grievous and a certain struggle, very similar, as my Noble Friend the Member for Aldershot (Viscount Wolmer) has said, to that which convulsed England in the struggles between Crown and Parliament during the whole of the 17th century.

I shall endeavour to curtail my remarks as much as possible, but I am anxious to conclude the argument which I am putting before the House. The case of the Governor-General will apply, on a smaller scale but more crudely and directly, to the Governors of the provinces. Eleven potential dictators—11 hopeful and aspiring Parliaments! And this warfare in the provinces will proceed simultaneously with the graver disturbances at the summit. Then, when this is occurring, you will perhaps learn the wisdom of the Statutory Commission's remark, that unitary government at the centre was most important during the development of the Provincial Legislatures.

I will examine only one other element in the Constitution—the Senate or upper Chamber at the centre. A great deal of fine filigree work has been put into that. There are Princes, Moslems, representatives of the landowners, certain official representatives and so forth. There is some provision, I believe, for a two-thirds majority and so on, and I am ready to admit that the character of that assembly will be such that it will have very stiff opinions about the rights of property. I have not the slightest doubt it will be very careful to protect the rights of property, the rights of the landlord, or of the moneylender, or of the Ahmedabad mill-owner, or, no doubt, of the established orthodox religion. In that respect it may be a highly Conservative chamber, but not in the best sense of the word. But when you come to the kind of question with which we are concerned here, issues which arise between Parliament and the Crown, issues which arise between India and Great Britain and which will be fought out, then it seems to me that you may very easily find that these forces, on which you are so trustingly relying at the present time, may be actuated by quite different motives from those which you attribute to them.

How can Hindu Princes—and are they not seven-eighths or nine-tenths of the whole—be expected to stand against the movement of Hinduism throughout the whole of India? How can they be expected to stand against that movement when Congress will have means of causing disorder in any one of their States? How can you expect Moslems to show themselves less forward in advocating what is called the national cause than their Hindu fellow-countrymen? No, Sir, it may well be that while you will have, for the purpose of the maintenance of Indian property rights, and Indian trading interests, a very strong, firm, oligarchy, there is not the slightest guarantee that the whole of them may not be ranged on nationalistic lines against the Viceroy and this country in any serious constitutional dispute.

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Evidently Ministers do not believe that this situation is one that can last, and it seems they have no doubt how it will eventually resolve itself. Hence all these safeguards arranged to satisfy British opinion. But they are all placed in the Instrument of Instructions and not in the Constitution and thus can be discarded by a simple resolution. [HON. MEMBERS: "No."] Certainly, they can be discarded by simple resolution and not by the process of a Bill.

Sir S. HOARE: In the first place, the special responsibilities will appear in the Bill itself. The Instrument of Instructions will merely be an additional guarantee.

Mr. CHURCHILL: But those which are in the Instrument of Instructions can be varied by a simple resolution, and that is the most serious flaw in the right hon. Gentleman's elaborate scheme.

Sir S. HOARE: I am sorry to interrupt the right hon. Gentleman again, but this is very important. The special responsibilities of which he is speaking will be in the Act itself and they will have statutory authority, in every important case, anyhow.

Mr. CHURCHILL: I am glad of that, but I say that the Constitution itself, the bringing into power of the Federal Constitution, does not depend upon a Bill. That is to be brought into operation by a simple resolution. I should like to ask my right hon. Friend who is it, what force is it, which really welcomes the Constitution he has put forward. The Indian Congress denounce it in unmeasured terms. Indian Liberals say they will use it only as a tool to extort further favours. As to the Indian Princes, you have great doubt whether you can coax, cajole, persuade or coerce even half of them to come in. I very much doubt whether any Conservative Government could be formed which would endorse such a Constitution. The Socialist party, as the official Opposition, have shown by their Amendment that they will only take this Constitution, which you are regarding as a most audacious adventure, as a starting-point for a further departure. Nowhere, here or in India, is it a national policy, or accepted as a national settlement. I must draw the attention of the House to the rather insidious way in which this Federal scheme is being brought into operation. It is to lie in the Constitution Act and to be brought into operation by resolution. There is no date assigned on which it is to be brought in and the right hon. Gentleman the Secretary of State gave a very naive reason why no date should be assigned. He said to the Round Table Conference at the end of the year:

> "The machinery of the Constitution would be of a complicated nature, and Parliament, if it were confronted with a definite date, might be much more cautious in the delay and the provisions of caution that it might demand than it would be without a date."

That shows what the right hon. Gentleman thinks of us. It is as if you were to say: "The poor silly Members will not worry about it so long as there is no date, because they will say that it will not happen for some time; but if there is a date then they will boggle about it and make a lot of awkward objections." But what is going to happen when we are confronted with this Bill eventually? Then, the Federal Constitution will dominate Indian affairs, and to bring it into operation and at the same time to attack the safeguards will be the desire and the effort of all classes of Indians. This pressure will continue and when there is a Socialist Government in power, as there may be some day, how easy it will be to remove the safeguards which stand in the way. How easy it will be to sweep away or to slur over the conditions which you claim should be established in the setting up, say, of your Federal Bank or in other provisions of that kind.

Where will the Conservative party be then? Where will it stand then? It will not be the Government, but will it be the Opposition? It will have conceded every single principle, and stripped itself of the protection of constitutional procedure when these violent changes are to be brought into play. I can anticipate the speeches that will be made by a Labour Secretary of State in some future Parliament. Mr. Wedgwood Benn or some other able gentleman will say: "We are bringing the Federal Constitution into operation now. True, all the conditions have not been complied with, but this is a policy, in principle agreed between all parties. This is a policy

which a Parliament containing an overwhelming Conservative majority approved, and we are only carrying it into effect with some minor alterations in detail. There is no serious opposition to this policy." Then you will find, in resisting that process, which can be achieved by a single simple Resolution of both Houses, that either it will have to go through and that this vast edifice can be set up without proper precautions or conditions, or else you will have to throw a burden upon the House of Lords which, in its present unreformed condition, I think would be grossly unfair and extremely unwise.

Since the year 1927, when the Simon Commission was first appointed, all India has been agitated by constitutional change. There has been no breathing space. I was hoping that the Government would find it possible to take some decisions which would give, at any rate for a spell, a pause to constitutional agitation in India. Surely the administrative apparatus, which in India is 20 times more powerful and more important to the people than these political and constitutional changes, should be given a chance to work. Surely we ought not to complicate the already hazardous departures which are proposed by the Simon Report by vague, hypothetical, and much larger departures for which the conditions have not yet been established. Surely Parliament should have the manhood to say, "We will give what we can give now, freely and boldly. We will not promise to go further until we see what the results of giving all that we now can give have been in practice." Surely that is a faithful, a sensible, and reasonable policy for our country to pursue and for an Imperial Government to advise, instead of adding, on the top of all that is now proposed, this scheme, for which you admittedly have not got the conditions yet established, and which will continue to keep India in a ferment and in a turmoil until it has eventually been achieved or until it has finally been discarded.

I thank the House very much for having listened to my statement. I have trespassed, I fear, at undue length upon it, but I have only this to say at the end. It is a tragedy that the greatest gift which Britain has given to India was not the gift that India needed most. During the last 50 years the population of India has increased by 100,000,000. The prevention of wars and famines and the control of infanticide and pestilence by British rule have brought that enormous accession to mankind. It would have been far better if the exertions of our devoted men and women in the East could have emerged, not in a mere multiplication of teeming humanity upon the very lowest level of subsistence, but in a substantial raising of the standard of life and of labour of a smaller number. But that has not been within our power. The 100,000,000 are here. The 100,000,000 new human beings are here to greet the dawn, toil upon the plain, bow before the temples of inexorable gods. They are here. You cannot desert them, you cannot abandon them. They are as much our children as any children could be. They are actually in the world as the result of what this nation and this Parliament have done. It is impossible that you should leave them to be diminished by the hideous processes of diminution which keep the population of China in check. It is impossible that you should hand them over to the oppressor and to the spoiler, and disinterest yourselves in their fortunes. By every law of God or man Parliament is responsible for them, and never could we hold an honourable name among the nations if we pretended, by any sophistry of Liberal doctrine or constitutional theory, to cast away our responsibility, so vital and grave.

But here in our own island we have a very similar situation. Our population, too, has rapidly expanded. There are perhaps 15,000,000 more people here than could exist without our enormous external connections, without our export trade, which is now halved, without our shipping, which is so largely paralysed, without the income from our foreign investments, which is taxed to sustain our social services. I suppose some 2,000,000 or 3,000,000 people in this island get their livelihood from beneficial and honourable service interchanged between us and India. We have some 3,000,000 unemployed now, and this is no time for us to divest ourselves of rights and interests, which we have lawfully acquired, and expose our population in the years that are to come to a steady, grinding contraction in the standards of their life. I pray

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that the people of Britain may be awakened to a sense of their danger and to a sense of their duty before it is too late.

6.6 p.m.

Earl WINTERTON: I am sure the House will sympathise with me, not in having to reply to the right hon. Gentleman the Member for Epping (Mr. Churchill) because that, I must say, after the speech which he has just delivered, is a less difficult task than I thought it would be, but in the fact that in a moment or so we shall have one of those annoying interruptions of business, to which it would not be in order to refer, but which will necessitate the House rising for 10 minutes or a quarter of an hour. I venture to break all etiquette by saying that I hope some of my hon. and right hon. Friends will return to hear the answer which I propose to make to the extraordinary case which my right hon. Friend attempted so elaborately to build up in the speech which he has just delivered to us. May I say, in the first instance, how much I regret, on both personal and political grounds, to find myself in disagreement with my right hon. Friend?

ROYAL ASSENT.

Message to attend the Lords Commissioners. The House went; and having returned, Mr. SPEAKER *reported the Royal Assent to,—*

1. Consolidated Fund (No. 2) Act, 1933.
2. Evidence (Foreign, Dominion and Colonial Documents) Act, 1933.
3. Austrian Loan Guarantee Act, 1933.
4. Visiting Forces (British Commonwealth) Act, 1933.
5. Indian Pay (Temporary Abatements) Act, 1933.
6. Local Government (General Exchequer Contributions) Act, 1933.
7. Assurance Companies (Winding-up) Act, 1933.
8. Public Works Facilities Scheme (Torquay Corporation) Confirmation Act, 1933.
9. Ministry of Health Provisional Order (Buckingham and Oxford) Act, 1933.
10. Ministry of Health Provisional Order (Leek) Act, 1933.
11. Ministry of Health Provisional Order (Rugby Joint Hospital District) Act, 1933.
12. Ministry of Health Provisional Order (Taunton and District Joint Hospital District) Act, 1933.
13. Ministry of Health Provisional Order Confirmation (Chester and Lancaster) Act, 1933.
14. Ministry of Health Provisional Order Confirmation (Eton Joint Hospital District) Act, 1933.
15. Preston Corporation Act, 1933.

And to the following Measure passed under the provisions of the Church of England Assembly (Powers) Act, 1919:

Benefices (Purchase of Rights of Patronage) Measure, 1933.

INDIAN CONSTITUTIONAL REFORM.

Question again proposed, "That the words proposed to be left out, stand part of the Question."

6.20 p.m.

Earl WINTERTON: I was about to observe, when Business was interrupted, that I regret very much to find myself, both on personal and political grounds, in opposition to my right hon. Friend the Member for Epping. [An HON. MEMBER: "Where is he?"] I think that it would be fair to realise that my right hon. Friend has made a lengthy speech, and naturally desires a little recreation afterwards. I have no doubt that he will, in due course, return to our deliberations. Nevertheless, I propose in his absence to pay him the compliment which I am about to pay, that is, that all through the 1906 Parliament I felt, in common with many others who sat on the Conservative benches, that it was a great misfortune that we were deprived by his detachment, which fortunately proved only temporary, of his vigour, courage and initiative, which is all too rare in our political life. Further, I must observe quite frankly that sometimes in recent years, and indeed in this Parliament, I have felt that he expressed the real point of view of those who sit on these benches more clearly than that of some of our titular leaders.

For all these reasons I greatly regret that I am in opposition to my right hon.

Friend. I oppose his judgment simply and solely because I believe that his views on the Indian situation, the views which he has held during the last five years, to be fundamentally wrong from beginning to end; and if I thought those views wrong before I heard his speech this afternoon, I think so doubly after having listened to him to-day. My right hon. Friend, who is now happily again with us, possesses, like the right hon. Gentleman the Member for Carnarvon Boroughs (Mr. Lloyd George), oratorical guns of a range and calibre which are unsurpassed by almost anyone else in this House, but those guns are open to attack from the bombs of the records of their own past deeds, the damaging quotation, the devastating parallel. No two men in this country, or, for the matter of that, in any other—because most of the men who held high office after the War have gone—are more responsible for results and events all over the world—for which they had a prime responsibility—yet they spend a great deal of their time in condemning and deploring them. That is as true of India as it is of other matters. If I may change the metaphor, I will say that with all the experience of my right hon. Friend in manual labour, he cannot shovel enough earth over his past to obliterate it from human view. His colourful and arresting personality has been indissolubly bound for the last 25 years with constitutional experiments and evolution in South Africa, in India and in Ireland which, whether we like it or not, have left an indelible mark on the situation at present existing in India and affect the means for dealing with it.

My right hon. Friend evidently anticipated that I and subsequent speakers in the Debate would make some reference to his responsibility for the Montagu-Chelmsford reforms. Like the rest of us in this House, he does not seek to absolve himself from that responsibility. I am sure that my right hon. Friend would not do so, but he must not isolate the Montagu-Chelmsford reforms from the rest of his political career. There are other things for which he is responsible in different parts of the world becides that, and I would ask him later on how he reconciles his views and actions on those occasions with the actions and attitude that he has taken to-day. I am not twitting my right hon. Friend with inconsistency. Nothing is more mean or small than to tell a Member that he has been inconsistent when he frankly admits that he has changed his views. But my right hon. Friend does not admit that he has changed his views. He is still proud of his part in the constitutions of South Africa and Ireland, and I ask him to reconcile the action he took in those cases with the action that he has taken, with all the great powers at his command, in the House to-day.

He said that the Montagu-Chelmsford reforms had definitely failed. I think that that is rather a tall statement. I do not think that it is true to say that they have definitely failed. I cannot for the moment recollect what my authority for the quotation is. I am not sure that it is not in the Simon Report. At any rate, I have seen it in some official document, where it was stated that it would be difficult to say whether the Montagu-Chelmsford reforms had failed or succeeded. My right hon. Friend will believe me, who has had a longer experience of Indian administration than anyone in the House, when I say that it is not those who have been working those reforms in India, either official or unofficial, British or Indian, who will say that they have failed in the sense in which the right hon. Gentleman used the term. He gave us an unduly gloomy view, a picture which was too gloomy to be true, of the situation in India as a result of those reforms.

I will point out to my right hon. Friend these facts. We have in India to-day, of all the great countries in Asia, one which is most free from trouble and disturbance—and that under the Montagu-Chelmsford system. I regret that the Dominions Secretary, in a rather incautious phrase to-day, referred to China and India as two countries in which there were turmoil and revolution. Surely anyone can distinguish between the conditions in India and in China, and surely no large country in Asia is more free than India is of those troubles. The credit of India stands as high in the markets of the world as any comparable country, the Budget bears comparison with any other part of the world, and the country shows economic advancement. All this has taken place in circumstances which the right hon. Gentleman described to the House amid the cheers of his friends, who seem to be getting more and

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more gloomy every day. My right hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) gets even more gloomy both about the present and the future. Amid the cheers of his friends my right hon. Friend said that this country, where all these happy things are occurring, was in a deplorable state as the result of the Montagu-Chelmsford reforms.

Although I do not want to pursue that, I must refer to one most calamitous reference which my right hon. Friend made to the Civil Service in India. Deeply as I regret to be so much in opposition to him, I must invite him to give an explanation of what he meant. He told us that for the last five years men in high office in India had been carefully chosen because of their particular opinions. There is no question about it that that is what he said, and he went on to say that he might even have said "for the last 10 years." I regard that as a most serious reflection on a number of people, and I am going to say who they are. First and foremost, there are our civil servants, those who are not here to reply for themselves. This is not the first time he has made charges against the Civil Service, because he made them previously against officials of the Foreign Office. This is a serious charge against the Viceroy, both the late and the present Viceroy. It suggests that they chose their principal advisers because of their particular political opinions and not because of their capacity for their office. Lastly, I must tell the right hon. Gentleman, quite frankly, that he is reflecting on the present Secretary of State, on the late Secretary of State and on Lord Peel and Lord Birkenhead. I really think my right hon. Friend should offer some explanation, outside this House if he does not desire to do it in the Debate, of this extraordinary charge which he made against persons in high office. I am sure that my right hon. Friend will explain by a letter to the "Times," or in some other way what exactly he meant by this. I am very sorry. I must apologise to the House for suggesting that my right hon. Friend should write to the "Times." I ought to have said to the "Morning Post." To-day there is a much more favourable breeding-ground for the right hon. Gentleman's doctrines than there was 10 years ago.

Mr. CHURCHILL: And a much less favourable one for yours.

Earl WINTERTON: Events will prove in the future whether that be true or not. It is a long way to Tipperary, however much one's heart may be "right there." If I may say so, the Lord President might well say to my right hon. Friend, if I may quote an old cliché "They will never kill me" etc. That is a matter for the future, but I am concerned to-day to make this answer to my right hon. Friend.

Mr. CHURCHILL: My right hon. Friend is unduly complimentary in entering me into such an exalted competition.

Earl WINTERTON: I was tempted into doing so by the right hon. Gentleman's actions outside. I venture to suggest that my right hon. Friend has approached this matter of self-government for India from a wholly wrong standpoint right from the beginning, and I am going to take a line which, I think, has not been followed before in this Debate, but which I believe to be a sound one, and that is to say that there are only two possible systems of relations between Western democratic Powers and the peoples of Asian and African territories under the same flag. One is the French system, and the other is the system we have pursued towards India, and it would be well, in considering possible alternatives to the Government's plan, to consider, in a sentence, what the French system has always been. For years past the French have said to their North African fellow citizens, "We admit you to membership of our nation, with all that it implies—all its obligations and sacrifices and a fair share in its advantages. We admit you to its Legislature and its culture. You can enter our Parliament, be received on terms of equality in our homes. But you must fight for us and do trade with us." That is the attitude which France has always taken to its North African colonies, a very different attitude from that which my hon. Friends—I do not use the term in any disrespectful sense, because I have been one myself—who are popularly known as "Die-hards" have always taken, in all their speeches, towards our fellow-subjects in Asia.

The British, on the other hand, speaking generally, have said to our Indian

subjects through the mouths of successive Governments over almost 100 years, "You shall fit yourselves to govern yourselves, and we will show you how to do it through the education we will give you, and in a thousand ways. We will not control you for ever, but rather guide you to the goal of self-government in the British Empire"—or in the British commonwealth of nations. Either of those two systems is possible. If the right hon. Gentleman had come forward and advocated the French Colonial system, I should have listened with attention to what he said, and I can well imagine that a man of his vigour and initiative would be one who might put that system into operation in our case. But what is not possible is for western democracy to say to another race, or conglomeration of races, within the same allegiance, which has any tradition of civilisation, however different it may be from the civilisation which we have in this country: "Though our own Government depends on popular support, often ignorant, usually capricious, in no circumstances will we grant you representative or responsible Government for your population, which from its very nature can never support responsible Government."

That is an attitude which this House cannot take up, and those Members who in their speeches imply it, are attempting to force upon the House a policy which neither this House nor any of its successors can possibly take. Even if the thesis were true without qualification, and it is not, though there is a measure of truth in it, the mere existence of huge masses of unattached electors in this or any other western democratic country makes it sooner or later certain that we shall have in power a Government of the Left which will concede everything to that overseas party which the most extreme nationalists demand, even if the domestic policy did not preclude them from using force to put a more unpopular policy into operation.

Therefore I say, and this is my first point, that I cannot think that any person even of ill-will in the House—and I am sure there is no person with ill-will here—can possibly deny that that makes it the more necessary that in this Parliament, especially as being a Parliament with a National Government, we should try to devise a permanent system of Government for India, which subsequent Governments here, whether they be of the Right or the Left, would be unlikely to abolish. That is the main task before this Parliament—to establish a system which has general support, not perhaps the support of everyone in every party, because that is impossible, but which has general support. I would only say this, that it would be deplorable that the nature and form of Indian constitutional government should become for long years a tilting-ground in the controversies of British political parties, and, worse still, a subject of internecine strife. My right hon. Friend seemed almost to favour the idea. I hope it was not his intention that we shall have a long period of fighting, going on for years and years.

Mr. CHURCHILL: What I meant was that I gather that several months will be occupied with the proceedings of the Joint Committee. Then next year, I presume, probably not till after the Budget, a Bill will be introduced which will have to be passed through all its stages in both Houses. That means 15 or 18 months of severe argument upon this question. In addition to that, several years have to pass before the federal system can be brought into operation.

Earl WINTERTON: I am much obliged to my right hon. Friend. I hope he agrees with me that the sooner this question is settled the better it will be for all of us, because I cannot imagine anything more calamitous than to have a cat-and-dog-fight over it. We have avoided that in the past. Nothing could be worse for the British-India connection, and, above all, for British trade, than a long period of disputes about the form which the new Constitution should take, and therefore it is all the more necessary that it should be settled. I would only make this reference to British trade, to Lancashire trade, and say that, after all, the Lancashire trade, like export trade everywhere in the world, depends upon having a willing buyer, and we certainly shall not have a willing buyer in India or anywhere else unless the people are favourably disposed to the Government in power at home and to the political situation which is imposed upon them. The idea that we can compel India to buy our goods, as some people seem to think, is wrong. How are we going to do it? No nation has ever been able to compel another nation to buy its goods.

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[An HON. MEMBER: "What about the French system?"] They do not compel their subjects to buy unwillingly; they do it willingly. I was talking about willing or unwilling buyers, and I say that there is no such thing as an unwilling buyer in foreign countries.

Major-General Sir ALFRED KNOX: What about the duties in Ceylon?

Earl WINTERTON: My hon. and gallant Friend is a great authority on the Army, but not a great authority on economic matters. I submit that you cannot logically or reasonably differentiate in aim, however much you may probably do so in method, in the systems of government for the different overseas communities within the Empire. I find myself in a very isolated position. I believe in inter-dependence, but not independence. We can have a self-dependent British Empire, in a strategic and economic sense, with as many units as possible having self-government. I say my position is an isolated position, because the Liberal and Labour parties clearly do not believe in it. They do not believe in the Empire as an economic and strategic whole, and a great many of my hon. Friends do not accept the other part of my policy which I put forward—they do not believe in an extension of self-government to these different units of the Empire, which I believe essential if we are to have a real Commonwealth of Nations within the Empire. As regards the aims to be pursued, my right hon. Friend the Member for Epping would, I think, be the last person to deny, from the whole circumstances of his political career, that that should be our aim alike for those portions of the Empire predominantly peopled by those of European descent and for other parts of the Empire where the people are of a different race. I do not think he does deny it. He said in a very notable Debate in which he took a very notable part, in his comparatively early days in this House—the Debate when we gave a constitution to the present Union of South Africa:

> "No responsible statesman and no British Cabinet, so far as I know, ever contemplated any other solution of the British South African problem than that of full self-government."

Mutatis mutandis, I ask the attention of my right hon. Friend to this matter. Surely with all the authority and weight that he commands he will not let it go out of this House to-night to our fellow-subjects in India that our ultimate aim there should be different from that of our ultimate aim in regard to the Dominions. I hope he is not going to do that, because if he does so he takes a very serious responsibility on his shoulders; it would make every Indian wonder whether it was worth while being one of the Indian subjects of the King. I am sure that my right hon. Friend does not deny that our aim should be the same. I hope that the difference between those members of the Conservative party who are supporting the Government and those who are my right hon. Friend's supporters is one of degree and of kind, and not of aim. I say that, because there were some passages in the speech of my right hon. Friend which left me in very considerable doubt as to whether he did approve of the aim which I quoted from his speech on the South African Constitution. It is utterly illogical for the right hon. Gentleman to take a different point of view.

To those who take a different view I would say how would you argue with an Indian of loyal and Constitutional opinion, who was defending his point of view. Suppose you said to him: "I am not going to give self-government to you in India because of your racial divisions." His reply would be: "Have you never had racial division in the British Commonwealth? Have you not had it in Canada, and have you not got it in South Africa to-day?" The person arguing this point of view might go on to say: "But look at the difference in efficiency between Europe and Asia." The Indian would reply: "Have you ever contrasted Japan with Portugal, for example?" Then you go on to say: "But look at the difference in the ability and courage of the individual man between Europe and Asia." The reply to that would be, "Have you never heard of the work done by the Indian soldiers in the War?" Finally, using the argument very popular in what are known as Die-hard circles outside, the person taking up this anti point of view might say: "Yes, but nepotism and corruption in administration——"

Lieut.-Colonel ACLAND-TROYTE: Hear, hear!

Earl WINTERTON: "Hear, hear," says my hon. and gallant Friend. Let him listen to the answer. "Nepotism and corruption in administration are the very bone and fibre of Asiatic life." What would be the reply? The Indian would say: "Can you point to an example, in any of the Indian-controlled municipalities, that are so flagrantly corrupt in their administration as the cities of New York and Chicago?" If you take the line of the superiority of the European over the Asiatic, you not only render it almost impossible for the British Empire to go on, but you are inviting very dangerous replies. The difference can only be one of method. I would like to ask my right hon. Friends one or two questions in regard to their attitude towards the White Paper. I listened very carefully to what the right hon. Gentleman the Member for Epping said. It was obvious that he was trying to be sincere and frank with the House as to what his attitude was. We all know that. After a full study of the White Paper, and with some knowledge of administration in India and some responsibility as a member of the Third Round Table Conference, I fail to see how the plan of the right hon. Gentleman, so far as it has been shown to us—and I say that we are not very clear about it—[*Interruption.*] I am just proceeding to discuss the plan.

Mr. CHURCHILL: I made it quite clear that I was speaking only as a humble private Member.

Earl WINTERTON: Is that quite worthy of my right hon. Friend? Here you have one of the most powerful figures in politics in this or any other country. Here is the right hon. Gentleman, with immense power and ability to sway masses outside, as certainly, in my 30 years' experience, I have seen them swayed. Here is the man who gets a longer report in any newspaper than any other living man. He has a great position outside, and he has been leading a group within the Conservative party against its accredited leaders, and when he is asked what his plan is he says: "I am only a humble private Member, and it is not for me to disclose my plan." I really do not think that that is quite worthy of my right hon. Friend's reputation.

Mr. CHURCHILL: I thought I said that we would be guided by the Statutory Commission's Report, subject to amendments that might be made in Parliamentary discussions, and that we would make an advance in provincial self-government as advised there. If that were a success, we would be ready to consider a further step after it had been proved that the Recommendations of the Simon Report had been turned into actuality.

Earl WINTERTON: I fail to understand my right hon. Friend's grievance. I said that I was going to proceed to discuss the plan, and he immediately interrupted me.

Mr. GEORGE BALFOUR: The purpose of the interruption was to correct the noble Lord when he said that the right hon. Gentleman the Member for Epping (Mr. Churchill) brought into being this group, or that he led it. The right hon. Gentleman has been well known to express his views in this House, and when this group was formed, chiefly through the instrumentality of the hon. and gallant Member for Wycombe (Sir A. Knox) and one or two others and assumed considerable proportions, the right hon. Gentleman joined it as a back bench Member of this House.

Earl WINTERTON: Even to my limited intelligence the whole situation is now quite clear. I really do not wish to pursue that further, but I only wish to be allowed to discuss the plan of my right hon. Friend the Member for Epping, which he seems rather to dislike my discussing. He seems to wish to disabuse my mind about it. Let me not refer to his plan but to his general thoughts. I fail to see how his general thoughts are likely to give more security and more chances of stability in India than the Government's proposals. I wish to discuss that point. The right hon. Gentleman's plan, or thought, or the right hon. Gentleman's scheme, suffers from the great and supreme disadvantage of being unacceptable to the very people a proportion of whom you must have on your side to keep out of danger in India, and they are the men in public life in India.

Let me face the situation frankly. It may be true, according to the underlying

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idea of all the speeches of those who are opposed to the White Paper, that the real evil in India is the politicians. It is only fair to observe that quite a number of people outside this august Assembly say exactly the same thing about this House. I do not wish to refer to myself, but when I made a speech some 18 months ago criticising His Majesty's Government, I ventured to say that it would be a good thing if the Members of all the front benches and of the back benches were sent to sea and were drowned, and that nobody would mind. I had hundreds of letters taking my remarks quite seriously. Some of them made references to the Front Bench on this side and the other side as well, to the bench below the Gangway and to other parts of the House, and said that they hoped that they would be included in the party. It is only fair to say that contempt for and suspicion of politicians is not confined to India. You have to work with the men in public life, in order to operate any constitutional system—Moslems, representatives of depressed classes, representatives of the anti-Congress Hindus, the anti-Brahmins and the Sikhs, all of them more bitterly hostile than many hon. Members realise.

To give provincial autonomy with an unchanged Central Government would be to give far less security to that country than the Federal Constitution proposed by the Government, for the simple reason that it would mean continual friction between the provinces and the centre. The right hon. Gentleman the Member for Epping made a rather moving but injurious reference to European business men, when he suggested that, as a result of a calamitous move, we had held a sort of red rag to a bull, namely, in the matter of Lord Irwin and Mr. Gandhi, and that these great business men had lost their nerve and were on the downward path. That is really absurd. I can assure my right hon. Friend that the business men in India know far more about what is good for India than some of his more vociferous supporters. They have said that this federal system, with all the defects and imperfections which can be stated about it, offers a far better chance of bringing permament peace and security than does any alternative scheme that has yet been put before us.

I want to say something about that. There has been an astounding misuse of terms and of appraisements of value in this Debate, or rather in the discussions in the country generally, among Conservatives who are opposed to the Government scheme. These Conservatives are willing to concede responsible autonomous Government in the Provinces, as recommended by the Simon Commission, with the important qualification that the new provincial Governments are not to control it; in other words, to leave to someone else the delicate task of carrying out unpopular measures. Just for a moment, imagine the happy position that a Minister would have in India, under the scheme propounded by my right hon. Friend and others, who want entirely to ignore the recommendations of the Simon Commission. The Minister would be able to bring in a Bill, however unpopular it might be. His advisers would go to him and say: "You must not bring in this Bill, because you will never be able to put it into operation. You will have the mass of people against you, and you will have to double your police." The reply would be: "Never mind about that. I am not responsible for the police. The British Parliament in its folly has kept the police under the old Government. Unpopularity will not rest upon my shoulders; it will rest upon the police."

That is the answer to the rather astounding reference made by the right hon. Gentleman the Member for Hillhead (Sir R. Horne) to the Home Secretary in this House yesterday. It was not true to say, when we discuss matters appertaining to the Home Office, that we are all full of embarrassment. On the contrary, it is part of our ordinary duty. It has been well said by a great speaker that a system of representative Government without responsible ministers and without responsible powers has led to endless friction and inconvenience wherever and whenever it has been employed. No one could deny that, least of all my right hon. Friend, from the speech that he made in this House on the South African Constitution. That is the real answer to his point about the giving of a form of autonomy to the Provinces. I would make this observation before I leave this subject: If the danger is so inherent as to make it criminal to risk responsible Government in India, why is it much

more risky to grant an All-India Government; hedged about with careful safeguards in vital subjects; and representative of the most Conservative forces in India?

I was rather amused yesterday when the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) was speaking. He referred to this new Constitution as being most reactionary, and received cheers from the hon. and gallant Member for Bournemouth. Since when has it been a crime in my hon. and gallant Friend's eyes to set up a Conservative constitution anywhere in the world? The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme was attacking the Constitution, from his point of view, for being so Conservative. The hon. and gallant Member for Bournemouth evidently agreed with him that it was a deplorable thing.

Brigadier-General Sir HENRY CROFT: I am afraid the Noble Lord quite misunderstood any applause I gave to the right hon. and gallant Gentleman. It is not because I think the Princes will be a Conservative element; it is because I am convinced they must ultimately vote with their religion.

Earl WINTERTON: The hon. and gallant Gentleman cheered the remarks about this being reactionary. The hon. and gallant Member has a great reputation in the country, in Bournemouth and elsewhere. Let him always cheer references to a Conservative constitution being set up. The right hon. Gentleman the Member for Epping sees inherent danger in All-India responsible Government hedged about by most careful safeguards, and representing the most responsible people. He thinks that if the Provinces are misgoverned by the new Ministers, it will destroy the whole structure of Indian government. Responsibility at the Centre is described as a great betrayal and abdication. I must make an observation. The combination of my right hon. Friend and the "Morning Post" using a word like "betrayal" strikes me as extremely humorous, in the unconscious sense. Eleven or twelve years ago the "Morning Post" was opposing the grant of self-government to Southern Ireland. I was among those—there were not so many in the Tory party—who lifted up their voices in support of a wise and courageous cause. In those days the right hon. Gentleman the Member for Epping was not only one of the betrayers, but might be described as the captain-general of the betrayers. The House finds it very difficult to reconcile the two situations. I do not want to pursue this part of the right hon. Gentleman's speech, or to embarrass him more, but some of his supporters never make a speech from a platform without referring to the "great surrender" in Ireland. It does not seem to me that the "Morning Post" and my right hon. Friend have been right on both occasions. If any of my hon. Friends are nervous and doubtful because of this newspaper, for which I have a great admiration, and if they are nervous of the effect upon the opinion of their constituents, let them rely on an equally Tory paper, with three times the circulation, the "Daily Telegraph," which has from the first supported this scheme of Federation for India, as being the safest and best scheme which can be proposed in the circumstances. I must make one further reference to my right hon. Friend's past speeches.

Sir A. KNOX: On a point of Order. Are we discussing the future of India or the past of my right hon. Friend?

Mr. SPEAKER: I thought we were having a Debate.

Earl WINTERTON: It may be that he supports provincial autonomy, and I think it is a fair question to ask whether he supports it believing that if it breaks down the *status quo ante* can be restored. I am not going to take what is called a "soppy" or sentimental attitude. I want to see what are his difficulties. My right hon. Friend said it was perfectly easy to get Indians to come in and assist in any form of Government. That is quite true. Although there are many who state that we are abolishing the Constitution, they would be prepared to come forward, but they would say they wanted an answer to one question, which is "How long are you going to apply this system, and will you give a guarantee that you will not be succeeded by a Government which will upset the whole apple-cart?" No one knows better than the right hon. Gentleman, who was a member of the Government in 1906, that

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it was by the action of that Government, between 1906 and 1910, that they destroyed the whole of the admirable administration of Ireland by Unionist Governments.

My right hon. and gallant Friend the Member for Newcastle-under-Lyme was in the midst of his peroration, and I did not interrupt him because I have a very great admiration for him and an old friendship, but he pointed across the Floor of the House and said, "You are responsible for the South African Constitution." We are not responsible. There is the man, the right hon. Gentleman the Member for Epping, who, more than any other, is responsible. I am not saying whether that Constitution is a good or bad thing. You could have governed South Africa as Lord Milner did for many years. By so doing you might have avoided the worst dangers of racialism that exist to-day. What upset that was the existence in power of a Government of the Left, of which the right hon. Gentleman was a member. Supposing the right hon. Gentleman found himself the head of an Administration, he could put his views into operation, if he had a majority, but they would be upset by the next Government of the Left, either Liberal or Socialist. We would be in a worse position than before. We live in a very different world compared with that which existed before the War. There are tremendous changes of policy. One day you have a majority on one side, and next day, almost, you have a majority on the other.

The proposals in the White Paper represent, I think, the best scheme that can be put forward in the circumstance. It is not a cast-iron scheme, or a reinforced-concrete scheme. It is free to be considered by the best means open to this House. It is free to be considered by a Joint Select Committee of both branches of the Legislature. I regard as rather fortunate the reference which the Minister of Health made to this proposal. Perhaps I do not know what he means, but I do not think we should approach it from that point of view. We should say, there are our proposals, and we think them the best, but they are open for reconsideration. The Minister of Health is a new recruit to the Conservative party, and has attached undue importance to the views of the "Morning Post" and those who read it. He was making a speech in Kent where the "Morning Post" is largely read. The Government have put these forward as the best proposals, after years of most careful consideration. It is for others to put up a better plan if they can produce it. I sincerely hope that even, at this last moment, my right hon. Friend may give his really great aid, because the aid he can give is enormous. I do not know anyone in this House who can give more aid.

We talk of Privy Councillors and ex-Cabinet Ministers, but there are only two who really count. They are the right hon. Gentleman the Member for Carnarvon and my right hon. Friend. He has got immense power and influence, and I beg him to use it, in the cause he has supported throughout his political life—the cause of reconciliation. He has been far more successful in construction than in purely destructive criticism. It is not too late for him to help. Most calamitous rumours are abroad to the effect that he will refuse to have anything to do, directly or indirectly, through his influence, or in any other way, with the Joint Select Committee. I hope that is not true. I think it would be in the highest degree contrary to the public interest. I wish to recall to his mind his words about reconciling the spirit of the Irish people to the British nation, in the same way as Scotland and Wales are reconciled, and that then we might secure a bargain which would repay the troubles of the time. I offer this scheme not as one of sabotage of a long and honourable connection between Great Britain and India. I say it is a renewal of the great trunk line which has always joined the welfare of the people of the Indian peninsula to Great Britain.

7.15 p.m.

Mr. MAXTON: I will not detain the House for more than a few minutes. I do not propose to examine the details of the White Paper, but my hon. Friends and I propose to cast our votes against the Motion which the Government have put down; and we do not propose to cast our votes for the Amendment which has been put down by hon. and right hon. Gentlemen above the Gangway. In these cir-

cumstances, we do not wish to give a silent vote, which might easily be misunderstood both here and in India. I congratulate the Noble Lord the Member for Horsham (Earl Winterton) on his very witty speech. He does not intervene frequently, but, when he does, he is always witty. I think, however, that his speech to-day was largely wasted, because, as we view the speech of the right hon. Gentleman the Member for Epping (Mr. Churchill), the speech of the Noble Lord, and the proposals of the Government, we cannot see any such essential difference as need arouse any heat in the Conservative party; nor, indeed, do we see, in the proposals put forward by hon. Gentlemen above the Gangway, any difference that would be sufficient to justify their putting an Amendment on the Paper. They all stand for British Imperialism in India. Hon. Gentlemen above the Gangway speak of the British Commonwealth of Nations, and of bringing India into the British Commonwealth of Nations, but those are the exact words which the Secretary of State used when he was putting the proposals before the House, and all that has been discussed so far is the question of how much England is going to interfere in the affairs of India.

No body—not even the official Opposition—is suggesting that England should not interfere with the affairs of India at all. The right hon. Gentleman suggests a maximum of English interference in Indian affairs. Indians, he says, still need to be led by the hand; they are our children, who have not yet grown up sufficiently to walk by themselves, although we have been their wise parent for 150 years, which is longer than the average infant takes to learn to walk. The right hon. Gentleman would give them a minimum of Indian liberty and a maximum of English interference. Right hon. and hon. Gentlemen above the Gangway suggest a minimum of interference, but the Dominion link, and in their Amendment there is no reference to the time factor. The Government position as defined in the White Paper I should describe as one of "backing it both ways." It would, perhaps, not be regarded as a proper expression if I said that it was an attempt at "double-crossing." Presumably, however, the attitude of the Government is that they want a policy which can either increase the Indian share of self-government or diminish the Indian share of self-government—which can either strengthen or reduce the amount of English interference. We take the attitude quite definitely that England has no right in India at all, and that the one decent thing that England can do for India is to get out.

It has been asserted by many speakers, including the Secretary of State for Foreign Affairs, that during England's period of interference in India many great things have happened in India. It would be difficult to roam the world's surface and find any country where things have not happened in the last 150 years. It would be difficult to find a country anywhere that is farther back to-day than it was 150 years ago. But, if there is one country in the world where the amount of advance is of the most limited nature, that country is India under English rule. The Under-Secretary to-day, in opening the Debate, referred to great hydro-electric schemes fostered and developed by the Government. If I remember aright, the Under-Secretary of State in the Labour Government used to hold that up as our great *magnum opus*, and also the irrigation schemes. But every country in the world has been developing hydro-electric stations during the last few years, and all the drier countries have been developing their irrigation methods. It is not distinctively English. Ireland has developed hydro-electricity, and I believe it has been done there by German engineers. Surely, we are not going to claim that this particular scientific development, which is taking place in every corner of the world in the natural course, and to which scientists and technicians of all countries have contributed, is something——

Mr. BUTLER: I am sorry to interrupt the hon. Member, but my point was that this scheme was developed under the transferred departments under Indian control, working in collaboration with European experts.

Mr. MAXTON: I am sorry if I misunderstood the hon. Gentleman. He was, therefore, giving the credit of it to the Indian people themselves——

Mr. BUTLER: Working in collaboration with European experts.

Mr. MAXTON: That is exactly my point. The suggestion is that this

[Mr. Maxton.]

wonderful combination of the English and the Indian characters has produced a hydro-electricity system in India. But such a system has been produced in Norway, where it is much more highly developed and efficient; it has been developed in the United States, and in Russia. Therefore, while it would be foolish to say that improvements have not taken place in India in the 150 years during which there has been British occupation, and latterly British government, it would be foolish for us, and it would be a mistake, to pat ourselves on the back and say, "Look what we have done." [An HON. MEMBER: "What about China?"] China is at least in this position, that there has been developed in China during these latter years a real, genuine, militant struggle among the common people for liberty, for modernisation. I see an hon. Member shake his head, but that is my impression, and that is my information with regard to the type of Chinese with whom I am in contact, the man who is struggling there to liberate the people of China; and the fact that there are such men—I read their writings and correspond with them—is an indication to me that the Chinese people, the common people of China, are awakening and alive to the fact that the struggle to-day is not a struggle about constitutions, but a struggle about economic things; that it is not a struggle as between nationalities, but as between classes in the same nationality. That constitutes the superiority of China over India as I see it to-day. It is not much, but it is there, and, in my opinion, it will develop.

I am not giving what will be helpful to the Select Committee when it comes to work. We take the line absolutely that the one thing we can do is to leave India to work out her own salvation. That is described as "scurry," as "cut and run." It is described by all the awkward terms that suggest cowardice and the shirking of responsibility. Describe it in as ugly language as you like. I describe it as giving human beings, to whom the resources of the civilised world are as open as they are to any one of us here, the responsibility of conducting their own lives and running their own affairs. So far as the White Paper is concerned, the one over-riding criticism that we make is that it is a machine-made Constitution. You can feel it; you can hear the wheels grinding round, the ball-bearings without the proper amount of oil, and all the rest of it. It is cranky. It is the only kind of Constitution that an alien people could make for somebody else. Probably the reason why the South African Constitution did not work, why the Irish Constitution did not work, and why the German Constitution is not working to-day, is that in those Constitutions there is no evidence of an actual outgrowth of the people themselves. The constitutional instrument that is going to express a nation's will has to grow out of that nation's characteristics. It cannot be made in some back room in Whitehall by any civil servant, however skilful.

That brings me to my final point. We want to see the people of India free and independent. We want to see them wiping out the rule of their Princes, their moneylenders, their millionaires. We want to see them on a higher level of comfort and freedom. We want to help them all that we can. But their fight must be their own fight. It must be the fight of the common people of India. They must banish from their minds entirely the idea that the getting of any right to govern themselves will remove from them the major problems of poverty and exploitation. They will still have to fight against the economic exploitation which is the real evil from which they suffer. In my view, the age of Imperialism is past. The age of the great magnificent Empires is going. Britain, which has had the longest experience of Imperialism, should be the first to tell the Japanese and others who are struggling now to build an Empire that this idea is greatly over-rated—that there is nothing to it in the long run. It is like the personal riches of the individual, which are more trouble than they are worth. The laying up of large wealth only makes you worry about the moths and the dust.

A promise was given to India in 1917. We said in that Declaration that a Statutory Commission had to be set up within 10 years. The British Parliament took the whole 10 years, the maximum limit that it was allowed, before it set up that Commission. The Commission did its work in a very leisurely fashion. The House of Commons has taken any amount of time and has had numerous

Round Table Conferences to discuss the Report of the Statutory Commission. Now we are setting up a Select Committee. The Simon Commission was set up, I think, in 1927. In 1933 we are getting a White Paper, and now we are passing a Motion to set up a Select Committee and, if I understand the Leaders of the present Government, as I think I do, the instruction to that Select Committee will be, "Do not rush it. There is plenty of time. It is slow, careful, very gradual work. Perhaps by the time you have finished we shall be out of office altogether and another Government will have to take the next step." From 1917 to 1933 the Indian people have been waiting to see the promise of freedom that was given them being realised in fact. To-night again we are shirking responsibility. The right hon. Gentleman the Member for Epping is shirking responsibility. He knows that he ought to vote against this proposal now. If he does not mean India to have more liberty, as he does not want India to have more liberty, he ought to vote to-night and not wait until the Select Committee produces something else and it comes before the House of Commons in concrete terms. He ought to show now, and every Member of the House who does not want to proceed along those lines ought to show to-night, as we propose to show, that we are not in favour of the progress to Indian liberty along this route.

From 1917 to 1933, 16 years have already been exhausted and the proposals to-day give at least another five or six years of delay. The Government have plumed themselves on the fact that they have got quietness in India by putting men in gaol. I admit that that always works. In my own experience, when a few leaders are put into gaol the particular movement for which they stand quietens down for the moment, but very shortly there is a rally and they go forward again with greater vigour and with greater anger in their hearts. The movement that I am concerned about is not that very decent, respectable movement of the Congress led by Mr. Gandhi. The movement that I want to see developed in India is the movement that is represented by the men of Meerut, now locked up for long terms of imprisonment because of their attempt to bring about the beginning of a working-class movement. These men are not being treated as first-class prisoners. They are being treated as desperate criminals. Not one of them has committed a crime. Their crime was that they dreamt of developing a great working-class movement which would overthrow not merely the British but the rule of the Princes, the rule of the jute magnates, the mineowners and all the great exploiters of the Indian people. That is why they are in gaol, and the movement for which they stand is temporarily still, but it will grow again and, while the Select Committee is quietly and comfortably perambulating along, discussing all the details and taking time about it, trying to make the scheme more perfect, trying to conciliate every possible section and only dissatisfying more sections as they satisfy one, this movement will grow in strength and by the time your legislation is ready I hope, and my friends hope, that it will not be required by the Indian people.

7.37 p.m.

Sir ROBERT HAMILTON: The hon. Member has very clearly explained the views that we all know he supports. I should like to remind him that the Motion before the House is to set up a Select Committee to consider the Government proposals, and not to consider the policy of leaving India, which is a very different matter. The proposals that are coming before the Joint Select Committee are the proposals of the Government policy for establishing rule for the people in India in co-operation with Great Britain.

Mr. MAXTON: I understood that what we were discussing was whether we would or not set up a Select Committee as a means of conferring self-government on India.

Sir R. HAMILTON: To consider the Government proposals.

Mr. MAXTON: As a means of conferring self-government on India.

Sir R. HAMILTON: I was only drawing attention to the fact that the Government proposals do not contain the policy put forward by the hon. Member. The Noble Lord the Member for Horsham (Earl Winterton) made a very witty speech, but I think we must all admit that it contained a great deal of very sound sense as well, and, after the way

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he dealt with the right hon. Gentleman the Member for Epping (Mr. Churchill), I do not think it will be necessary for anyone else to touch that subject. This setting up of the Joint Committee definitely marks a stage in the journey on which we have been going, and nothing has astonished me more in the course of this Debate than to observe how much the critics of the Government seem to have forgotten, or to have tried to wipe out from their minds, what has been passing during the last 15 years. I will quote a few famous declarations. There was the King's Proclamation in 1919 in which His Majesty declared:

"The Act which has now become law entrusts the elected representatives of the people with a definite share in the government and points the way to full responsible government hereafter."

Two years later again by His Majesty in the Instrument of Instructions to the Governor-General:

"Above all things it is Our will and pleasure that the plans laid by Our Parliament may come to fruition to the end that British India may attain its due place among our Dominions."

That was the beginning of our policy at a time when we were only dealing with British India. The road we were travelling on became wider and more difficult to travel when the first Round Table Conference was called and the Princes made their famous declaration that they were ready to come into a federated India. That definitely changed the whole political position, and that policy which was laid down at the first Round Table Conference, was definitely accepted by Parliament, a point which I should like to recall to the memory of the critics of the Government. That policy was accepted only a year ago. Since then there have been two further sessions of the Round Table Conference which have been considering the general lines of policy. Now we are getting down to the matter of machinery.

There has been a certain amount of criticism directed to various points in the Government proposal. I do not think this is the occasion to go at length into detailed criticism of the actual proposals. That is definitely the business of the Joint Committee,. The Under-Secretary, in a speech which the whole House enjoyed, made replies to certain criticisms which had been directed against various proposals, and, because I do not make any criticisms now, it must not be thought that I have not several criticisms which no doubt will be developed when the Joint Committee comes to sit and the various points are brought before it for its consideration. Criticism has, of course, been delivered from all angles, and particularly from India, where each interest concerned has naturally looked to see how it would be affected.

I only propose now to make a few remarks on one or two of the broader aspects of the position. I am certainly prepared to give full credit for the honesty of conviction of the critics of the Government. People have very different views on this very difficult question. We all feel the great responsibility that lies upon us, but, when critics of the Government say we are going too fast, we know how the critics of the Government on the other side say we have been going far too slowly, and, after all, the criticism that you are going too fast is the one that always comes from the man who does not want to go forward at all. Then again it is urged that it is too great a risk for us to take. But these are the occasions when we have to take risks and very often, as we all know from our own private affairs, as well as in public affairs, when there is a question of taking a risk or not the safest course generally is to take that risk and I, for one, feel confident that the House and the country will be taking the safest course in taking the risk of all that is involved in endeavouring to set up this great Federation.

The alternative that has been put forward is either to stand still and do nothing or a half-hearted alternative like that put up by the Noble Lord the Member for Aldershot (Viscount Wolmer) to try out responsibility in one or two selected Provinces, quite regardless of the fact that that is an impossibility having regard to the present state of affairs. It could not be put into work, and it has been definitely agreed by the whole of political opinion in India, and accepted on this side, that we must make an advance both in the Provinces and at the centre together. It should not be forgotten through all these Debates that what was definitely

put forward and accepted by the Round Table Conference was a responsibility in the Provinces, responsibility in the centre and a Federation with the Princes in it. That is the policy of the Government. Those are the general lines of it. The Joint Committee will have to consider the particular machinery for giving effect to it.

There are always some people who think that they can keep the pot boiling and keep on safe ground if they can have a time limit. But when the explosion comes, as inevitably it will come they will go up with the burst. To the critics in India who complain that we are going too slowly and who are always asking for dates as to when this scheme can be brought into effect, I would say that you cannot give definite dates. Never, I suppose, has a task of such unprecedented magnitude been undertaken, and it would be ridiculous to attempt to give a specific date that on the 1st of such and such a month, of such and such a year, such and such a thing should come into effect. We have to go slowly. We are bound to go slowly in these matters. I hope that although we are bound to go slowly, the Government will always bear in mind the importance of going as fast as possible with safety.

In India a great deal of attention is naturally being centred upon the safeguards. White Papers are never very attractive reading in the style of bright journalism, but this particular White Paper must have been rather gloomy reading to the ardent souls in India who are anxious to see progress made very quickly. They must have felt considerable disappointment when they read the speech of the Secretary of State in that very clear exposition on the first day of the Debate of the proposals of the Government. Apparently every contingency have been thought out and every possible eventuality, and the safeguards are all detailed and written out until they make a most formidable list. It rather reminds me of the man who reads a medical book and sees all the diseases from which he might suffer. He does not feel very well and he realises from the symptoms what an awful thing life would be with all those diseases around him all the time. We have to remember that there is such a thing as normal health and normal life.

We should ask our Indian friends on the other side not to regard these safeguards as the normal exercise of authority by Great Britain in India, but rather as the necessities—which they have agreed are necessities—which should be included in the Constitution, but which, as responsibility is exercised by Indian Ministers and as the sense of responsibility grows, will inevitably and properly fade further and further into the background. The transitional period to which the Indians attach so much importance must depend upon the amount of success which the working of the Constitution will achieve, and in order to achieve success they must remember that it depends upon co-operation with us. It is only this country which can give India what it really wants, and it is by co-operation with us that they will best achieve success and shorten the transitional period.

The point which we are reaching now is really the most difficult one. We are getting away from the vaguer lines of policy and getting down to the hard facts of the position. It is no use blinking difficulties. We have to look at the difficulties, and we have to face them. Though Parliament may be legally and technically responsible, the responsibility is, after all, a joint one between India and ourselves. On this particular point, I hope that we may have some fuller information than we have had so far as to the position which the representatives from India who are to be called into consultation with the Joint Committee will occupy in that committee. The Under-Secretary of State to-day made a slight reference to the matter in his opening speech, but I hope the position will be made very much more clear than it is at present. We all know, and some of us regret most deeply, the mistake which was made some years ago in not associating the Indians who will be responsible for the working of the future Constitution more closely with our Statutory Commission. I hope most sincerely that we shall not do anything in the way of repeating that mistake when it comes to the work of the Joint Select Committee. As a matter of fact, I know that that point is very much in the minds of leading statesmen in India. It would assure public opinion in India very greatly if it could be pointed out, and pointed out with authority, that those Indians who will be invited to consult with Members of Parliament in this country will have

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a joint responsibility with them, although the legal and technical responsibility may rest on Parliament, and that their responsibility will obtain with the Joint Select Committee in helping to set up the Constitution which they, after all, will have to work.

I should like to refer the House to a Joint Select Committee which has only recently sat and of which I had the honour to be a member. That Joint Select Committee was appointed to consider proposals made by the Government with reference to closer union in East Africa. The Government put before that committee very definite proposals and very definite policy, but at the end of two or three months, after very close consideration and after the calling of a number of witnesses from Africa, the committee very materially modified the proposals of the Government in a great many directions. I would remind the House that it is in the Joint Select Committee that the machinery which is proposed is to be most closely examined, and not only is it to be most closely examined, but it is to be altered, where we think that it should be altered, in the interests of the future Constitution which is hoped to see set up. I am sure that, although the Government are not bound to accept the proposals of the Joint Select Committee, any proposals which are put up by that committee after full consideration with the representatives of India can hardly be ignored by any Government which may be in power.

The Secretary of State has had to steer a difficult course. He has done it with a balanced judgment, very considerable skill and great caution, but I would like him to have a little more faith, or to show a little more faith and courage, in his actions and let people outside believe, as we believe, that he is acting in the full interests, both of England and of India, and that he is acting with a faith and courage which will prevent this enterprise of Great Britain at the moment being turned awry. If we need courage ourselves as a nation to act greatly in this great enterprise, courage will no less be needed by the Princes and peoples of India to make mutual concessions for the common good and to act in co-operation with us, for by that means alone can a lasting foundation for a federated India be laid.

7.56 p.m.

Lieut.-Colonel Sir WALTER SMILES: I find myself in agreement with much that was said by the hon. Gentleman the Member for Orkney and Shetland (Sir R. Hamilton), but I am not in agreement with the point which he made that the Indians must be associated with the report of the Joint Select Committee. I think that that is a responsibility by which the committee alone must stand or fall. I hope that the hon. Member will pardon me if I do not follow him any further into his arguments because time is short, and I have been asked to compress my speech into the smallest possible time. I listened to the speech of the Noble Lord the Member for Horsham (Earl Winterton), and I am sure that if we had had him with us on the Assam Legislature Council his eloquence would have converted every non-co-operator on that council. After that we listened to the speech of the hon. Member for Bridgeton (Mr. Maxton) and his eloquence, I dare say, would turn the whole lot of the council then into non-co-operators instead.

I want to give the House a few facts, for, after all, a pound of fact is really worth a ton of theory. The only three matters to which I particularly want to call attention are, the cotton trade, opium, and oil. We know the history of the Fiscal Convention in 1919. We heard the hon. Member for Doncaster (Mr. Molson) and the hon. Member for Hulme (Sir J. Nall) discussing this question and the reasons for the tariff conventions last night. We also know that the Montagu-Chelmsford reforms have been expensive, and the new reforms which are coming will be more expensive, though not possibly as expensive as the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) made out when he said that the cost of election to a candidate might be £10,000. I think he might divide that by five or more and then be nearer being accurate.

However, these schemes are very expensive, and I want to point out to the House who pays for some of the reforms at the present time. You have only to go as far as Lancashire and see in front of the Employment Exchanges the queues of weavers and spinners who are out of work. Those are some of the people who are now paying for the Montagu-

Chelmsford reforms. Look down the list of bankruptcies in Lancashire during the past two or three years and you will see the number of cotton mills. Those are some of the people who have paid for the reforms. Only last week the matter was forcibly brought home to me. On Thursday last I was in my constituency and met a friend who owned five or six mills and who had gone bankrupt about six weeks before. He said to me: "You know the reason why I have gone bankrupt." I said: "I suppose it is the usual thing—bad trade, and you took on too many commitments." "No," he said, "it is not that. It is the 25 per cent. import duty into India." After his examination in bankruptcy that man was discharged without a stain of any kind upon his character, and I understand that at the present moment the people in his town are subscribing money in order to put him into business again. He has a very high character indeed. Those Lancashire weavers and spinners and the people who own the mills are the people who are having to pay for those reforms.

When old Boudhoo, up in Assam, buys his wife a new saree, he cannot, owing to these duties get as good value as he used to get. Little Phulmonie, his wife, when she takes her clothes on the Sunday morning down to the stream to wash them, lifting them over her head and beating them on the stones, does not understand why the clothes only stand two or three washes now compared with what they used to do. It is because she is not getting as good value for her money as before. The spinners and weavers in Lancashire, and these poor people in India who wears the clothes, are paying now for the Montagu-Chelmsford reforms. The right hon. Member for Epping (Mr. Churchill) said that the Montagu-Chelmsford reforms had failed. In many things I agree with him, but, as a humble member of the Assam Legislative Council for six years who had the privilege of trying to work these reforms, I say definitely that they have not failed. Most certainly they have not failed in Assam.

It is our duty to explain to our constituents what is going to happen under the new reforms. In 1919, when the Convention went through, every Lancashire Member knew what would happen to the cotton trade of Lancashire, and he explained it to his constituents. If they did not do so, they had not much foresight, or else they were dishonest. It is our duty now as Lancashire Members to explain the present position to our constituents. We were not responsible for what happened in 1919, but we are taking a new step to-day, and it is our duty to explain all its implications to our electors. I am one of those who fear the Princes, even though they are supposed to be bringing the gift of constitutional stability at the Centre. There are a few questions that I should like to put to the Under-Secretary. What is going to happen in regard to the Customs Duties in those Indian States that are on the sea coast? It may be said that that is a Committee question. On many of these points that I find difficult I am told that they are Committee questions. It is because I am trying to speak on matters that are worrying me that I am putting these questions to the Under-Secretary. I must confess that I almost agreed with many things that he said to-day in his speech. Is it intended to let off any of the States from the tribute which they now pay to the Central Indian Government, as a bribe to make them come into Federation? Some of these States pay a very heavy tribute now. Is it intended to let them off?

The other question is a big question, namely, that of opium, and it concerns us very much in Assam. The right hon. Member for Darwen (Sir H. Samuel) said yesterday that we were discussing these big constitutional questions, and he asked where is the Member for Madras? Where is the Member for the United Provinces? I claim, here and now, to be the Member for Assam. If my old friends and fellow members of the Assam Legislative Council were listening to me now I would say exactly what I am about to say. I am very worried about the question of opium. What about the two States of Malwa and Udaipur? Much of their revenue comes from the growing of opium, which is sent contraband into Assam. Opium is not a western vice. I am ashamed, as an Assamese, to say that opium is a weakness of some of my friends in Assam. Everybody there, official and non-official, European and Indian, from the decent Naga, who may steal your dog to take it home for his Christmas dinner, down to the holy

[Sir W. Smiles.]

Gossains at Majuli, all have tried their best to stamp out the curse of opium, but they are being hampered by some of the native States. What are you going to do when the federation comes? Are you going to prevent Malwa and Udaipur from growing opium and ruining the people of Assam? They have made an honest attempt there to shut down this vice.

When a Finance Committee was sent out to India they found that Assam was a deficit province. They found that we were 38 lakhs down during the last three years, simply because we had lost revenue from opium. That is why we claim something in return. Is there any report of opium smuggling into Assam? If so, has it been shown to the Assam Legislative Council, because my friends who write to me from Assam have never seen it. The Finance Committee which found that Assam was a deficit province suggested giving us a subvention. It is not a subvention that they want, it is not charity that they want, but justice. There are two provinces in India which produce oil, the Punjab and Assam. I exclude Burma, because I anticipate that there will be a separation of that province from India. When I make remarks about Assam oil I am making no accusation against the Burma Oil Company. I am not financially interested in that company. They have done an enormous amount of good work for the people of India, they have supplied revenue for the Government and cheap kerosene oil for the people. At the present time the Central Government draws 110 lakhs a year from the Assam oil, and the estimate of the Finance Committee is that Assam's deficit may be as much as 92 lakhs a year. That is why Assam asks that half the excise duty on oil should be transferred to the Assam Budget. I have the support of every Member of the Assam Legislative Council in that claim. I daresay the Under-Secretary has seen some of the debates that took place during the past month on that subject. I received the reports last night.

At the present time Assam is a very backward Province. We have more lepers in Assam than there are in any Province in India, and the facilities for treating leprosy are much less than in any other Province. We have a smaller number of roads per person or per square mile than any other Province in India. We have no High Court or University, and there is no women's hospital in the whole of Assam. The Under-Secretary may say that it is a mere matter of luck that Assam found oil within its boundary. Is it also luck that the disease of kala-hazar is prevalent in Assam and not in other Provinces in India? It is worse than malaria, though perhaps not as bad as yellow fever, but it has absolutely decimated the Province in the past. They have had to spend lakhs of rupees in trying to stamp out kala-hazar there. Therefore, it is justifiable for Assam to claim to receive one-half of the excise duty on oil. Assam produces oil and Bengal produces jute. What about the export duty on jute? You are going to give one-half of that export duty to Bengal. What are the records of Assam and Bengal? Have we in Assam any murders like the two which took place at Chittagong? Have we anything like the murder of Mr. Lohman, the superintendent of police, or the murder of the political officer in Hill-Tipperah and of the two Deputy-Commissioners in Midnapore—all in Bengal? Are the Government going to act as the British Government acted in the South of Ireland, where they let down the Loyalists? Are they going to deny justice to Assam whilst they bribe probably the most disloyal Province in India, Bengal? I hope that the Under-Secretary, who is steeped in Indian tradition, will see that there is fair play for our Province of Assam.

There is an idea prevalent in this House that every Province in India immediately wants to jump into the Federation. I will quote from a short extract from "The Sylhet Chronicle":

> "If Assam cannot come up to the level of the other provinces she will be a weak spot in the Federation, and it should be the interests of the Federation to see each unit strong enough to march along in perfect equality. Otherwise Federation or autonomy would be a curse to Assam, and the last thing we would desire would be a Federation which would break down under its very weight."

That is a quotation from an Assam newspaper and shows what they think about Federation. Therefore, it is wrong to assume that the whole of India is anxious immediately to jump to the idea

of Federation as being necessary at the present time. You must have the provinces financially independent before you can make certain of having successful Federation. I do not believe in subventions, but I believe in justice. Remarks have been made about Lord Irwin's statement on Dominion status at the end of 1929. I have never seen anything wrong in that statement. I believe that the ultimate goal of India is Dominion status within the British Empire, and I hope that we all agree that our ultimate goal will be that. It may not come in my lifetime, but probably it will come in the lifetime of the Under-Secretary, who has told us that he belongs to another generation. However, it will not come for some time. If the provinces are successful in their autonomy, I wish them God-speed towards the early fulfilment of their ultimate destiny, but I want to see their autonomy proved success first.

The Simon Commission report has been rescued to-day from the bottom of the waste-paper basket. I should like the members of the Joint Select Committee to rescue some other papers. There is one paper for which I was partly responsible, namely, the report of the Select Committee appointed by the Assam Legislative Council to co-operate with the Statutory Commission. There are also reports there from the various Provincial Governments. It is not every Government or every committee that recommended the immediate transfer of the police. In Madras both recommended transfer, in Assam both Governments recommended transfer, but in the Punjab the Government recommended only the transfer with safeguards. In Bombay the committee advised that the police should be a reserved subject for the present, and in Bengal the Government also said that it must be reserved. It is not true to suggest that every province advised the immediate transfer of the police. Conditions in every province are not the same. I fear for justice when communal differences are in question. I quote now from the Bihar and Orissa Report, page 576, Vol. III. of Statutory Commission:

> "Specially deplorable is it that owing to the fact that the accused was of one community and the gazetted officer and the head clerk were of another, a communal favour was recklessly imparted into the case; and thereupon so many Government clerks and peons, all belonging to the community of the accused, covertly perjured themselves without scruple in support of the egregiously false and cruel defence evolved that the embezzler had made over the money to the head clerk, a Muslim, and the Hindu magistrate had not only rejected the simple and straightforward case of the Crown."

That is the judgment of Justice Macpherson, and it can be seen in the report of the Statutory Commission. There was also an incident in Assam which I remember quite well, you will see it quoted on page 255, Volume XIV of the Statutory Commission's report. It happened during the time of the search for terrorist arms. Every one admits that it is not the non-co-operators who are murderous; it is the terrorists, the people who are actuated by Bolshevism, and such a menace does exist in India. A Mohammedan sub-inspector went searching a house for arms and during the search the Koran was torn. There was a tremendous outcry and for six years it went on in the Assam Legislative Council. Eventually the council passed a resolution that the sub-inspector of police should be immediately dismissed. It may be a Mohammedan sub-inspector to-day; but who may it be to-morrow? It may be an inspector-general of police. The Legislative Council will want the Governor to dismiss; and he will be placed therefore in a difficult position. That is one of the possibilities which may face any Governor in future.

Another question, to which the right hon. and gallant Member for Newcastle-under-Lyme referred, is the constituencies for labourers. I am thinking now about the tea-garden labourers, about one million of them in Assam, to whom there has been allotted four seats. It will take you nearly a week to get from one end of the Province of Assam to the other, and if you even divide the province into quarters it will be extremely difficult to fill these positions by popular election. I suggest that the Joint Select Committee should consider allowing some form of nomination to the Governor. In the original report of the Assam Committee we advised that five seats should be in the nomination of the Government, so that if the depressed class, or any other class, did not get representation they would be able to get such representation through the Governor's nomination. One point we had in view was, of course, the representation of women.

[Sir W. Smiles.]

We then recommended adult suffrage and open voting, and I remember discussing these questions with the hon. Member for Limehouse (Mr. Attlee) and the late Mr. Vernon Hartshorn. They said that it was a sensible proposal, but that they did not think the British Houses of Parliament would ever agree to open voting. At any rate, I have an open mind on this subject, and am prepared to change my mind now. We cannot afford to break any pledges, although the Secretary of State has said that so far no pledges have been made. I remember an Irishman, Mr. O'Donovan, speaking in the Legislative Assembly in Delhi about terrorism. A Bengali Swarajist later said that there were only two races in the world who really understood politics, one the Bengalis and the other the Irish. I notice that Mr. Patel is taking his post-graduate course in politics in Dublin. I should feel much more comfortable if he had chosen another university, and taken his post-graduate course at Stormont Castle with Lord Craigavon in Northern Ireland.

I should like to see a certain amount of elasticity in the Constitution. After all, the provinces, before they transfer the police or join the Federation, should have a chance of deciding the matter for themselves. If you make your own bed do not complain about the lumps in the mattress it is said, but one should also have a chance of choosing one's own bedfellow. Only the Princes and Burma are given any option, and I can foresee a small province like Orissa being overlaid and suffocated by her neighbours, Bengal and Madras, and my own province of Assam, at another corner of the map, having the bed clothes' stolen by Bombay, and being left in the financial cold. Some latitude should be given to all the provinces to decide whether they will come in or not. The Lord President of the Council who leads the Conservative party may say that it is easy enough to vote for your leader when you agree with him, but what I am sure he wants is people who will vote with him even when they do not agree with him. There have been cases where we have voted with our leader although we did not agree with him; the Statute of Westminster Act, the London Passenger Transport Bill, the £4,500,000 to Austria, and last, but not least, beer. We feel extremely glad that the Motion has been so framed that we can vote in the Government Lobby to-night.

8.22 p.m.

Mr. E. T. CAMPBELL: The Secretary of State for India in his epoch making explanatory speech on Monday made it possible for all reasonable minded Members of the House to vote for the setting up of the Joint Select Committee, with the Government proposals as the terms of reference. I was in the East when the Montagu-Chelmsford agreements were made. I deplored them then, and I have deplored them ever since, but I would remind hon. Members that the people who made the Montagu-Chelmsford agreements are the people responsible for the proposals of the Government now before the House. The responsibility, therefore, to a great extent is taken out of our hands, although the responsibility for the future is entirely in our hands. We have, therefore, to proceed with due caution. The White Paper is not perfect although in general I approve of it.

I shall have some criticisms to offer for the consideration of the Joint Select Committee. I take it that this is the only opportunity we shall have of expressing our views, and I hope that the Joint Select Committee when they meet will go through the OFFICIAL REPORT, and read the various speeches which have been made so that any suggestions that are made with a view to improving matters will be taken into consideration. I would remind the House of the advice given to the purchaser of a new motor car. Run it slowly for the first few hundred miles, keep the engine and gears well oiled, and the brakes well adjusted. In this instance we must bear in mind too that the machine is to be made suitable for a tropical country and will be driven by Indians, with a gradually decreasing number of Englishmen. We must take care not to get rid of the skilled English mechanics too soon.

A great deal of the success of this scheme depends upon Viceroys and Governors. We have had some very excellent Viceroys and Governors, and we have had some who have been less wise or tactful or strong. But, generally speaking, I maintain that our Governors have been some of the finest men that this country has ever sent out. There are as good fish in the sea as ever came out

of it, and when one looks around this House and the other House, and imagines some of the young men as future Governors or Viceroys, I feel every confidence that these gentlemen will be just as capable as any of their predecessors.

Then we have the Indian Civil Service and the police, two of the finest Services in the world, with some of the best products of this country in them. I regret deeply the nasty insinuations cast upon them this afternoon by the right hon. Member for Epping (Mr. Churchill), an insinuation which he did not even withdraw when he was asked to do so. When his remarks reach India they will cause a great deal of harm and heart-burning among some of the finest men—I have amongst them my own relations—who have served this country well and have served India equally well. The Civil Service and the police will be indispensable for many years, especially in the agricultural districts, if the new Constitution is to succeed, and perhaps even more so now than before. On page 36, paragraph 72 of the White Paper it says that a statutory inquiry with regard to their future equipment will be held in five years after the Act commences. I hope that the Joint Select Committee will not agree to that proposal. If an inquiry must be held, do not let us tie it down to any particular date. The fact that we were tied down to the Statutory Commission after 10 years of the Montagu-Chelmsford scheme has put us into the difficulties in which we are to-day. We feel that there is a moral obligation on us to go forward. This is a result of the Montagu-Chelmsford Report stipulating that we were compelled in 10 years time to appoint a Royal Commission.

I have been asked to state the views of the European Association of India, after a preliminary investigation of the proposals contained in the White Paper. These have been received in this country by telegram within the last 48 hours. The European Association consists of some 8,000 members, who form a large proportion of the European population in India. The Association gives its full general support to the proposals. They say that the proposals represent a very great advance, but the British in India have, from the outset, believed that such an advance was necessary, and that it would prove to be not only in the best interests of India but of the Empire, provided arrangements could at the same time be made to localise and isolate the results either of inexperience or of perversity on the part of any of the new authorities to be set up in India.

With regard to the police, the European Association states that it should be made implicit in the Bill that every head of department will have the right of direct access to the Governors, who will remain as heads of the Executive. This is especially necessary in the case of the Inspector-General of the Police, and the Police Department. With regard to the Services the European Association is of opinion that the new Governments will be far more dependent on the efficient administration of the district officer than the old bureaucratic system was. Owing to their impartiality and efficiency the Indian Civil and police services are respected by Indians and Europeans alike.

With regard to European representation, the Association complains of the insufficient representation of the British, who bring to the Legislatures qualities which are the result of generations of experience of Indian administration. This is a very important subject and I hope that it will have the special attention of the Select Committee. The Association finally suggests that power should be taken in the Act to enable the Federal Government to establish its own police force, to which the Association attaches great importance.

While supporting the Government whole-heartedly in its endeavour to formulate a sound scheme in fulfilment of our obligations to India, I have ventured to put forward some constructive criticism for the consideration of the Joint Select Committee. I trust that the Government will have the help of all sections of the House in producing a really first-class Measure, so that when the Act is entered upon the Statute Book it may be acceptable to all reasonable people in India. The more unanimous we are in this country the greater the chance of success in India; and the reverse is equally true. I would warn some of my hon. Friends against taking the right hon. Member for Epping too seriously. I regret that he is not in the House, because I do not like making uncomplimentary remarks when the person concerned is not here. Perhaps someone will draw the right hon. Gentleman's attention to what I say, and he can tell

[Mr. Campbell.]

me what he thinks of it afterwards. I would not like anyone to be led away by the right hon. Gentleman's oratory. I admit him to be the most brilliant speaker in the House, and the most attractive, but hardly the most sincere, consistent or reliable. I read the following in a weekly illustrated last week—the article was not pro-Government either:

"Even Mr. Churchill's denunciation of the Government's Indian policy is 10 or 12 years late. He may thunder, but he can do little. He is handicapped by his own past; and however much he talks in private —and is he entirely circumspect?—he knows in his heart of hearts that he cannot bring the Government down."

A few weeks ago the right hon. Member for Epping was tackling the Government on their unemployment policy, last week on their foreign policy, and to-day it is India. In a few weeks, when the Budget proposals are being debated, it may be beer, or perhaps the right hon. Gentleman prefers cider. The Government have a difficult task. Do not let us allow mere oratory, based on personal animosity and ambition, to turn us from our duty to India.

8.33 p.m.

Duchess of ATHOLL: I do not think that my right hon. Friend the Member for Epping (Mr. Churchill) will be unduly abashed when he reads the rather censorious remarks just passed upon him by my hon. Friend. I hold no brief for the right hon. Member for Epping. I am not a member of the India Defence Committee. I have not asked to join it, and I have no intention of joining it, but I think that any hon. Member who has heard my right hon. Friend's speeches to-day and on former occasions, however much he may disagree with the right hon. Member for Epping, does him less than justice if any doubt is expressed as to his sincerity. In the short time at my disposal I wish only to touch on two or three points in regard to this tremendous question. First of all, I wish to touch on what the Secretary of State said on Monday. I refer to a statement that I heard with great relief, that the pledges of the past leave full liberty to Parliament as to the time and manner of constitutional advance. But with all humility I find it difficult to understand my right hon. Friend's farther statement that the continuous history of the last century puts upon us the moral obligation to grant further stages of constitutional progress.

It is so important that we should be clear as to the groundwork of facts in discussing this question, that I feel bound to ask the Secretary of State to remember that the only pledge given to India in the last century was that contained in Queen Victoria's Proclamation of 1858, which had no relation whatever to self-government, but admitted Indians to offices in the various Services, subject to their being qualified in education, ability and integrity. When we come to the 20th century we find that when Lord Morley was piloting through the House of Lords the reforms known by his name, he made an emphatic declaration to the effect that if they were to be regarded as leading to Parliamentary government he would have nothing to do with them. So, we find no pledge whatever given by Government or Parliament, in regard to progressive self-government in India, until we come to the Declaration of 1917 and the Act of 1919. No one wishes to go back upon on or to weaken the pledges contained in the 1919 Act, but I need hardly remind hon. Members that the Preamble to that Act contained some very important provisos. There was a proviso that self-government could only be achieved by successive stages; that development was to be gradual; that the time and manner of each advance could be determined only by Parliament and that the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities for service were being conferred, and the extent to which it was found that confidence could be reposed in their sense of responsibility.

I remember that in the Debates on the Government's former White Paper, in December, 1931, my hon. Friend the Member for Kidderminster (Sir J. Wardlaw-Milne) specifically asked the Secretary of State if those qualifications would still stand, in the new proposals then under discussion. He received a specific assurance from the Secretary of State that they would, and, on receipt of that assurance, the hon. Baronet said he would recommend his friends to vote for the Government's White Paper. The first feature of this new White Paper, from which to my very great regret, as a loyal Conservative and Unionist, I find

myself obliged to dissent is that the whole of the 1919 Act is to be swept away and with it goes the whole proviso of which I have just reminded the House. This seems to be equivalent to launching a boat on a rough and largely uncharted sea, without the rudder by which hitherto it had been steered. It seems to me a tremendously important feature of the White Paper and it is one to which little attention seems so far to have been devoted.

I now come to the statement of my right hon. Friend that every responsible public man in India believes that Western institutions, and particularly British institutions, are suited to Indian development. He rightly points out that this view is due to our teaching. I do not wish to dispute the truth of that statement but, taken by itself, it is incomplete. It leaves out of account the fact that responsible men, or, to put it more widely, the whole of the politically-minded classes in India are a small section of the population of that vast country. Because illiteracy is so widespread and such a large part of the population live in remote scattered country villages, the desire for Western institutions is very much less general than is sometimes supposed.

Only a week or two ago, a man who has recently retired after 35 years service as a district officer and afterwards a commissioner in the North of India, told me of the great difficulty he found in getting the people of his area to understand the power which they could exercise through the possession of a vote for the district board. He instanced the fact that when a road had been swept away by the floods, the district board received a grant of £75,000 from the provincial Government; that, somehow or other, that money disappeared into the pockets of someone connected with the board, and nothing was spent on the road. It was well-known that the money had been misappropriated but all the same it was impossible to bring home to the people the fact that they had the power to turn out the board by their votes, although it had proved itself dishonest, and the people still came to the district commissioner to ask him to put the road right.

I do not think you could have a more striking instance of the difficulty which many of the country people in India have in realising what public institutions mean and what power they can wield through the exercise of the vote. I believe that if one could ask them, one would find that what the masses in India want, before all things, are security, impartial justice, and protection from the moneylender, or sometimes even, I am told, from a certain class of Indian politician. These are, after all, fundamental things which everybody wants. They are things which we all want for our protection in our daily lives. But I find it difficult to believe that the demand for Western institutions is nearly as widespread in India as is sometimes suggested. Quite recently, a well-known Englishman who knows India well and has travelled about the West and South of India, has written that both the classes and the masses there have never been more appreciative of the British than now when they fear their abdication in response to an imaginary demand.

I would next refer to the statement of my Noble Friend the Member for Horsham (Earl Winterton) that trade depends on good will. We must all agree that you cannot make people buy from you, but there may be occasions on which people want to buy from you but cannot do so because of intimidatory action and we know that that is exactly what has been taking place in India. My hon. and gallant Friend the Member for Blackburn (Sir W. Smiles) speaking out of his great personal knowledge of Indian life told us how the people of Assam want to buy Lancashire cloth because they find it more durable. Only two or three weeks ago a partner in an important British firm in India told some of us Conservative Members of the difficulties which his firm had had to meet in recent years owing to various boycotts organised by the Congress party. In view of the wording of the Labour party's Amendment it is interesting to recall that he told us of one boycott which ended when Mr. Gandhi was arrested. When it ended, the dealers who had been afraid to do business with his firm during its progress resumed business at once. Then Mr. Gandhi was released and the dealers came to this firm—a very important firm, long established in India and employing a large number of Indians—and said: "We thought you were mad before, but we never thought you were

[Duchess of Atholl.]

as mad as this." The boycott started again; shops were picketed, people were beaten, cloth was burned and the dealers were unable to buy. The workers employed by the firm said: "We do not like Congress but if you will not protect us from Congress we must give them false allegiance."

This gentleman went on to read to us a document which had been sent to all firms—I believe both Indian and British—in India two years ago, requiring them to sign humiliating pledges. One pledge was to the effect that they should not in any way interest themselves in the importation of foreign yarn or piece-goods; another was that they would pass as far as possible all their insurance, banking, and shipping to Indian companies or bankers; and a third was that no person connected with the management of the mills would participate in any activity organised voluntarily or at the instance or on behalf of the British Government in India in opposition to the National movement. We understood that this firm had resisted signature of this humiliating document for six months, but as the boycott cost them some 50 lakhs, they were obliged to sign, and I believe that that was the case with most other British firms in India. It is interesting to know that the organiser of that boycott was Mr. Jawarharlal Nehru, who is at present in gaol in the United Provinces, but who would be liberated if the hon. Members opposite were able to carry their Amendment.

I have had other indications that Indians want to buy our goods if only they are left alone. The ex-Commissioner to whom I have referred told me how, in one town in which a great deal of cloth is accustomed to be sold, even in the height of the boycott Lancashire cloth was coming in. The dealers could not buy it openly in the big towns, as it would be too risky, but they bought it in the lesser towns. They could not bring it in through the front door, or place it in the front of their shops, but they brought it in by the back door and sent it away to the hills on mules. We have the specific statement of Sir Charles Innes some years ago that if the rural masses were in a position to make their voices heard in the Assembly he would not be bringing forward proposals against Lancashire goods, nor would the Assembly give them a hearing.

It seems to me that these are facts which we have to keep clearly in mind and to realise that what we have to do is to give effective protection against intimidation and boycott, which have cost Lancashire so dear in the last few years, which must have caused so much loss to many workers and traders in India, and which, after all, are only designed to put money into the pockets of the mill-owners who finance the Congress party. If that is so, if what is needed is to allow good will to operate and show itself where it exists, surely we must think most carefully before we hand over the police, as is proposed in the White Paper. It is true that my right hon. Friend proposes to make arrangements which will safeguard the conditions of service for police officers, and that is a most important matter, but in the same breath he told us that the police would work under the Ministers. That might very well mean working under men whom they had arrested in the last year or two, and, knowing the strength of communal feeling and of Congress feeling and the way in which it has already shown itself, can we feel confident that men who may have had to arrest these Congress leaders will really be sure of a fair deal and be able to carry out their duties effectively when they are working under the men whom perhaps they have put in gaol or who belong to one of the rival communities?

In this matter of the transfer of the police, the situation to-day is very different from what it was when the Statutory Commission recommended the transfer. When that report came out, in the summer of 1930, we had heard little or nothing of the maltreatment and intimidation to which the police were subjected during the whole of that civil disobedience movement. We had heard little of the "Red Shirt" movement, which I believe has behind it Communist influence, in the North-West Frontier Province. Speaking for myself, I can say that I understood that communal feeling was dying out. I had heard of the Lucknow Pact, and I believed that that still held the field; and it is only since the terrible happenings at Cawnpore two years ago that some of us have realised that communal feeling, far from dying out, is much stronger than it was some

years ago. I am afraid there seems to be general agreement that it has been revived by the reforms which we have given, which have given Hindus and Moslems a political prize for which to contest, and I am told by those who have spent their lives in India that communal feeling is likely to be further exacerbated, if responsibility is given at the centre, because the prize for which to compete will be so very much greater.

Finally, there has been a recrudescence in Bengal of the terrorist campaign. Those who read Sir Charles Tegart's speech with regard to the new and terrible factors which have come to light since the Simon Commission reported——

Mr. ATTLEE: All those matters were very fully before the Statutory Commission in India.

Duchess of ATHOLL: Some of those conditions may have existed before the commission reported, but if the hon. Member will read Sir Charles Tegart's admirable speech, to which I referred, he will see that at the time that the commission reported terrorism in Bengal had died down. Sir Charles was referring to the third terrorist campaign, and the most formidable, because aimed specifically at Government servants, and that has been revived since the commission's report. It was also difficult, when the commission reported in June, 1930, for them to have heard very much about the maltreatment of the police, which went on some months later than that. Equally, the "Red Shirt" movement was, I believe, in its infancy, and certainly the Cawnpore massacre, to which I also referred, had not taken place. The Cawnpore massacre was in March, 1931, whereas the commission reported in June, 1930. I do not doubt that the hon. Gentleman and his colleagues took the fullest possible account of all the facts that were before them, but I do not think they can deny that at the time when they reported things were distinctly quieter than they have been since, and that a great deal of water has flowed under the bridges since they reported, to make us realise with what serious trouble the police often have to contend.

In conclusion, I know the point of view is held by some Members that if Parliament did not make all the changes for which the Indians in the Round Table Conference have asked, a difficult situation might arise, a situation with which it might be very difficult to deal. I am authorised by a distinguished military officer, General Sir John Shea, who has lately retired after many years' service in India, during the last years of which he commanded the Eastern Command, to say that the actual military problem under present conditions, in his view, does not present any difficulty; and that view has also been confirmed to me by an officer who has now left India after many years' responsible service in the police. It seems to me that those are things which we are bound to weigh and to place against the facile expressions of defeatism that we too often hear expressed. Statements of that kind, made by men who have been responsible for the maintenance of the public peace in their different ways, over a large part of India for many years, seem to me to represent a background or solid bedrock on which we can take our stand and consider what is best for India. Therefore, I hope that Members of the Joint Select Committee in their deliberations will not only feel that they are absolutely free of any Parliamentary pledges, except those contained in 1919 Act, to discuss this matter, but that they will feel that it is possible to consider what is best for the welfare of the masses of the people of India, sure that the prestige of the Government in India is sufficient to make it unnecessary through panic or loss of confidence to give measures which we might not think at the present moment to be in the interest of the people of India.

8.56 p.m.

Major COURTAULD: I have no personal knowledge of India whatever. My feelings are formed entirely on speeches of men who are better informed than I am, by reading books and articles, and especially by listening in private conversations to men who have spent a great part of their lives in India. For that reason I would not have ventured to intervene in the Debate unless I had felt that there were a good many hon. Members in the same position. I am cheered to think that even the right hon. Gentleman the Secretary of State has only a somewhat distant and nodding acquaintance with the great subcontinent. My hon. Friend the Under-Secretary is, of course, in a different

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category, because, if I am not mistaken, he was born there. Apart from that, I think that there are a few important considerations which occur to one on examining this problem on a wider basis altogether, and which do not need an intimate knowledge of the life of the country itself. The first thing that occurred to me in looking at the White Paper was to ask how much hope of success is there for any hard-and-fast, cut-and-dried constitution written out beforehand and implanted on a nation like India?

If my knowledge of history, which is rather sketchy, does not deceive me, I think that there has been no case where a country has had a written constitution planted on it, entirely hard-and-fast and not susceptible to very great changes, which has in the long run not proved unsuccessful. We know that the United States of America has a written constitution, and I think that very few people would say that that constitution has never given any trouble. In fact, in a time of stress and stringency that constitution, if not in abeyance, has been considerably modified; indeed, quite unconstitutional powers will probably soon be in the hands of one man. Italy, I believe, had a written constitution which failed. Germany certainly had, and we know where that constitution is to-day. When I think of all those failures in countries which are comparatively homogeneous and nothing like as large in area or in population as India, it appears to me that to expect to hope that a constitution such as the Government have worked out will succeed is to hope for something which is very nearly impossible.

I have nothing particular to say against this Constitution as set forth in the White Paper. I think that members of the Government, with no doubt admirable assistance, have probably made as good a case as they can, but I do not think that all the jurists and theorists in the world are capable of making a constitution which is so rigid, so hard-and-fast, so good and inelastic, as to be successful in the long run. There is another point, into which I need not go very deeply, as time is short, which has been raised by other Members. Are we justified in hoping that a form of self-government on Western democratic lines is likely to be successful in India? It has not of late been very successful in the West, and one country after another finds itself groping about trying to find an alternative. It is, of course, arguable that the mere fact that democracy or democratic government is unsuccessful in the West, makes it more likely, owing to the great difference between West and East, that it might be successful in the East. I have not heard that argument by any spokesman on the other side, and I hardly think that it is an argument that can be supported. I do not take it any further, but it ought to give us pause, for deliberately to try and give India a democratic government on Western lines is taking a risk which may be justifiable, but it is no doubt a risk.

Another point, which is, to my mind, the most important of all, is this. In all the speeches I have heard, in all the documents which I have read, and in nearly all the statements inside the House and without, there is hardly any mention made of the effect of these proposed changes on the great masses of the Indian people. One would have thought that that was, or should be, the very first consideration in any change of government. After all, the only justification for a change in government, or the most important justification, is that the present government is not succeeding and that you are quite sure that your alternative will be better for the people —not for the people who are to govern, but for the people who are to be governed. I read the other day a pamphlet by the right hon. Gentleman the Secretary of State addressed, I think, to his constituents, which was very clear and set forth his case in great detail. I read it through twice, and I could find no reference to that important subject at all except that he said that the politically-minded minority were clamouring for a change of government and for self-government, and that as far as he could tell the majority of the illiterate population seemed tacitly to accept it. How, being dumb, they manifested their acceptance of the right hon. Gentleman, I do not know. I rather suspect that no step has been made to find out what is really the opinion of 90 per cent. of the population, and that if any attempt were made to find out it would be unsuccessful,

because probably they would not be able to understand the implications.

I know that there are hon. Members—we have heard them during the Debate, and they are mostly Liberals—who think that the blessings of the ballot box will compensate for anything else, and that if 7 per cent., or whatever the number is, are permitted at stated intervals to put a little voting paper into a painted box, their feeling of privilege and uplift and so on will make them blind to any possible disadvantages in their ordinary life. I do not agree with that view; I never did. I do not think that the man who invented the ballot box had the last word in human progress. I think that there is something more than that. I really believe that although it is absolutely necessary to consider the view of a small politically-minded minority, who, if they feel strongly and like to agitate can make so much trouble that government becomes difficult—although we have got to consider the politically-minded minority and try to give gradually some form of self-government for the Indian continent, yet to consider only the view of the politician and the vocal minority and to ignore the welfare and the ordinary well-being of the masses of the population is entirely wrong. It may be politics, but to my mind, it is not statesmanship.

We are told, and have been told repeatedly lately, that the unchanging East is now changing. Of course it is changing, because it always has been changing. There is no such thing as "the unchangeable East." It may change slowly and almost imperceptibly, and I have no doubt it is changing now, but that it is changing with the dazzling rapidity of which we have been told by certain spokesmen in the Government I do not believe. I think there has been a great change during the last three or four years in the attitude of the peoples of India, from the Princes right down to the peasants, and I think that change does not so much indicate a change of heart or a clamour for popular government or anything of that sort, but is a change which has been induced by a change of attitude in the people or the Government of these Islands. I believe the Indian peoples during these post-war years have gradually felt more and more that they no longer have the same strong feeling in Parliament and England binding them together as they had formerly. I believe they are feeling that the bonds are loosened. The regime of Lord Irwin obviously had that effect.

It must have come as rather a shock to most of the peoples in India when Lord Irwin made his announcement about Dominion self-government. During the time of the Socialist Government no doubt they were encouraged in that feeling, and when the present National Government came into office and we were told by the Prime Minister that it had accepted the Socialist programme as regards India, I think the peoples of India must have felt that those bonds really were weakening, that Parliament and the British people themselves had not the same idea of government or the same feeling that they must keep a hold on India and the Empire, and came to the conclusion that they must think out something for themselves. I do not believe in this rapid change which we are told is happening in India, but things are changing and we have to go forward. Personally, I am quite prepared to see a gradual proceeding towards final self-government in India. I think the Constitution which is adumbrated in the White Paper would probably, if brought into law, hold that final solution back rather than put it forward. I think there would be very swift failure, which would put progress back for many years. As long as we are content to take reasonable steps, slowly and with due consideration, and with full control, I think the majority of people in England will be behind us, and that we shall have a good chance of advancing finally to the goal which, I suppose, we all are seeking.

9.8 p.m.

Sir H. CROFT: I rise with great diffidence to take part in this Debate, because I think it has been marked with a great sense of solemnity, and I realise as well as anyone else in this House the responsibility resting on us for the thoughts expressed and the words spoken on an occasion like this. But before I say anything else, I feel I must express my regret that in a Debate which has been carried on with such good feeling among all parties there should have been a carefully-prepared attack upon my right hon. Friend the Member for Epping (Mr. Churchill). As some hon. Members know, I have been as much at

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variance with the right hon. Member for Epping as anyone in this House. He was a man who thwarted many of the ideals for which I was working over a considerable period of time, but I think it is only fair to him to say that the very moment these new India reforms appeared—I go back to the time when they originated with the Socialist Government—although at that time I was no friend of his in politics, he told me that he believed that this was going to be the one absorbing question, and that he was prepared to make any sacrifice in order to prevent what he considered was so great a national danger. It is only fair that we should recognise that the sincerity of the right hon. Member for Epping on this great issue is beyond any question of doubt.

I do not want to cross swords with my Noble Friend the Member for Horsham (Earl Winterton) who, I am sorry, is not here, because I remember him, as young Lord Turnour, winning a by-election more than a quarter of a century ago, when he and I were both candidates fighting under the banner of Joseph Chamberlain. I remember how heartened all of us were to think that a young man of 21 had won that remarkable victory for Imperial unity and holding the British Empire together. For many long years he remembered the motto of Mr. Chamberlain, and was a very ardent apostle of that policy, and I am a little saddened to think that the right hon. Gentleman, in the company of boon companions on the Front Bench, should have been led into these tortuous paths of democratic futility when we all regarded him as a very stout Constitutionalist. I, for one, always think of the Noble Lord as a gallant leader of the Camel Corps in defence of Britains' Eastern possessions, and I hope that no one will judge him too seriously for what I believe to be a temporary political aberration. I believe that before long we shall have him fighting again just as strongly as ever for the preservation of British rule in the East.

He made one or two remarks in his speech to which I must take friendly exception. He said the right hon. Member for Epping and I were painting terrible pictures of gloom about India under the Montagu-Chelmsford reforms. I have never made any speech, and I have never heard one from the right hon. Member for Epping, in which we spoke with gloom about the present position in India, and certainly we have not attributed it to the Montagu-Chelmsford reforms. We were gloomy enough when Lord Irwin was there, but I see no cause for gloom to-day, under the strong, sane Government of the Viceroy and my right hon. Friend the Secretary of State. Then, a great deal of play was made with regard to a phrase used by the right hon. Member for Epping when he was interrupted by the hon. Member for Kidderminster (Sir J. Wardlaw-Milne) in which he suggested that for the last five years those chosen for high positions in the Civil Service and elsewhere had been chosen with regard to the policy of the Government. It is all very well to raise the ire of the incorruptible House against the right hon. Gentleman on this point, but was that statement so very far from the truth of affairs as we know them? For instance, would the Prime Minister welcome persons in his Government unless he thought they were going to carry out the policy of the Government? Would the Government appoint any high official——

Sir S. HOARE: It is not a question of being in the Government, but in the Civil Service.

Sir H. CROFT: Perhaps the right hon. Gentleman will wait. I was coming to that point. Would the Government appoint any high officers of State in the Services in India to carry out its policy if it were known that they were fundamentally opposed to it? Such an attitude seems to me almost inconceivable. I have always regarded the right hon. Gentleman as having very great wisdom, and I cannot believe, even if a Governor of a Province were going to be appointed, that the right hon. Gentleman would appoint him if he knew that he would be directly opposed to the policy which is now——

Sir S. HOARE: I hope the hon. and gallant Gentleman will forgive me for interrupting him, but I tell him in a single sentence that considerations of that kind would not enter my mind at all.

Sir H. CROFT: I am very glad to have the right hon. Gentleman's statement. Now we know that future Governors of the Provinces will nevertheless be

appointed to these great positions, even if they believe, as I do, that this scheme should never have been entered upon. I cannot see why. If you are committed to this scheme, the Services, high or low, should be ready to carry out your policy. I cannot commend the right hon. Gentleman's wisdom in that respect. Some hon. Members think that this is the most favourable time to carry out this policy. I suppose that that is because we have a National Government in which parties are more or less united in carrying it out, and there is very great good will, up to a point, on the part of right hon. Gentlemen sitting on the Opposition Bench. It is rather a dangerous doctrine that you are to abandon your main principles just because you think the moment is favourable in the House of Commons. Why not let us go right ahead now with the nationalisation of the railways, the banks and the mines, as is advocated by hon. Members of the Socialist party? I have far too friendly feelings for the Noble Lord the Member for Horsham to use any harsh words of him, but I was a little bit sad when he seemed to think that my efforts to defend the Conservative faith in the country were so liable to criticism. I can only say that I should be very much relieved if some of those who sat around him and cheered him would not press me quite so often to assist them in their constituencies.

I desire to congratulate His Majesty's Government, because they have got back to sound constitutional ground. The setting up of a Select Committee of both Houses of Parliament is a procedure which every one of us must support. I rejoice to think that His Majesty's Government are setting up a Committee, and that we should have had it clearly intimated that no hon. Member is bound by any of the proposals which appear in the White Paper. I congratulate His Majesty's Government very much on having secured the return of one who was so great an advocate at Geneva, and who came down to this House yesterday and, with remarkable skill, convinced many hon. Members of the infallibility of the report of the Statutory Commission, with regard to law and order, and the fallibility of government at the centre, more especially when I recall that the Simon Commission says that the utility of the Central Executive must be preserved at all costs. This great advocate told us how utterly ungenerous and unjust were the attacks on some of the recently-promoted Indian legislators, because of their complaints of the police force as agents of an alien bureaucracy. In the same breath he told us that, for that reason, we must get rid of that imputation by handing over the police to their detractors. I can only say that this kind of reasoning is somewhat illogical, and I regret that we should be influenced by any such considerations.

All through these difficult decisions we ought to be influenced by one supreme reason above all others, and that is the welfare of the Indian people. For that reason, it is imperative that the police and the forces of law and order in that country should be kept in our hands. When the Foreign Secretary concluded his speech, which in many parts was very helpful, by saying that Parliament must decide these questions openly and freely, I rejoiced. Whatever those words may mean, I hope that they may be taken literally. I remember on a previous occasion, right at the commencement of this Parliament—I hope the House will not think that one is saying anything that is too critical—when we were ill-informed and suddenly had these great proposals thrust upon us, we were somewhat strictly compelled to vote upon this subject. So it was with a Private Member's Motion a few weeks ago, when the attempt was made for the first time to get a vote in this House in support of the Simon Commission, with certain temporary reservations as to law and order. In the same way, the whole authority and the whole paraphernalia of Government authority were marshalled against me.

On that occasion I happened to be one of the Tellers in the Lobby, and I must confess that I never saw such an ill-assorted cavalcade coming through one Lobby in the 22 years that I have been in this House. [*Interruption.*] Never mind. It was a Lobby for doing nothing. It was a full Lobby. If the House would like a fuller description, let me say that there was the right hon. Gentleman the Member for Bow and Bromley (Mr. Lansbury) leading his troops, there was the right hon. Gentleman the Member for Darwen (Sir H. Samuel) leading his generous allies, and there was the full strength of the Clydesiders. All of them were there, and interspersed were one or

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two temporary sinners in the Conservative party. I only mention that to remind the Secretary of State that only a week before the Motion was moved in this House, Lord Irwin in another place said that Parliament was free and unfettered. All I can say is that if the freedom of the Whips was shown on that occasion, I hope that we shall never know what stern discipline is in the future. No wonder that when one read one's "Daily Herald" next day, one saw they were gloating over the sidetracking of my Motion. They had every right to gloat, because their policy held the field.

We have got back again to thoroughly constitutional procedure, that is to say, the Round Table Conference is demobilised, at any rate for the time being. In case there is any kind of feeling in the country that people can be lulled into a false sense of security because of the setting up of a Select Committee, I feel that now is the opportunity to warn those people that, from the nature of the case, it is almost inevitable that the Committee cannot be impartial with regard to the establishment of self-government at the Centre, for the simple reason that that is the broad policy of His Majesty's Government. To the majority you have to add the authors of the scheme, the Socialist representatives and some of the representatives perhaps of the Liberal party who, on this subject, are the lovers of His Majesty's Government, although some of us had hoped that the divorce had been made absolute some little time ago. I have no doubt that my hon. Friend the Chief Whip will say that there will be upon this Committee a strong minority of those who believe in British Rule in India; but how strong? Will they be 45 per cent.? We believe that we represent the majority of opinion in the country, and we feel very confident that we represent the opinion of the Conservative party. In the circumstances, 45 per cent. is not an undue demand. I make this claim with more confidence because the right hon. Gentlemen on the Treasury Bench do not know what the opinion of the country is.

The Prime Minister, and the Lord President of the Council, did not mention the surrender of British Government at the centre in any of their election manifestos. I hardly think it was mentioned in any of their speeches; certainly the abandonment of government at the centre never appeared during the minute examination I made of these orations. While other countries have their dictators, we in this country are still under constitutional government. We have no right to part with British territory without the emphatic and overwhelming opinion of the people of this country. Here I think I can make a very special appeal to the Lord President of the Council. I can say, I think, that no man in this House, in my memory, has a cleaner record on the subject of mandates than the right hon. Gentleman. When he was Prime Minister he point-blank refused and, if he will forgive my saying so, he did so courageously when he refused to safeguard iron and steel which, at that time, was facing ruin. The sole reason he gave us was that he had no mandate for that policy, and that he could not do it. We did not agree with the right hon. Gentleman's contention, but there was not one of us who did not honour his meticulous determination to see that his mandate was not exceeded.

With the greatest respect, I ask him how he can square these views of 1927 with his present intention to go ahead with this policy of ending government at the centre in India, without the sanction of the people, or asking their opinion upon this vital revolution—vital not only to Lancashire but to British financial and trade interests in India, and vital to every man, woman and child in the Empire who is concerned with the fabric of British rule and is a partner in British destiny? I venture to submit that never before in the history of this country has there been an attempt by a Government to commit this House to so great a venture by the back door, without ascertaining the will of the people. We were told the moment the White Paper was published: "Ah! This changes the situation; look at the safeguards." I can find no new safeguard in the White Paper. I think the right hon. Gentleman has been very consistent with his safeguards. I can find no new safeguards except those expressed in speeches, or in communiques which came from that extraordinary emporium of constitutional wares, the Round Table Conference.

That conference, I must remind the House, contained no single administrator, or soldier, of Indian experience, and no small landlord from India. It included no representative of ex-service men in India. I think I am not wrong in saying it included only one or two classes—the Princes, the higher aristocracy and a certain number of idealists. Here I want to take the strongest exception to the riot which occurred when the right hon. Gentleman the Member for Epping referred to the possibility that, in the last five years, people had not been promoted in India unless known to support the Government policy. I wonder what steps the Secretary of State for India, and those working with him in India, have taken to get into touch with the civil servants in India. I am assured that, with the exception of a few at the head, the whole range of civil servants feel that they have not been consulted. It may have been impossible but it is wrong for the right hon. Gentleman the Member for Darwen to say that they are in favour. They have never been consulted.

The safeguards sound so well, but just once more I want to examine them before the Leader of the Socialist party gives his blessing to this policy. The Governor of a Province, this solitary British guardian of peace, finance, revenue, education, forestry, irrigation and all those services—I think the Secretary of State said there were 70 of them—has a great responsibility. But suppose a Hindu Legislature tries to force through a Measure which is considered oppressive and repugnant to the Mohammedan population. The Governor will certainly protest. If his protest is of no avail, what is he to do? I asked the Secretary of State, on Monday, what would be the position in such a contingency, and if the minority would then form a Government. With that courtesy, for which he is always remarkable, he said my question was pertinent, but he did not answer my point, although he stated next day that the Governor could suspend the Constitution. The answer is that the Governor would send for the leader of the minority, who must, inevitably, be a Mohammedan, and ask him to form a Cabinet. That Cabinet could not last a day.

After all, religions do not change in the East in this manner. Dissolution follows, with the inevitable result that a Hindu Government is returned. The Governor, this lonely soul without a British ally, can do nothing but appeal to the Governor-General to suspend the Constitution. In this case the Governor, we are told in the White Paper, will be given plenary authority to assume all the power he deems necessary. You might as well tell the bather in the ocean, whose clothes have been stolen while he was in the sea, that when he came ashore he must assume all the garments he deemed necessary for the occasion. The Governor has no power; it cannot be done. The captains have departed, and no expert is standing by his side. He has not an Indian policeman, of whom there was 799 to one white. The policeman can claim his pension, and his pay, from the Indian Minister responsible for law and order, with whom the Governor at that time is at variance.

How can a Governor assume powers when he has parted with all the machinery of power? This is merely an interregnum because the Cabinet has fallen, and the row is going on. It is possible that there may be communal trouble, and you may have terrible massacres such as have been seen in India. The Viceroy may send his soldiers, but that is not the kind of way we desire the final clearing up of the mess. If they wanted to operate, how could they do so with the law courts and police in the hands of a Minister in conflict with the Governor? What consolation have you in these circumstances? Here again I will tell you by reference to the White Paper. It says:

"The Governor should bear in mind the close connection between his special responsibility for peace and tranquillity and the internal administration and discipline of the police."

What is the good of his bearing it in mind? You might just as well tell the wax-works at Madame Tussaud's to bear in mind their responsibilities in connection with some particular question. I know there are colleagues of mine who say, "Yes, we realise these grave dangers in the Provinces, but we believe that if only you establish a Central Government as well, you will minimise these dangers." In other words, if there is chaos in the Provinces, you can perhaps

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help the situation by having chaos at the centre. I cannot follow that argument. If the machinery of law in this country breaks down, say in Yorkshire, then, if you have scrapped your Scotland Yard organisation and your Criminal Intelligence Department organisation, if your law courts are no longer in your hands in London, and you have not even your Metropolitan police to move up to Yorkshire, as you would have in other times, I am at a loss to see how it would help the situation if you had the same impossible conditions in London that existed in Yorkshire. I know that the authors of this policy are not concerned with these realities. After all, the men who backed the general strike in this country, and tried to bring the life of their own country to a complete cessation, are hardly likely to be deterred by the fear of any complete breakdown of government in India. They are possessed of all the valour of ignorance.

Mr. KIRKWOOD: They did that in self-defence; they will never do it again.

Sir H. CROFT: I beg the hon. Member's pardon. As I say, he has all the valour of ignorance. I want to ask what the Liberal party feels about this great problem, about this attitude in regard to dealing with this discordant humanity, this great mass of people whom some people so ignorantly call a nation, but whom, as His Highness the Aga Khan told us, it would take generations to become a nation. May I ask what, then, is going to be done if we find ourselves confronted with these great difficulties. Personally, I do not believe that the safeguards can ever be operated without the will of the Government, and that is where the right hon. Gentleman, I think, is altogether too optimistic. He has not read the speeches of those who are concerned with Indian politics, and, in coming to the House now, he has based his White Paper upon a mighty assumption. The House will remember the words:

> "The present proposals in general necessarily proceed on the basic assumption that every endeavour will be made by those responsible for working the Constitution to approach the administrative problems which will present themselves in the spirit of *partners in a common Empire.*"

How can the spirit of partnership be assumed when the only political forces which exist have made it crystal clear that they are hostile to your intentions? How can we mouth these words "in the spirit of partners," when even the Liberal and moderate gentlemen upon whom the right hon. Gentleman leans have made it absolutely clear that they require the fixing of a date for the handing over of the Indian Army, the complete Indianisation of that Army, the complete control of exchange, currency and economic policy, and the release of Gandhi and others? These are the words of the leaders, the very men whom the right hon. Gentleman has again and again quoted as being of Liberal opinion. There was one passage—I do not propose to read it in full—in the speech of the Secretary of State, which really staggered me. It was a very moving and powerful appeal. He said:

> "We cannot isolate these Indian questions from the whole field of Asiatic questions. India is not isolated from the rest of Asia. Hon. Members would be very unwise if they approached this question without reminding themselves of what has been happening from one end of Asia to the other in the years since the War—if, for instance, they failed to remember what is called the new tide in China, if they failed to remember, again, the efforts which Turkey is making to establish itself as a modern progressive Power, if they failed, again, to remember the events of only the last few weeks in which Japan has been challenging a big body of European public opinion. What wonder, when all this ferment is going on in Asia from one end of that continent to the other, that India should be raising its voice for recognition, and that India should be making a demand for a greater share in its own Government?"—[OFFICIAL REPORT, 27th March, 1933; col. 699, Vol. 276.]

The right hon. Gentleman quoted Turkey. I would ask, where is the success of democratic institutions in Turkey? Mustapha Kemal put an end to them at the end of two years. Again, is Persia very successful with her democratic institutions? In Siam they were tried 20 years ago, but have been abandoned ever since. In Egypt, we forced democratic institutions upon the people, and it will be remembered that immediately we were invited to clear out. We rather assented to that proposition for a brief moment, but the Lord hardened the hearts of the Egyptians, and refused to let us go unless we would get out of the Sudan as well. In Syria, is there democratic Government? Are they pining for democratic instituions there? What is the situation

in Iraq, whence we scuttled only a few weeks ago, discovering that the Iraqi were fit to help to govern the world through a great assembly like the League of Nations. Where is the Constitution there? People say, "Never mind; there is Japan, that great democratic country; and there is China." The Secretary of State quoted these and other countries as a reason why democratic Government should be given to India.

I want to remind the House that we are under no sort of pledge with regard to the kind of policy indicated in the White Paper. Fortunately, the Secretary of State made that abundantly clear to the House beyond any shadow of doubt. But we have to remember that the law of the land as it stands is the Government of India Act, in which it is laid down quite clearly that we should proceed step by step, that we can restrict, extend and modify the reforms in India as Parliament may decide. That being so, why did we rush to the precipice in this matter? I will quote a few words from the greatest songster of our race—the man who, perhaps, has more vividly brought the East home to us than any other living man. He wrote these words:

"At the end of the fight is a tombstone white,
With the name of the late deceased;
And the epitaph drear, 'A fool lies here,
Who tried to hustle the East.'"

I commend those words of his distinguished relative to the right hon. Gentleman the Lord President of the Council, and I would express the hope that they will not be as prophetic in his case, and do not indicate that these proposals may mean that an epitaph may have to be found for the National Government.

Some of us feel very deeply of this question of India. There is no country in the world which have been invaded more frequently. One of its conquerors invaded India 17 times. It has been invaded by the Greeks, the Persians, the Mongols, the Tartars, the Arabs, the Afghans, the Turks, the Portuguese and the French, not to mention the Scythians and a few others. India has been more conquered than any other country in the world, not excepting Egypt. Alll these countries acted as tyrants towards India, and it was only after we had been there for some time, and the whole force of our Government had been exercised, that it became a country where peace ruled. If you go out of India—and the period of transition can have no other meaning—it is almost inevitable that Soviet Russia will walk across the frontier, and what moral right will you have to stop her?

Some of us had forbears who gave their lives in the service of India and gave all their experience and wisdom to the service of India. Some of us had forbears who actually sacrificed their lives for India. I can remember, when I was a very little child, sitting at the feet of my grandmother and being told the story how the sole survivor of that appalling disaster in the Khyber, in the picture made so famous in history by Lady Butler as the only man who reached Allahabad, came to our native town in order to console her in her great loss and to tell her how one of these men had died by Afghan spears. The name of the Khyber Pass to some of us is a great and glorious one. Are we quite sure that we are not selling that very pass to-day? Is it not possible that, if you carry out this intention of yours, the armies of that country which has declared war upon God will go through that very Khyber made immortal by the death of those heroic British dead? If that is so, it means that the cankerous blight of this uncivilised savagery will spread throughout the whole of that country of India which is in your trust. The weak man persists in going on when he is warned of disaster. The strong man has the courage to turn back. If you would have peace in your time and not risk terrible disaster in this great Asiatic sub-continent, I implore you not to go forward with this policy, which the country has given no sanction for, and which you have no right to put upon the Statute Book until England has given a decisive voice thereon.

9.48 p.m.

Mr. LANSBURY: The hon. Baronet always attracts attention because of the downrightness of his speeches and his absolute sincerity. I can say that to him because I take an altogether opposite line from that which he takes. The statesmen of this country, not Socialist statesmen only but statesmen of all parties, over a long period of years have declared again and again and again that the end of British rule in India must and ought to be the rule of India by the Indians. I cannot make out quite why he should think that they are all wrong, and that

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he and those who think with him must be right. If this policy had been brought in by those who, he thinks, are so ignorant on this subject, I could understand the enthusiasm with which he opposes the proposal, but I cannot understand his opposition when I remember—I am much older than he is—that the first time I heard Henry Fawcett on the subject, the tenor of his speech was that ultimately, because of the British connection and because of the association with Britain, the people of India would set up a self-governing State, and it would be that sort of State which we in this country think the best Government. What I have said of Henry Fawcett was also true of the late Queen Victoria in 1858. The very inception of modern relationship with India has always been based on the assumption that sooner or later India would be governing herself and, therefore, I am at a loss to understand why the policy so long set forth should meet with the determined opposition that it is meeting with to-day.

The Labour Government entered into the business of trying to bring together the various elements in India as a sequence to the appointment of the Statutory Commission. Our Government did not appoint that Commission. It was in existence when we came into existence, and it is well known that the condition of India at that time was very bad indeed. I want to pay my tribute to two men who, I think, dealt with that very terrible situation not only in a statesmanlike but in a very sympathetic manner indeed. I mean Lord Irwin and Mr. Wedgwood Benn. I should think that Conservative and other Members who are not of our party would also agree that these two men faced a situation which had already become dangerous. It is true, and it has often been thrown up against me, that they were obliged to pass ordinances to suppress free speech and to imprison thousands of people, but all the time they both kept steadily in mind the fact that what they had to do was to convince the Congress leaders that they were in earnest in asking that they should help the Simon Commission to the end. The underlying note of their policy was that we should have continuous co-operation with the people of India, that is, the vocal part of the people of India, and that we should continue our discussions until we arrived at a conclusion satisfactory to them and to ourselves. I regret more than I can say that when the National Government took this business in hand, the Round Table Conference was wound up and Mr. Gandhi went home, and that the conference was never summoned again. Mr. Gandhi has been in prison now for about 16 months. We have had a very truncated Round Table Conference, not at all representative, and in the end we have this White Paper produced by the Government.

Hon. and right hon. Gentlemen who have spoken to-day have all tried to impress us, as has the hon. Baronet the Member for Bournemouth (Sir H. Croft), that this is one of the most vital and serious questions that this House is likely to have to discuss for a long time. We are as conscious of that as anyone else in the House of Commons. We understand quite well that, for weal or woe, this White Paper or some propositions will have to be passed in order at least to attempt to bring about a settlement and to restore confidence between the people in India and the rulers in this country. We also join in paying our tribute to the right hon. Gentleman and to his assistant the Under-Secretary of State for their statements on Monday and to-day. I would particularly congratulate the Under-Secretary because he is relatively young and very few men with his experience would have made a better and clearer statement than that which he made to-day. I want also to say that in all these congratulations I can only join to that extent. I cannot join in the congratulations of the right hon. Gentleman that peace reigns in India. I rather deny and question that altogether. When you suppress a people, wipe out free speech and the right of public meeting and deny all sorts of contact between very large sections of the people and you have no disturbance, I do not call it peace, but death.

I would remind the right hon. Gentleman of a saying I used to hear when I was a boy of a Czarist general who sent a message to the Czar that order reigned in Warsaw because he was holding the people down by brute force. To-day you are keeping in prison the men who, if they were called into conference on this

subject, might even now help us to find a solution. Other people may hold what views they please—and although I have not been to India, I know a very considerable number of Indians of all sorts and conditions—but I am confident that whatever you may pass in this country, and whatever may be passed in India, unless you have the consent of the great mass of organised opinion in India and unless you have the co-operation of Congress you will not be able to administer whatever laws you may be pleased to pass. It is not merely Mr. Gandhi that you have to consider. I am sure that the right hon. Gentleman knows young Nehru probably much better than I do. The Under-Secretary of State this afternoon said that he hoped that the young men—he was speaking of the young men of Britain—serving in India, and serving perhaps in this House, would give themselves to the service of the people of India when these proposals became law. Has he forgotten that there is a huge mass of young Indians in India, and that it is they who want to have the right to build a new life in their own country? It is they who are making the struggle for self-government. It has been my privilege on several occasions to go to the meetings of young Indians in the universities and what has always struck me is that, just as the hon. Baronet the Member for Bournemouth speaks to-day for our country, so they speak for their country. The one thing which boils up in their minds is that they may go back to India and serve her as the hon. Baronet serves our country in this House. And why not?

The Noble Lord rebuked some of those who were talking of lawyers and politically-minded people as if it were a crime in India to be in politics, and something very virtuous to be in politics in this country. When I look around this House and also look at myself in the looking glass I honestly cannot take such self-conscious pride in myself, and think that I am superior to the people in India who only want to do exactly what I think that I want to do in this country. I would beg of the right hon. Gentleman to remember that young Nehru and his friends are the people you have to enlist in this campaign. It is they whom you have to bring in to administer and to make the laws of their own country. Unless you do that, it is certain that, no matter what laws you pass or who passes them, your proposals will be bound to fail. I am certain that they will fail unless you have the co-operation of young India, and that at present you have not got. We are not dealing with a country which is naturally a poor country. India is naturally a very wealthy country. It has enormous potential wealth.

I would like the right hon. Gentleman to bring to the House—and I am saying this because of those who continually boast of the conditions of India—a report from all the villages in India as to the housing conditions, and the general living conditions of the people. I should like to see a return up to date as to how far we have proceeded in getting rid of illiteracy. The right hon. Gentleman the Member for Epping (Mr. Churchill) spoke to-day about the vast increase in the population of India, but no one has denied the statements which were made by the hon. Lady the Member for the English Universities (Miss Rathbone). Her figures and statements were appalling. When you hear of the great blessing which we have brought to India, you must set against it the terrible indictment which the hon. Lady made and which no one has attempted to controvert.

I want to raise another question, and I hope that the House will forgive me because it may touch, I will not say the vanity, but the self-esteem of many hon. Members. The Lord President of the Council, speaking, I think, during the Debate to which the hon. and gallant Member for Bournemouth called attention, said that whenever God had a job to be done He looked round for an Englishman to do it. I admire most of his speeches as speeches, but I admired that speech best of all because it was such a courageous one, and he laid down some very fine principles indeed. As he made that remark I said to myself: "That is the secret not of our greatness but why many people do not like us very much." There is a self-conscious unctuousness about it. It reminded me of Cecil Rhodes, who rebuked people for their unctuous rectitude. Here are we, saying that we are the chosen people to rule India, to rule Egypt, to rule the world. [HON. MEMBERS: "Hear, hear!"] I knew that I should get that cheer. Of

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course, it is all nonsense. Let us clear our minds of that. We have not yet managed to manage our own affairs. We have to face up to the fact that although we may believe that sort of thing, although the right hon. Gentleman and the Government may believe it, and hon. Members may believe it, other people do not believe it, and as the world progresses fewer people will accept such a doctrine. Certainly, the people in India will not accept that doctrine.

The people of India do not believe that you have given them unmixed blessings. They know perfectly well that individual Englishmen and individual Englishwomen have given tremendous service in India in one way or another, but they know one thing, which the Lord President of the Council has said, and that is that you cannot govern any country without the consent of the governed. The people in India who are vocal say: "We want to govern ourselves. We do not think that you know enough to be able to govern us." There is nobody in the world who really can manage another sentient human being. No one can really improve a man or a woman; that man and woman must improve themselves. Goodness cannot be pumped into people; it has to be drawn out of people. This attempt on the part of any race to say that they alone have a divine right and a sort of divine knowledge to rule people, is quite beside the point.

I have heard of many wonderful things which have been done in India. There have been many wonderful things done in India in the material sense. No one denies that, but when I listen to the serious conditions of the workers in Bombay, Calcutta and elsewhere, and I am told that those wretched mills, those mines and factories are owned or run by Indians—they are run by Indians and other people—I ask myself who was it that took capitalism to India? Who started India on the road that has produced the evils of which we hear? It was not something that India grew out of her own ideas. The Indians learned it from the West. That is one of the curses that we have given to the people of the East. [*Interruption.*] Certainly. I say that it is one of the curses that we have given to the East. I think that modern capitalism is the curse of the East. I hear statements about the competition of the East, the competition of Japan, China, or India, and I remember the discussions that we have had as to the right of India to exclude or to let in certain goods.

Hon. Members who are worried about Japanese competition would do well to remember that a few years ago the only industry that was busy in Lancashire was the engineering industry which was producing a special kind of textile machinery for producing the lowest standard of cloth for the Japanese and Chinese people. It was sent out by British capitalists, who employed British capital, to compete with Lancashire and Yorkshire in the markets of the East. It is no use our thinking that we get over these difficulties merely by blaming the Indian people or the Japanese people. We have to blame that system of money making which says: "We will make money anywhere and under almost any conditions." Therefore, the people in this country who are discussing this question from the point of view of British trade or from the point of view of benefit to British trade only, are making a very great mistake.

I want to leave enough time for the Lord President of the Council, but I wish to say a few things as clearly as I can as to our attitude in regard to the Joint Select Committee proposed to be set up. In the event of our Motion being defeated, as it very well may be, we most certainly would prefer that no Committee be set up. We do not think that it is any use trying to carry this business through without the Congress being represented. We think that it will waste the time of Parliament, waste the time of the Committee and waste our time in trying to do the impossible. I would not choose the course of the hon. Baronet, as it were, and throw up the sponge, but I would try another way, the way that was adopted, I believe, with Australia. I would say to the Indians, "You Princes and commoners, frame your Constitution. Tell us how you wish this great sub-Continent to be managed." I notice that the Noble Lord feels the pride of the Englishman and thinks that it is a ridiculous thing to ask the Indians to frame a Constitution. When he next speaks on the subject I would ask him to tell us why not. Surely we would not

want Indians to frame a Constitution for us.

They know better than anyone else how to manage one another. It is said that they will destroy one another. That may be said of us, and although we say a lot of nice, nasty things about each other very often, we would not dream of allowing a foreign Power to frame a Constitution for us. Why should we not allow Indians themselves to frame their own Constitution? It has been said to me, in regard to the Round Table Conference, that these wretched Indians do not know what they want. We have stated over and over again the policy of the Labour party, and it is a policy which the present Prime Minister helped us to formulate. He will no doubt remember it quite well. I will read it again, because it is important in view of what was said earlier in the Debate:

"Since the commencement of British control in India successive British Governments have given pledges to the peoples of that country. The Labour party desire to see these pledges honoured, and we stand by the declaration made at our Blackpool conference in 1927."

This is the Declaration; and this is what divides us from hon. Members opposite and from the White Paper:

"We reaffirm the right of the Indian people"—

It is a right, not a privilege—

"to full self-government and self-determination and, therefore, the policy of the British Government should be one of continuous co-operation with the Indian peoples with the object of establishing India at the earliest possible moment and by her consent"—

I want hon. Members to notice the phrase "by her consent"—

"as an equal partner with the other members of the British Commonwealth of nations."

What do we mean by the British Commonwealth of Nations? The Inter-Imperial Relations Committee of the Imperial Conference of 1926 said:

"The members of the British Commonwealth are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or internal affairs though united by a common allegiance to the Crown, freely associated as members of the British Commonwealth of Nations."

The late Mr. Bonar Law defined Dominion Home Rule as follows:

"If the self-governing Dominion of Australia or Canada chooses to-morrow to say, 'We will no longer make a part of the British Empire,' we would not try to force them. Dominion Home Rule means the right to decide for themselves."

We take our stand upon that, and say that the Indian peoples themselves must decide whether they will come into this Federation. If they choose to go out they have a right to go out, just as Canada and South Africa have the right. The Lord President of the Council ought to make it crystal clear whether their proposals in the White Paper mean that ultimately, I do not say to-day but as soon as is ever possible, the people of India, under the new Constitution which you are going to set up, will have the same status, the same rights, the same duties, if you will, as any other member of the British Commonwealth. Finally, I believe with many others who have spoken, that the world is at the parting of the ways, not only in regard to the question of Government by democracies or by dictatorships, but also on the question of Imperialism. I do not believe it will be possible in future to have the sort of Imperialism that Rome held, that Greece and other great civilisations practised in the past. When I spoke here on the Japanese question I said——[*Interruption.*] I can understand the courtesy of the Noble Lord and his friends at this time of the evening. I am trying to make a speech and they are trying to interrupt me by talking all the time.

Major the Marquess of TITCHFIELD: If I interrupted the right hon. Gentleman in any way I apologise. I am very sorry. I only happened to say something to an hon. Friend beside me.

Mr. LANSBURY: Then I am very sorry, too. It is extremely difficult to make a speech with a continual run of conversation. An hon. Friend who spoke earlier to-day had to submit to a running fire of talk the whole time. Sooner or later there will be the sort of protest that none of us will care to make. We felt to-night that we ought to go on talking while everyone else was speaking because of the treatment of my hon. Friend earlier to-day. I was saying that I believed Imperialism had had its day. Everywhere those who have pinned their faith to Imperialism have utterly failed. I do not believe that this country has gained anything by Imperialism, or that

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the masses have been benefited by it one bit. I believe that this civilisation will have to change its form, its methods, its relationship with the rest of the world. Most of all I believe that we of the white races will have to change our attitude of mind towards those who are called the subject races. If you believe that you are stronger and cleverer than they are, if you believe that God has given you more brain than they have, the only thing you should do with those brains and talents is to be of greater service to the community, and not masters and dominators of it.

10.23 p.m.

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): In my first words I would like, on behalf of the whole House, to offer our profound sympathy with, and admiration of, the right hon. Gentleman for the courage he has shown in coming to address us to-night. Now we are reaching the close of a momentous Debate, a Debate which in my view—I have sat through most of it—has been conducted admirably from every point of view. We have heard hon. Members in all parts of the House give their views with clarity and sincerity. Indeed, the whole Debate is in strongest contrast with a Debate that many of us remember, on an even more momentous Bill, the Government of India Bill of 1919. I agreed with my right hon. Friend the Member for Epping (Mr. Churchill) when he spoke of the interest our ancestors took in this question in this House. It is not an interest that we have taken—neither he nor I nor many of us who are here. I have refreshed my memory as to what took place in 1919 on the Government of India Bill. The Second Reading passed in one day. Among the few speakers was my right hon. Friend the First Commissioner of Works, who has been in the House to-day, and he said, speaking on 5th June, 1919:

"As one who has sat through the Debate continuously I do feel that it is very sad that the attendance has been so sparse this afternoon on what is in all probability the most important and far-reaching Bill that has been introduced into this House for several years. It is no use blaming Members of the House for not attending Debates of this important character on Imperial subjects, when the Treasury Bench is empty during the whole Debate, with the exception of the Minister in charge of the Bill, and another Minister who has a faithful and good record in his interest in Indian affairs. Otherwise, the whole of the Ministers have been away."—[OFFICIAL REPORT, 5th June, 1919; cols. 2383-84, Vol. 116.]

I was a junior Minister then, and I assume I was one of them. My right hon. Friend who was a very important Minister could not have been there either. In the time left to me, I think perhaps I can best devote myself to giving the House secondly and my own party primarily, the reasons that induced me, in 1929, to take the line which I have taken and why I adhere to that line now. I am the more disposed to do that because of the speech of my noble Friend the Member for Aldershot (Viscount Wolmer), because I am quite aware that what he said in his speech, although I do not think it has been expressed in any other speech, is latent in many minds. I wish to make some observations before I have finished on what he called my sentimentalism. I think I can prove very clearly to this House that I have been actuated by realism, and that sentimentalism lies with those who oppose me. For the information of Liberal Members on this point, I would like to explain to them that when my noble Friend called me a sentimental Liberal he really meant "sentimental ass."

I may begin by saying that, great as is my friendship with, and my admiration for, Lord Irwin, it was not that friendship which made me take that view. I have never yet adopted a political view from a personal friendship nor, on the other hand, have I ever allowed personal friendship to prevent me from separating from my political friends if I thought it right. I think I am absolved on that charge. The question that I asked myself was this: For one who adheres to Tory principles, as my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) does, I asked myself, what is the right course to preserve one of the first principles of the Primrose League, the maintenance of the Empire? I decided, after mature reflection, that if we went forward we might save India to the Empire, but, if we did not, that we should lose her. It was that belief that actuated me, and I propose to give the House the reasons why I came to those conclusions. I should say here, and I hope it is not impertinence

to my friends to say it, that I take no exception to the line that many of my friends have taken. I do not expect them for a moment to feel the strength of the reasons that moved me. I know the depth of their feelings, I know the sincerity of their feelings; I think they are wrong, but I respect them. So far as I am concerned, there will be no bad blood between us for anything that may have been said or that may be said later on.

Let me preface what I am going to say by alluding to the close of the lengthy but interesting speech delivered by my hon. Friend the Member for the Combined English Universities (Sir R. Craddock). He quoted from a pamphlet that I do not suppose anyone reads now, but with which I was familiar when I was young, and that was Carlyle's "Shooting Niagara." It made a great sensation in its time. Well, we have shot Niagara now, many years ago, and we are in the rapids, and likely to be in them for a long time. In spite of what one of my hon. Friends said, I do not believe that the salvation of man lies in the ballot box. I do not think I have ever paid lip service to democracy, but what I always have said is this: A public man in any generation has to work in the environment in which he is found. The environment in which we are living is that of democracy, but it does not follow that it is a perfect system. I do not wish to criticise it to-night. It may be good or it may not, but it is what we have to work with, and it is the bad workman who complains of his tools. If he has to work in a democratic system, the wise man not only makes the best of it himself, without complaining, but tries to make everybody else feel the same, and that he will make the best of the tool that he has. Because we none of us know, whether we sit here or on the other side of the House, whether any change, particularly any revolutionary change, is not going to land us out of the frying pan into the fire. So much for that.

Well, we shot Niagara before the War. At least, Carlyle would have said we had shot it, had he lived. But, of course, there are many hon. Members in this House who do not remember the days before the War—not as grown men. It seems remarkable to many of us here. Before the War we lived in the early 20th century, which was a continuation of the late 19th century. To-day, what many of my hon. Friends have never realised, and will not to the day of their death, we are living in the 21st century. I have said times without number in the last 14 years, both on the platform and in this House, that during the War we passed through one, two, and it may be three generations of political evolution. That is why many of us are still giddy, that we have never been able to reconcile ourselves to the age in which we live. This post-War world is full of pre-War minds.

Many people in this country will never realise the direction in which the world is going, and particularly our own country. We are still in the middle of the evolution, which is not over yet, and will last for many years, and may last for the best part of a generation. Things are changing round us and under our feet more quickly than some people realise, and the party that does not realise it does not stand much chance of being returned to power in this country. I always think that that is one of the greatest mistakes of my right hon. Friend the Member for Epping, for whom I have the greatest admiration for his multifarious gifts. We worked together closely and intimately for four or five years, and I do not think that we had any dispute during that time. We worked well together. But this one thing always remains in him. He was brought up, as I was, a Tory. For reasons that seemed good to him, he was not one of us during all the years when we were in the wilderness. When we were in the wilderness, and especially at the end of the War, those of us who believed in our party had to think hard to see how we could align our party to the forces that came into existence after the War.

Who thought when the War began that in 10 years we would have universal suffrage in this country? Who would have thought in 1903, when my hon. and gallant Friend the Member for Bournemouth and I were supporting Joseph Chamberlain that in 1926 we should have an Imperial Conference when the only threads remaining were threads of gossamer? These changes were brought about by Mr. Balfour, my right hon. Friend the Member for Sparkbrook (Mr. Amery) and many others whose Toryism was unimpeachable. My right hon.

[Mr. Baldwin.]

Friend the Member for Epping was not with us in those years, and has not quite understood what has passed through our minds, or the point from which we moved. When once more he was able, to our delectation, to help us again after our great victory, there was a natural tendency on his part to revert to the Toryism in which he had been brought up. It is the Toryism of that time that reflects to-day his views on India, because they were the views of the Toryism of the time when he and I were young. We have had long talks together, and I have enjoyed his conversation. I remember that George Wyndham, who was much loved and admired in this House, was an admirable talker, but he was a bad listener, and he often thought he was listening when, as a matter of fact, he was only talking. My friends are good enough to tell me that I am a good listener, and sometimes a man who is not a good listener is apt not to have revealed to him some of the wisdom of babes and sucklings.

I was speaking about the conditions of this country and about democracy, and as I have often said here and on the platform, that contraction of the world which began some years ago has increased with lightning rapidity since the War. It is a contraction which applies not only to Europe but to the whole world. The motor car, the films, the aeroplane and the gramophone brought a revolution in the world, and to-day there is no idea that is started among men that does not flash from pole to pole with the speed of light. That is the great difference between this age and the age before the War. Not only has it altered our country, but it has altered our relations with every country in the world. It has altered the unchanging East. The unchanging East is not unchanging. The defeat of Russia by Japan caused a new spirit to burn in the whole of Asia; the fall of the ancient Chinese monarchy shows that. There is a yeast at work in the whole of the East, and India cannot be isolated. That yeast is working there. It is not the India of our childhood, it is not the India of our young manhood; it is a new India, and that is the thing with which we have to reckon. My right hon. Friend was delighted the other day when somebody quoted, not quite correctly, the lines about:

"The legions thunder past."

I saw the glint of pleasure come into his eye. It is no longer true, however, that thought is static in India. Her thought to-day is dynamic, and that is so not only in India but throughout the whole of the East, and it has been one of the greatest difficulties with which we have had to contend, and is our greatest difficulty to-day in foreign politics as between this country and the whole of China and the whole of Japan, and it will be so for many years to come. Whence came the democratic ideas into India that form part of this yeast? They all came from this country. Rightly or wrongly we gave a literary English education to an Eastern people, and we are reaping now what we sowed 100 years ago. Everyone in India who is educated has had an education of that kind. The whole of their political education, broadly speaking, has been in English political Liberalism, the democratic idea. We have raised that plant. We have taught India the idea of unity, which did not exist when we went there. We have taught the Indian people the two things that to-day are the strongest motive power in the country, and now they are asking us for that responsibility which we have said time and time again is the goal to which they are to look forward.

I do not mind confessing that one of the strongest arguments in favour of responsibility proceeds whence many strong arguments come, and that is from my right hon. Friend the Member for Epping. My Noble Friend the Member for Horsham (Earl Winterton) did not quote this one, though he gave it a very pertinent quotation. I have one which I think is much more pertinent. It is from a speech made by the right hon. Member for Epping during a Debate just before I became a Member of this House when our party, on political grounds, were opposing the grant of the Constitution to the Transvaal. The right hon. Member for Epping made the most powerful defence of those proposals. I do not propose to give the House the reasons, admirable as they are, but his conclusion is one to which there is no answer. He said:

"On these grounds His Majesty's Government came to the conclusion that it would be right to omit the stage of representative Government altogether and to come directly to the stage of responsible government. It

is the same in politics as it is in war. When one hard-pressed line has been left it is necessary to go to the next. It is quite idle to halt half-way in the valley between. That is to cause imminent and certain destruction. The moment you abandon the safe position of a Crown Colony, or of Government with a nominated majority, there is no stopping-place whatever on which you may rest the sole of your foot until you come to a responsible legislative assembly with an executive obeying that assembly."

An Irish Member asked the rather pertinent question: "Why not in Ireland?" To which my right hon. Friend, ever an adept in answer, replied: "I do not attempt to localise the logic of those arguments." Frankly, no more do I. I said that we might lose India from the Empire if we did not take a long step forward. I will not enumerate here the reasons—hon. Members can imagine many of them—such as exist in India. I will give you in a few words, as I have done before and has been done in this Debate, the reasons at home.

The moment that a question like this becomes a keen political question, you have the Irish situation over again. What was the position in regard to Ireland? From 1886 onwards, two political parties were lined up in opposition. It was a political question of the first water. I fought on it as a young man. The Liberals could not advance an inch towards us, and we could not advance an inch towards them. We fought and fought, until there was nothing left but husks to fight over, and we ended in 1921—an end that none of us wanted to see and that has made for few peoples happiness. I supported my right hon. Friend the Member for Epping at that time and I spoke in favour of the proposals. I believed that they were the only thing to be done. It was not an end that one of us 10 years, or even five years, before would have desired to see. What will happen here? Suppose we did not step forward, and suppose we had India in domestic politics as Ireland was, and that you alternated between what is called firm rule and relaxational authority; you would have chaos in India, and you would have a position before long that would make the holding of that country absolutely impossible. You would end in exactly the same way as you ended in Ireland. It is suggested that we might have had wiser leading at some time in our party on this matter. We may have waited till it was too late, as we did with regard to the Trades Dispute Act that helped to lose the 1906 election. I am not going to be too late this time. If I may say so to the Noble Lord the Member for Aldershot, whatever faults I may commit, I am not going to adopt the policy of missing the omnibus every time, to use a phrase that has been used very often.

I come to what I call the sentimental part of the speech by my hon. and gallant Friend. There was a very moving passage in his most interesting speech, in which he said what he remembered when he was a small boy. His whole vision of India is coloured by those memories. I call it a sentimental memory in the best sense of the word. What has been the history of India? In two words: We went there primarily for trade. Then we fought. Why did we fight? We fought, largely with the help of Indian soldiers now of one race and now of another. We fought where the local chiefs, or States, were fighting, not to conquer them, but to get peace, because fighting interfered with our trade. That was the sole idea which existed at the time. That was the first stage which brought us into India. We remember the great men the East India Company had. They were the men who kept the peace in India. Then there came some of the greatest administrators we had in India. It is interesting to remember that they did not visualise a British Raj. They visualised an India which, ultimately, taught by ourselves, would stand on her own feet. Among these men were three: Munro, Mountstuart Elphinstone and John Malcolm. They are three of the biggest men that ever went out to India.

The India which the right hon. Gentleman remembers in his childhood, and the India I remember, was still developing. It was a time of gradual evolution. We have passed through that stage. My most sentimental recollections are of the country as I knew it as a child—the country before there were motor cars on the country road, and nothing but horses. I remember when the Home centre was 10 miles, and beyond that you could not go. That is what I would like to see come back, but it is passed and gone for ever. The period of maternal government of India has gone. It went nearly 20 years ago and it cannot come back.

[Mr. Baldwin.]

It is no good looking back on that and thinking that that is what we are throwing away to-day. We are throwing away nothing of the kind, for evolution has swept past. We are now in a period when, gradually, and by degrees, more and more responsibility is being put on Indians themselves. I sympathise with the sentimental attitude, but my head tells me it is not true to-day. All we have to look at is what is true to-day. We want a policy of realism and not a policy of sentiment. Those were some of the thoughts which passed through my mind.

I was glad to hear the tributes paid from every quarter in this House to my right hon. Friend and Lord Willingdon, the Viceroy. I am perfectly convinced, as has been said in some quarters of this House, although, I think, it would be denied in others, that by no means on earth could you have got improvement in India and a practical cessation of civil disobedience, had it not been that the firm policy of the Viceroy and the Secretary of State was accompanied by progress in preparing for constitutional reform in India. Without that you had constitutional reform, I doubt whether the trouble you had two or three years ago would not have been intensified from one end of India to the other. A great mistake is sometimes made. Hon. Members on the benches opposite would concede to those, who many of us call the more extreme parties in India, all they want. They believe on those benches that they really represent India.

In the same way, hon. Friends of mine who differ from the hon. Baronet believe that India consists of Congress and its supporters, and that all the rest of India consists of apathetic peasants and Princes. I do not think that that is a true conception. It must be remembered that it is always the extreme party that is the first to form an organisation and to agitate. They have to do it from their nature. There are any number of political people in India, of Indians in the Services in India, who are as moderate-minded as we are ourselves, but they are less vocal than the extremists. It will be a profound disappointment to all who believe in these reforms if those elements, together with the others, do not make their weight and their counsel felt when responsibility is once thrown upon the shoulders of the Indians themselves.

The Joint Committee will be set up almost at once. Upon it will be laid, as has been said throughout the Debate, one of the gravest responsibilities that has ever been placed upon a body representing the two Houses of Parliament. The object of its work will be peculiarly appropriate to the Conservative party—rational, progressive reform. The Conservative, as I understand him, is no Junker and no Fascist. He is a man who believes in constitutional progress, who wants to serve his country, and who wants to see people contented and happy. There can be no better work for our party than to devote themselves to, and see what they can make of, this vast problem. There are countless materials with which to build the edifice. The architecture is left fairly free. It will tax the powers of our best, and of all our best. Let this work be taken in hand in a spirit conscious of the responsibility, and determined to do a piece of work for this country, for India, and for the Empire, which may, through times of doubt and difficulty, cement the bonds between us and lead to a real union. I know and realise as well as anyone the dangers and difficulties in the course we are pursuing. I should not be speaking honestly to the House if I did not say that in my view both dangers and difficulties lie ahead. But, convinced as I am of that, I am still more profoundly convinced that the difficulties and dangers that would be around us if we did not take this step would be infinitely greater.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided: Ayes, 475; Noes, 42.

Division No. 94.] AYES. [11.0 p.m.

Acland, Rt. Hon. Sir Francis Dyke	Albery, Irving James	Apsley, Lord
Acland-Troyte, Lieut.-Colonel	Alexander, Sir William	Aske, Sir Robert William
Adams, Samuel Vyvyan T. (Leeds, W.)	Allen, Sir J. Sandeman (Liverp'l, W.)	Astbury, Lieut.-Com. Frederick Wolfe
Agnew, Lieut.-Com. P. G.	Allen, William (Stoke-on-Trent)	Astor, Maj. Hn. John J. (Kent, Dover)
Ainsworth, Lieut.-Colonel Charles	Anstruther-Gray, W. J.	Astor, Viscountess (Plymouth, Sutton)

Atholl, Duchess of
Atkinson, Cyril
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Baldwin-Webb, Colonel J.
Balfour, George (Hampstead)
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Bateman, A. L.
Beauchamp, Sir Brograve Campbell
Beaumont, M. W. (Bucks., Aylesbury)
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Beit, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Betterton, Rt. Hon. Sir Henry B.
Bevan, Stuart James (Holborn)
Birchall, Major Sir John Dearman
Bird, Ernest Roy (Yorks., Skipton)
Bird, Sir Robert B.(Wolverh'pton W.)
Blaker, Sir Reginald
Borodale, Viscount
Bossom, A. C.
Boulton, W. W.
Bower, Lieut.-Com. Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyd-Carpenter, Sir Archibald
Bracken, Brendan
Braithwaite, Maj. A. N. (Yorks, E.R.)
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briant, Frank
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Browne, Captain A. C.
Buchan-Hepburn, P. G. T
Bullock, Captain Malcolm
Burghley, Lord
Burgin, Dr. Edward Leslie
Burnett, John George
Burton, Colonel Henry Walter
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Caine, G. R. Hall-
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cassels, James Dale
Castlereagh, Viscount
Castle Stewart, Earl
Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Col. R. (Houghton-le-Spring)
Chorlton, Alan Ernest Leofric
Christie, James Archibald
Churchill, Rt. Hon. Winston Spencer
Clarke, Frank
Clarry, Reginald George
Clayton, Dr. George C.
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Cove, William G.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Croft, Brigadier-General Sir H.
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Donner, P. W.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eady, George H.
Eales, John Frederick
Eastwood, John Francis
Eden, Robert Anthony
Edmondson, Major A. J.
Elliot, Major Rt. Hon. Walter E.
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, Capt. Arthur (Cardiff, S.)
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Everard, W. Lindsay
Falle Sir Bertram G.
Fermoy, Lord
Fleming, Edward Lascelles
Foot, Dingle (Dundee)
Ford, Sir Patrick J.
Forestier-Walker, Sir Leolin
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gledhill, Gilbert
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Ralph G. C.
Goldie, Noel B.
Goodman, Colonel Albert W.
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'ri'd, N.)
Granville, Edgar
Graves, Marjorie
Greaves-Lord, Sir Walter
Greene, William P. C.
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Gritten, W. G. Howard
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hall, Capt. W. D'Arcy (Brecon)
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Harris, Sir Percy
Hartington, Marquess of
Hartland, George A.
Harvey, Major S. E. (Devon, Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsf'd)
Hepworth, Joseph
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hope, Capt. Hon. A. O. J. (Aston)
Hopkinson, Austin
Hore-Belisha, Leslie
Hornby, Frank
Horne, Rt. Hon. Sir Robert S.
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hurd, Sir Percy
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Johnstone, Harcourt (S. Shields)
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kimball, Lawrence
Knebworth, Viscount
Knight, Holford
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Latham, Sir Herbert Paul
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leckie, J. A.
Lees-Jones, John
Leigh, Sir John
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Locker-Lampson, Rt.Hn. G.(Wd. Gr'n)
Locker-Lampson, Com. O. (H'ndsw'th)
Lockwood, John C. (Hackney, C.)
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lyons, Abraham Montagu

Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
MacDonald, Rt. Hon. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKeag, William
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macmillan, Maurice Harold
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Maitland, Adam
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Marsden, Commander Arthur
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Richard James
Merriman, Sir F. Boyd
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Moore-Brabazon, Lieut.-Col. J. T. C.
Moreing, Adrian C.
Morgan, Robert H.
Morris, John Patrick (Salford, N.)
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shephard
Moss, Captain H. J.
Muirhead, Major A. J.
Munro, Patrick
Nall, Sir Joseph
Nall-Cain, Hon. Ronald
Nation, Brigadier-General J. J. H.
Newton, Sir Douglas George C.
Nicholson, Godfrey (Morpeth)
Normand, Wilfrid Guild
North, Captain Edward T.
Nunn, William
O'Connor, Terence James
O'Donovan, Dr. William James
Oman, Sir Charles William C.
Ormiston, Thomas
Ormsby-Gore, Rt. Hon. William G. A.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Captain Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Sir Basil E. (Devon, Barnstaple)
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickford, Hon. Mary Ada
Pike, Cecil F.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Power, Sir John Cecil
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Percy John
Raikes, Henry V. A. M.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Ratcliffe, Arthur
Rawson, Sir Cooper
Ray, Sir William
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rentoul, Sir Gervais S.
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Roberts, Aled (Wrexham)
Roberts, Sir Samuel (Ecclesall)
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Samuel
Ross, Ronald D.
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel E. A.
Runciman, Rt. Hon. Walter
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Samuel (W'dsworth, Putney)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shepperson, Sir Ernest W.
Shute, Colonel J. J.
Simon, Rt. Hon. Sir John
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Bracewell (Dulwich)
Smith, Sir Jonah W. (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, R. W. (Aberd'n & Kinc'dine, C.)
Smith-Carington, Neville W.
Smithers, Waldron
Somervell, Donald Bradley
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Southby, Commander Archibald R. J.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. H. (Fife, E.)
Stewart, William J. (Belfast, S.)
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Templeton, William P.
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Capt. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tryon, Rt. Hon. George Clement
Turton, Robert Hugh
Vaughan-Morgan, Sir Kenyon
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Waterhouse, Captain Charles
Watt, Captain George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Weymouth, Viscount
White, Henry Graham
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Wilson, G. H. A. (Cambridge U.)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Wise, Alfred R.
Wolmer, Rt. Hon. Viscount
Womersley, Walter James
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Captain Margesson and Mr. Blindell.

NOES.

Adams, D. M. (Poplar, South)
Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Cape, Thomas
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
George, Major G. Lloyd (Pembroke)
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, T. (Monmouth, Pontypool)
Groves, Thomas E.
Grundy, Thomas W.
Hall, F. (York, W.R., Normanton)
Hall, George H. (Merthyr Tydvil)
Hicks, Ernest George
Hirst, George Henry
Jenkins, Sir William
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
McEntee, Valentine L.
Milner, Major James
Nathan, Major H. L.
Owen, Major Goronwy
Parkinson, John Allen
Price, Gabriel

Salter, Dr. Alfred
Tinker, John Joseph
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Dr. John H. (Llanelly)
Williams, Thomas (York, Don Valley)

TELLERS FOR THE NOES.—Mr. D. Graham and Mr. John.

Main Question put,

"That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

The House divided: Ayes, 449; Noes, 43.

Division No. 95.] AYES. [11.15 p.m.

Acland, Rt. Hon. Sir Francis Dyke
Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Ainsworth, Lieut.-Colonel Charles
Albery, Irving James
Alexander, Sir William
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, William (Stoke-on-Trent)
Anstruther-Gray, W. J.
Apsley, Lord
Aske, Sir Robert William
Astbury, Lieut.-Com. Frederick Wolfe
Astor, Maj. Hn. John J. (Kent, Dover)
Astor, Viscountess (Plymouth, Sutton)
Atkinson, Cyril
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Baldwin-Webb, Colonel J.
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Bateman, A. L.
Beauchamp, Sir Brograve Campbell
Beaumont, M. W. (Bucks., Aylesbury)
Beaumont, Hn. R. E. B. (Portsm'th, C.)
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Betterton, Rt. Hon. Sir Henry B.
Bevan, Stuart James (Holborn)
Birchall, Major Sir John Dearman
Bird, Ernest Roy (Yorks., Skipton)
Bird, Sir Robert B. (Wolverh'pton W.)
Blaker, Sir Reginald
Borodale, Viscount
Bossom, A. C.
Boulton, W. W.
Bower, Lieut.-Com. Robert Tatton
Bowyer, Capt. Sir George E. W.
Braithwaite, Maj. A. N. (Yorks, E. R.)
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briant, Frank
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Browne, Captain A. C.
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burghley, Lord
Burgin, Dr. Edward Leslie
Burnett, John George
Burton, Colonel Henry Walter
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Caine, G. R. Hall-
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cassels, James Dale
Castlereagh, Viscount
Castle Stewart, Earl
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chorlton, Alan Ernest Leofric
Christie, James Archibald
Clarke, Frank
Clayton, Dr. George C.
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Croft, Brigadier-General Sir H.
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Donner, P. W.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eady, George H.
Eales, John Frederick
Eastwood, John Francis
Eden, Robert Anthony
Edmondson, Major A. J.
Elliot, Major Rt. Hon. Walter E.
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, Capt. Arthur (Cardiff, S.)
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Faile, Sir Bertram G.
Fermoy, Lord
Fleming, Edward Lascelles
Foot, Dingle (Dundee)
Ford, Sir Patrick J.
Forestier-Walker, Sir Leslie
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gledhill, Gilbert
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Ralph G. C.
Goldie, Noel B.
Goodman, Colonel Albert W.
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'l'd, N.)
Graves, Marjorie
Greaves-Lord, Sir Walter
Greene, William P. C.
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Gritten, W. G. Howard
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hall, Capt. W. D'Arcy (Brecon)
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanbury, Cecil
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Harris, Sir Percy
Hartland, George A.
Harvey, Major S. E. (Devon, Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsf'd)
Hepworth, Joseph
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hope, Capt. Hon. A. O. J. (Aston)
Hopkinson, Austin
Hore-Belisha, Leslie
Hornby, Frank
Horne, Rt. Hon. Sir Robert S.
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)

Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hurd, Sir Percy
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Johnstone, Harcourt (S. Shields)
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Knebworth, Viscount
Knight, Holford
Lamb, Sir Joseph Quinton
Latham, Sir Herbert Paul
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leckie, J. A.
Lees-Jones, John
Leigh, Sir John
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Locker-Lampson, Rt. Hn.G.(Wd.Gr'n)
Locker-Lampson, Com. O. (H'ndsw'th)
Lockwood, Capt. J. H. (Shipley)
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lyons, Abraham Montagu
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
MacDonald, Rt. Hn. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKeag, William
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macmillan, Maurice Harold
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Maitland, Adam
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Marsden, Commander Arthur
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Richard James
Merriman, Sir F. Boyd
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Moore-Brabazon, Lieut.-Col. J. T. C.
Moreing, Adrian C.
Morris, John Patrick (Salford, N.)
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Moss, Captain H. J.
Muirhead, Major A. J.
Munro, Patrick
Nall, Sir Joseph
Nall-Cain, Hon. Ronald
Nathan, Major H. L.
Nation, Brigadier-General J. J. H.
Newton, Sir Douglas George C.
Nicholson, Godfrey (Morpeth)
Normand, Wilfrid Guild
North, Captain Edward T.
Nunn, William
O'Connor, Terence James
O'Donovan, Dr. William James
Oman, Sir Charles William C
Ormiston, Thomas
Ormsby-Gore, Rt. Hon. William G. A
Owen, Major Goronwy
Palmer, Francis Noel
Patrick, Colin M.
Peake, Captain Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickford, Hon. Mary Ada
Pike, Cecil F.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Power, Sir John Cecil
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Percy John
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Ratcliffe, Arthur
Rathbone, Eleanor
Rawson, Sir Cooper
Ray, Sir William
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rentoul, Sir Gervais S.
Roberts, Aled (Wrexham)
Roberts, Sir Samuel (Ecclesall)
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Samuel
Ross, Ronald D.
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel E. A.
Runciman, Rt. Hon. Walter
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shepperson, Sir Ernest W.
Shute, Colonel J. J.
Simon, Rt. Hon. Sir John
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Bracewell (Dulwich)
Smith, Sir Jonah W. (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, R. W. (Ab'rd'n & Kinc'dine, C.)
Smith-Carington, Neville W.
Smithers, Waldron
Somervell, Donald Bradley
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Southby, Commander Archibald R. J.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley Hon. O. F. G. (Westmorland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. H. (Fife, E.)
Stewart, William J. (Belfast, S.)
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Templeton, William P.
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Capt. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tryon, Rt. Hon. George Clement
Turton, Robert Hugh
Vaughan-Morgan, Sir Kenyon
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Waterhouse, Captain Charles
Watt, Captain George Steven H.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Weymouth, Viscount
White, Henry Graham
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Wilson, G. H. A. (Cambridge U.)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Walter James
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Captain Margesson and Mr. Blindell.

NOES.

Adams, D. M. (Poplar, South)	**Grenfell, David Rees (Glamorgan)**	**Lunn, William**
Attlee, Clement Richard	**Griffiths, T. (Monmouth, Pontypool)**	**McEntee, Valentine L.**
Banfield, John William	**Groves, Thomas E.**	**McGovern, John**
Batey, Joseph	**Grundy, Thomas W.**	**Maxton, James**
Bevan, Aneurin (Ebbw Vale)	**Hall, F. (York, W.R., Normanton)**	**Milner, Major James**
Brown, C. W. E. (Notts., Mansfield)	**Hall, George H. (Merthyr Tydvil)**	**Parkinson, John Allen**
Buchanan, George	**Hicks, Ernest George**	**Price, Gabriel**
Cape, Thomas	**Hirst, George Henry**	**Salter, Dr. Alfred**
Cocks, Frederick Seymour	**Jenkins, Sir William**	**Tinker, John Joseph**
Cove, William G.	**Jones, J. J. (West Ham, Silvertown)**	**Williams, David (Swansea, East)**
Cripps, Sir Stafford	**Jones, Morgan (Caerphilly)**	**Williams, Edward John (Ogmore)**
Daggar, George	**Kirkwood, David**	**Williams, Dr. John H. (Llanelly)**
Davies, David L. (Pontypridd)	**Lansbury, Rt. Hon. George**	**Williams, Thomas (York., Don Valley)**
Davies, Rhys John (Westhoughton)	**Leonard, William**	
Greenwood, Rt. Hon. Arthur	**Logan, David Gilbert**	

TELLERS FOR THE NOES.—Mr. D. Graham and Mr. John.

Resolved,

"That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."—[*Sir S. Hoare.*]

ELECTRICITY (SUPPLY) ACT.

Resolved,

"That the Special Order made by the Electricity Commissioners under the Electricity (Supply) Acts, 1882 to 1928, and confirmed by the Minister of Transport under the Electricity (Supply) Act, 1919, and the Public Works Facilities Act, 1930, in respect of part of the rural district of Torrington, in the county of Devon, which was presented on the 1st day of March, 1933, be approved."

Resolved,

"That the Special Order made by the Electricity Commissioners under the Electricity (Supply) Acts, 1882 to 1928, and confirmed by the Minister of Transport under the Electricity (Supply) Act, 1919, and the Public Works Facilities Act, 1930, in respect of part of the borough of Walsall and part of the rural district of Walsall, in the county of Stafford, which was presented on the 2nd day of March, 1933, be approved."

Resolved,

"That the Special Order made by the Electricity Commissioners under the Electricity (Supply) Acts, 1882 to 1928, and confirmed by the Minister of Transport under the Electricity (Supply) Act, 1919, in respect of the administrative county of the Isle of Wight, which was presented on the 14th day of March, 1933, be approved."—[*Lieut.-Colonel Headlam.*]

The remaining Orders were read, and postponed.

It being Half-past Eleven of the Clock, MR. SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at Half after Eleven o'Clock.

HOUSE OF COMMONS.

Monday, 10th April, 1933.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Norwich Corporation Bill,

As amended, considered; to be read the Third time.

ORAL ANSWERS TO QUESTIONS.

INDIA.

LABOUR CONDITIONS (RAILWAYS).

1. **Mr. T. WILLIAMS** asked the Secretary of State for India whether it is the intention of the Government of India to submit proposals to the Legislative Assembly for carrying out the recommendations of the Royal Commission on Labour with regard to standing machinery for settling railway disputes; and if the All-India Railwaymen's Federation will be taken into consultation before such proposals are submitted for legislative enactment?

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): My latest information in regard to the recommendations referred to is that they are still under the consideration of the Government of India.

PRISONERS, ANDAMAN ISLANDS.

2. **Mr. T. WILLIAMS** asked the Secretary of State for India whether he can give the number of Indian prisoners convicted of political crimes now in the Andaman Islands; what are the minimum and maximum sentences covered by the transportation orders; and what is the minimum age of the prisoners?

Sir S. HOARE: As regards the ordinary convict population of the islands, the latest detailed statistics are summarised on page 117 of Command Paper No. 4109. The great majority of the convicts are serving long sentences for crimes of violence, but there is no indication whether in any particular instances political motives were involved. As regards the transfer to the Andamans of prisoners convicted in connection with terrorist outrages, which was decided upon last year as a special measure, the present position is that about 100 terrorist convicts, mostly from Bengal, have been transferred. I have no detailed information as to ages or sentences.

Mr. WILLIAMS: Would it not be possible to get the age of the younger prisoners?

Sir S. HOARE: I should think so. Anyhow, I will communicate with the Government of India and let the hon. Member know.

UNEMPLOYMENT.

4. **Mr. T. WILLIAMS** asked the Secretary of State for India, whether he will direct the Government of India to offer their co-operation to the proposed census of the unemployed in India to be carried out by unemployed graduates and undergraduates in the Punjab?

Sir S. HOARE: The matter is not one in which I should wish to interfere with the discretion of the Government of India.

Mr. WILLIAMS: Would it not be advisable to ascertain whether they will co-operate? Does not he think he might communicate with the Government of India and try to use his influence?

Sir S. HOARE: I hesitate to trouble the Government of India with a number of inquiries about details which seem to me to come so much under their special purview. Of course, if the hon. Member presses me, I will try to obtain the information, but I should have thought it was just the kind of question we had better leave to the local administration.

Mr. WILLIAMS: As the question of Indian employment reflects itself in our own unemployment, ought we not to think at least sympathetically about the census figures?

Sir S. HOARE: If the hon. Member presses me, I will ask for further information.

Sir JOHN WARDLAW-MILNE: Is it not a fact that there is really no basis

[Sir J. Wardlaw-Milne.]

for getting the figures of unemployment in India on the same lines as in this country?

Sir S. HOARE: Yes, that is so.

MEERUT TRIALS (LESLIE HUTCHINSON).

5. **Colonel WEDGWOOD** asked the Secretary of State for India whether Leslie Hutchinson has given notice of appeal against his four years' sentence in connection with the Meerut trials; and does this sentence take into account the four years he has already been in prison or is it additional?

Sir S. HOARE: All the prisoners have appealed, and the sentences in all cases run from the date of judgment, that is from 16th January. It is not the case that Hutchinson has already been in prison for four years as he was granted bail during the latter part of the trial.

Colonel WEDGWOOD: Is it at present illegal to be a Communist in India?

Sir S. HOARE: I should not like to be drawn into a general answer of that kind.

LAND MORTGAGE BANKS (DEBENTURES).

8. **Mr. DAVID GRENFELL** asked the Secretary of State for India what action the Government of India propose to take, in view of the representations made to them from the Government of Madras, with regard to an amendment of the Indian Trusts Act, so as to declare the debentures of the Madras Co-operative Central Land Mortgage Bank trustee securities?

10. **Mr. RHYS DAVIES** asked the Secretary of State for India whether the Government of India will consider the advisability of holding an inquiry with a view to enabling, or inducing, Indian insurance companies to take up the debentures of land mortgage banks as suitable long-term investments?

Sir S. HOARE: The views of the Government of India were stated by their Finance Member in the Legislative Assembly on the 1st March. His speech will be found on pages 1416-1420 of the Proceedings of the Assembly, of which I am sending a copy to the hon. Members for Gower (Mr. D. Grenfell) and Westhoughton (Mr. R. Davies).

COASTING TRADE.

9. **Mr. D. GRENFELL** asked the Secretary of State for India the present position with regard to the rate war now going on between indigenous and foreign shipping companies engaged in the Indian coasting trade; and what steps the Government of India propose to take in the matter?

Sir S. HOARE: I have reason to believe that an understanding has been reached between the parties concerned and that there is now no rate war going on such as the hon. Member has in mind.

Sir J. WARDLAW-MILNE: Is it not the case that the so-called foreign shipping companies are really indigenous in the sense that they alone have created the whole Indian coastal traffic?

Sir S. HOARE: I expect the hon. Gentleman is quite correct in the comment which he has made. Anyhow, as far as I understand, an agreement has now been reached which, I hope, will put an end to a controversy which has lasted for several years.

TEXTILE INDUSTRY (COAL).

11. **Mr. RHYS DAVIES** asked the Secretary of State for India what steps the Government of India propose to take in view of the representations received from the Indian Mining Federation with reference to the use of Indian coal by the cotton textile industry as a condition of the renewal of supplementary protection?

Sir S. HOARE: I have no information. It is not a matter in which I should wish to intervene.

HISTORY OF RUSSIAN REVOLUTION.

12. **Mr. BERNAYS** asked the Secretary of State for India if he is aware that the Government of India has prohibited the importation into India of the History of the Russian Revolution, by Leon Trotsky; and whether he can state the reasons for that action?

Sir S. HOARE: I have no information on the point.

PANAMA (EMIGRATION LAWS).

13. **Mr. McENTEE** asked the Secretary of State for India what steps the Government of India propose to take with regard to new emigration laws enforced

by the State of Panama in so far as they affect edversely Indian firms established in the State?

Sir S. HOARE: I have not heard whether the Government of India propose to take any action in the matter.

INDIAN CONSTITUTIONAL REFORM (COMMAND PAPER).

49. **Mr. BERNAYS** (*for* **Mr. GRAHAM WHITE**) asked the Financial Secretary to the Treasury how many copies of Proposals for Indian Constitutional Reform, Cmd. 4268, have been sold to date; and whether, in view of the importance of this document, he will consider the advisability of reducing the sale price?

The FINANCIAL SECRETARY to the TREASURY (Mr. Hore-Belisha): The number of copies of Proposals for Indian Constitutional Reform, Cmd. 4268, that have been sold to date is 2,200. The sale price was fixed at 2s. under the pricing scale for Government publications. It is undesirable to vary the pricing scale in favour of particular documents whatever their importance, and I see no sufficient reason for varying it in this case.

TRADE AND COMMERCE.

INDIA (BRITISH TEXTILES).

3. **Major PROCTER** asked the Secretary of State for India, why the question of the import duties on British textiles into India was not included in the Ottawa Agreements; and if he will state the present position?

Sir S. HOARE: I am sending my hon. and gallant Friend a copy of the report of the Indian Delegation. The reason why they could not deal with British cotton piece goods at Ottawa is explained in paragraph 29. At the time of the Ottawa Conference the duties on these goods were under reference to the Tariff Board, and it was considered that any modification of them must be postponed until the Board had reported. The present position is that the Government of India are considering the report of the Tariff Board. The extent to which other classes of British textiles are dealt with in the Ottawa Agreement can be seen by reference to Articles 10 and 11 of the Agreement, Items 141-150 of Schedule "F," and Schedule "G."

Major PROCTER: Will the right hon. Gentleman consider making joint representations to Japan voluntarily to reduce their dumped imports into India before public opinion in both countries demands the cancellation of the Japanese trade agreement?

Sir S. HOARE: The Government of India is very much alive to the urgency of the question. I will only say that in the last day or two a Bill dealing with some aspects of the question has been introduced into the Indian Assembly. But the hon. and gallant Gentleman may rest assured that we have the point of view that he has expressed very much in mind.

Mr. RHYS DAVIES: May we take it that the Government of India, in considering the report of the Tariff Board, will bear in mind the Lancashire textile industry?

Sir S. HOARE: Yes, certainly. It is a question that is never out of the mind of either the Government of India or the British Government.

RUSSIA.

26. **Sir GIFFORD FOX** asked the Secretary of State for Foreign Affairs whether he will give a list of cases in which default has occurred by the Soviet Government on any of its contractual engagements to British nationals in the last five years?

Lieut.-Colonel COLVILLE: I have been asked to reply. The only case of a failure on the part of the Soviet Government to meet its contractual obligations to British nationals during the last five years that has been brought to my notice, is that of the Lena Goldfields.

JAPANESE IMPORTS.

37. **Mr. CHORLTON** asked the President of the Board of Trade in view of the Indian Government having devised an anti-dumping measure against Japanese imports, what steps he proposes to take with the object of carrying out the same measure in the other parts of the Empire that may be concerned?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): I would refer my hon. Friend to the reply given to him by my right hon. Friend on 28th March.

Mr. CHORLTON: In view of the importance of this subject, will the hon. Member accelerate proceedings so that the dumping may be stopped?

Lieut.-Colonel COLVILLE: As the hon. Member is aware, the subject is a complicated one and important conferences are being held with representatives of the trade to see what steps can be taken in the matter.

AVIATION.

LONDON-AUSTRALIA AIR ROUTE (SURVEY).

14. **Captain PETER MACDONALD** asked the Secretary of State for Foreign Affairs what action he intends to take with regard to representations which have been made to him by the Australian Minister in London as to the delay caused to the survey of the London-Australia air route by the failure of the Dutch and Portuguese Governments to give permission for Anglo-Australian mail aeroplanes to land on their territories?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): In reply to requests addressed to them, the Portuguese Government have accorded permission and all facilities for the preliminary survey of the route, and the Netherlands Government have requested the Netherlands East India Government to grant similar facilities.

CHINA.

19. **Mr. NUNN** asked the Secretary of State for Foreign Affairs whether he is aware that the national aviation services in China are under American and German control; and what steps have been taken to secure similar privileges for British interests?

Sir J. SIMON: I am aware that two corporations have been formed, by agreements between a United States and a German company, respectively, and the Chinese Government, for the purpose of operating certain Chinese national air services. All proper assistance will of course be given to any British undertaking desirous of entering this field.

Mr. NUNN: Is my right hon. Friend aware that there is no private flying allowed in China and that all the flying is under the national service, and that therefore it is entirely in the hands of American and German operators?

Sir J. SIMON: I have just answered that all proper assistance will be given to all-British undertakings as far as it can be done.

20. **Mr. NUNN** asked the Secretary of State for Foreign Affairs whether he has received any report from the British Minister in China upon the representations submitted by British aircraft manufacturers in favour of the appointment of a special aviation attaché to promote the use of British aircraft in China; and what action it is proposed to take?

Sir J. SIMON: I have received a recommendation from His Majesty's Minister that an air attaché should be appointed to His Majesty's Legation, and the matter is under consideration.

INFECTIOUS DISEASES (MOSQUITOES).

39. **Captain CUNNINGHAM-REID** asked the Minister of Health if he is aware of the warnings issued by the Ross Institute and the Institute of Micro-Biology regarding the danger of diseases such as yellow fever being introduced into this country by mosquitoes in aeroplanes; and what steps he is taking in the matter?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): Yes, Sir. Carriage in aeroplanes of the infection of yellow fever has been carefully considered for several years by the International Office of Public Health and its Yellow Fever Commission. Proposals for dealing with this danger, and with other infectious diseases, are embodied in an International Sanitary Convention for Aerial Navigation which awaits ratification. My right hon. Friend is advised that the danger referred to by my hon. Friend does not apply to this country, but to countries where yellow fever could develop if introduced.

Mr. LUNN: Is it not possible for yellow fever to be conveyed by these means?

Mr. SHAKESPEARE: The danger is extremely remote. I am informed that the Imperial Airways Service have two breaks, and the new machine starts from Paris minus mosquitoes.

CHINA.

BOXER INDEMNITY.

15. **Sir J. WARDLAW-MILNE** asked the Secretary of State for Foreign Affairs whether he will inquire of the Chinese Government whether any of the proceeds of the British share of the Boxer Indemnity have yet been devoted to educational endowments in China, and, in particular, whether the interest on unexpended capital sums in the hands of the London Purchasing Commission is credited to the Board of Trustees for educational purposes?

Sir J. SIMON: According to the latest report issued by the Board of Trustees, covering the period January-June, 1932, copies of which have been placed in the Library of this House, the proceeds of the loans made by the board to productive enterprises have not yet amounted to a sum sufficient to enable grants to be made to the educational and other institutions which have made application for funds. I am having inquiries made in respect of the period subsequent to that covered by the above report. The answer to the second part of the question is in the negative. The interest, however, together with the capital, is available for the purchase of material in the United Kingdom, and, in accordance with the Indemnity Agreement of 1930, money so expended is to be treated as a loan from the Board of Trustees to the enterprise which benefits from it, and will eventually be applied to educational purposes.

Sir J. WARDLAW-MILNE: Is it not the case that the United States have given up about a fifth of the sum which the British taxpayer has given up, and has already secured a lasting memorial of their good will and sacrifice in the shape of a Peking University? Cannot the Government secure some similar monument to mark the generosity of the British taxpayer?

Sir J. SIMON: I am obliged to my hon. Friend for mentioning the matter, and I will look into it.

16. **Sir J. WARDLAW-MILNE** asked the Secretary of State for Foreign Affairs whether he will make representations to the Chinese Government in favour of restricting advances to Chinese railways out of the British share of the Boxer Indemnity to such railways as have made definite arrangements for the liquidation of past loans?

Sir J. SIMON: The question of advances to Chinese railways is one for the discretion of the Board of Trustees. In the agreement of September, 1930, printed in Command Paper 3715, the Chinese Government stated their intention so far as rehabilitation of existing lines was concerned, of giving prior attention to those lines in which British financial interest has been particularly concerned. My hon. Friend will realise that the rehabilitation and completion of existing railways will tend to increase the revenues from the railways in question, and so improve the position of the bondholders of loans already secured on them. The policy which he suggests might, I think, have the contrary effect.

Sir J. WARDLAW-MILNE: Is it not the case that some of these grants are being given to railway concerns which are making no effort to pay off past loans?

Sir J. SIMON: That is not my information. The hon. Gentleman's suggestion might make it impossible for a particular railway to receive an advance for revenue-producing expenditure without which the revenues might well continue to remain insufficient to meet normal expenditure.

21. **Mr. MOREING** asked the Secretary of State for Foreign Affairs whether he has received any information as to the proposed loan of £4,000,000 to the Chinese Ministry of Railways by the board of trustees of the British Boxer Indemnity Funds, for the completion of the Hankow-Canton Railway; what security is offered for the repayment of interest and amortisation on the loan; and whether such security includes revenues which would otherwise be available for the payment of arrears on loans to Chinese railways?

Sir J. SIMON: I have received no official information, but my attention has been drawn to Chinese Press reports of the loan referred to, according to which the security approved by the board of trustees consists of the following: the net profit on one section and the gross profit of the other section of the Kwangtung portion of the Canton-Hankow Railway, together with the entire revenue of the

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surcharge on the passenger and freight transportation of the various Chinese Government railways.

KOWLOON TERRITORY.

27. **Mr. NUNN** asked the Secretary of State for Foreign Affairs whether he has received any recent report from the British Consulate-General at Canton regarding negotiations with the Chinese authorities there upon the subject of the retrocession of the Kowloon territory; and, if so, what action does the Government propose to take with regard to this question?

Sir J. SIMON: No such report has been received. The answer to the second part of the question does not, therefore, arise.

LEAGUE OF NATIONS.

NEW BUILDINGS, GENEVA.

17. **Mr. HERBERT WILLIAMS** asked the Secretary of State for Foreign Affairs whether he is aware of the failure of British firms to obtain a proportionate share of the contracts involved in the construction of the League of Nations buildings at Geneva; that the specification for the electrical installation required certain of the equipment to be the products of certain German and Swiss firms and that these firms refuse to supply this equipment to British contractors, so that it is impossible for British contractors to tender for this installation; and what steps he proposes to take in the matter?

Sir J. SIMON: I am aware that the contracts for the new buildings at Geneva have not been awarded to firms of different nationality on the basis of the amount annually contributed to the expenses of the League by the various countries. As regards the second part of the question, I am informed that in the allocation of contracts no discrimination has been made between firms on grounds of nationality and that nothing prejudicial to British firms has been intentionally incorporated in the specifications. As to the particular case referred to, I am prepared to make further inquiries.

Mr. H. WILLIAMS: Has my right hon. Friend studied the documents which I handed to his private secretary, and do not these show that the contract for the electrical installation specified certain German and Swiss goods, and, as the firms that make these goods have declined to supply them to British firms, is it not the case that British firms are thus debarred from quoting for the electrical installation?

Sir J. SIMON: In the last sentence of the original answer I said that in the particular case referred to I am prepared to make further inquiries.

Mr. THORNE: Will it be possible to supply the names of those who have obtained the contracts?

Sir J. SIMON: I believe the names are available. The question has to do with the calling for competitive tenders and with a British firm that is anxious to tender.

Lieut.-Colonel ACLAND-TROYTE: May I ask the right hon. Gentleman whether any steps are taken to prevent contracts being given to those nations who are in arrear with their subscriptions?

Sir J. SIMON: I can only speak as far as my information goes from the Committee of the League of Nations. I believe there is an impartial committee on which there is a British member which deals with the whole of these matters, but I do not believe that in allocating the contracts any regard is paid to the amount contributed or not contributed to the expenses of the League by different countries.

UPPER SILESIA (JEWISH MINORITY).

25. **Colonel WEDGWOOD** asked the Secretary of State for Foreign Affairs whether action to protect the Jewish minority in Upper Silesia is to be taken by the League of Nations under Article 11 of the Covenant; and whether, seeing that the right of the said Jewish minority to full equality is guaranteed under Articles 68 and 69 of the German-Polish Convention of 1922, which was communicated to the League, he will make a statement on the matter?

Sir J. SIMON: As the right hon. Gentleman is no doubt aware, the Council of the League has laid it down that the procedure under Article 11 of the Covenant should not normally be employed in cases relating to the protection of minorities under the Treaties, and—I am quoting now—

"should only be invoked in grave cases which produce the feeling that facts exist which might effectively menace the maintenance of peace between nations."

It is doubtful, therefore, whether Article 11 could be properly invoked in connection with the protection of the Jewish minority in Upper Silesia. As regards the German-Polish Convention of 1922 regarding Upper Silesia, I am not aware that any appeal has been made to the League Council on the ground that the Jewish minority has been deprived of the rights secured by it under that convention.

Colonel WEDGWOOD: If action is taken, either under Article 11 or under the Polish-German Treaty, by any party, will that action be made public, and is not the present situation between Poland and Germany sufficiently grave to make it desirable that such action should be taken?

Sir J. SIMON: I do not know very precisely the from which the procedure would take, but I think that the right hon. and gallant Gentleman might be assured that, if action were taken under Article 11 to bring the question before the League, the matter would be public.

Mr. JANNER: In view of the fact that a considerable amount of anxiety is at present prevailing with regard to the position of 600,000 Jewish people in Germany, could not the right hon. Gentleman, see his way to consider whether this question could not be raised by himself or by somebody in conjunction with him?

Sir J. SIMON: The whole subject of the position of Jews in Germany is one which is receiving a great deal of public attention, and, as I have already informed the House, I am myself already making inquiries.

MANDATED TERRITORIES (PACIFIC ISLANDS).

28. **Captain CUNNINGHAM - REID** asked the Secretary of State for Foreign Affairs whether, in view of the fact that the mandates given to Japan over various Pacific Islands, formerly German possessions, were contingent upon Japan remaining a member of the League of Nations, this matter is to be discussed at Geneva; and what the standpoint of the British delegates will be?

Sir J. SIMON: Japan's notice of withdrawal from the League does not take effect for two years. I have no information of any intention to discuss the question of her mandates at Geneva. I am not at present in a position to define the standpoint which the delegates of His Majesty's Government will adopt if such a discussion eventually takes place. Nor can I express an opinion on the correctness of the statement contained in the question.

Sir PERCY HARRIS: Is not the action of Japan in ignoring the decisions of the League tantamount to a withdrawal and the forfeiting of the rights of membership of the League?

Sir J. SIMON: My hon. Friend will appreciate that what has happened is that notice has been given of withdrawal, and, by the terms of the constitution of the League, that notice operates in two years' time. The effect of withdrawal, when it takes place, on the position is an extremely complex question, upon which, I have said, I do not feel that I can express an opinion now.

Commander OLIVER LOCKER-LAMPSON: Will Japan go on paying during the two years?

Sir J. SIMON: I must not venture to prophesy, but every member of the League, as long as the State is a member of the League, is under the obligation to pay the appropriate contributions.

PASSPORTS AND VISAS (BRITISH-BORN WOMEN).

18. **Captain CAZALET** asked the Secretary for Foreign Affairs whether he can give the House any information as regards the new restrictions placed upon visas granted by European countries to British-born women holding Nansen passports and identity cards?

Sir J. SIMON: I have no information as to the imposition of any such new restrictions, but if my hon. and gallant Friend will let me know of any case of special hardship, I will certainly look into it.

Captain CAZALET: Is my right hon. Friend aware that the restrictions which are operative to-day are caused by the

[Captain Cazalet.]
fact that British-born women do not possess the advantages of nationality now enjoyed by women in almost every country in Europe and in some of the Dominions as well?

Sir J. SIMON: My hon. and gallant Friend's question had to do with new restrictions placed upon visas of British-born women holding passports. British-born women are stateless because they are not at present British subjects, and, therefore, legislation would be needed.

GERMANY.

BRITISH SUBJECTS (ARRESTS).

22. **Mr. COCKS** asked the Secretary of State for Foreign Affairs whether he has any information regarding the case of Mr. Geoffrey Fraser, a British subject, who was arrested in Berlin on 4th April by Nazi auxiliary police; whether Mr. Fraser is still under arrest; whether any charge has been formulated against him; whether the British ambassador in Berlin has been allowed to see him; and what action the British Government is taking in the matter?

24. **Colonel WEDGWOOD** asked the Secretary of State for Foreign Affairs, whether he can as yet state the charges made against the two Englishmen arrested in Germany?

Sir J. SIMON: My information is that Mr. Fraser was arrested under the instructions of the police authorities, by regular police officers, and that, as was stated in reply to the hon. and gallant Member for Limehouse (Mr. Attlee) on Tuesday last, he has been detained in the police headquarters in the Alexanderplatz. The police authorities have informed His Majesty's Consul in Berlin that Mr. Fraser is charged with having committed acts in preparation for high treason; and that he is to be transferred to the Moabit prison to await his trial. His Majesty's Ambassador has requested the German Minister for Foreign Affairs to furnish him at an early date with more precise information regarding the charge against Mr. Fraser. As regards Mr. Catchpool, he was released on the day following his arrest. I do not understand that any charge has been brought against him.

Mr. COCKS: Will the Foreign Secretary make a protest to the German Government against making these frivolous and fantastic accusations against a British subject?

Sir J. SIMON: I am not in a position to say whether the charges are fantastic.

Mr. COCKS: Is the right hon. Gentleman content to make polite inquiries and not take any further action in the matter?

Sir J. SIMON: I hope that I have taken the action the House would wish me to take.

Colonel WEDGWOOD: Will the right hon. Gentleman remember, in any representations which he is making about the persecution of Jews in Germany, that the persecution of Liberals is just as bad and far less vocally represented?

POSTERS, LONDON.

Mr. ATTLEE (*by Private Notice*) asked the Secretary of State for the Home Department whether it was with his authority that the Metropolitan Police ordered the withdrawal of Jewish posters calling for a boycott of Germany and German goods on account of the treatment of Jews in Germany, and, if so, will he state the reasons?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I am informed by the Commissioner of Police that, in view of the feeling likely to be caused by the display of posters advocating a boycott of Germany and German goods, and of the possibility of breaches of the peace being caused, police officers advised the removal of the notices as a precautionary measure and in the interests of the shopkeepers themselves. I am further informed that there is no foundation for the suggestion that orders were given by the police for the removal of the posters or that proceedings were threatened for failure to comply. The police would be failing in their duty to the public if they did not take all steps in their power, whether by advice or otherwise, to guard against breaches of the peace, and no authority from me was given or was required for the action which was taken. I feel sure that the House will agree as to the undesirability of any action being taken at the present juncture by members of the public which might be likely to inflame feeling.

Mr. ATTLEE: Are we to understand from the Home Secretary that he has information of physical force being threatened by anti-Semitic organisations of this country?

Sir J. GILMOUR: All I can see is that the police used their discretion. These things may occur; and they used their discretion, I think rightly, in the matter.

Mr. CHURCHILL: Can the right hon. Gentleman say from what quarter breaches of the peace were likely to arise?

Sir J. GILMOUR: The right hon. Member knows, and the House knows, that these disturbances may take place, and all that the police did was to say that it was preferable to withdraw the posters.

Commander LOCKER-LAMPSON: Have we not all protested?

Major NATHAN: May I ask whether the police have any grounds for thinking that there were likely to be any disturbances of the peace?

Sir J. GILMOUR: I imagine they have; otherwise, they would not have taken this course in the interests of the public.

Mr. JANNER: Will the right hon. Gentleman say how any grounds for thinking that there were likely to be any disturbances can have arisen, seeing that these posters have been exhibited for some two weeks without the slightest interference?

Sir J. GILMOUR: I am not aware of that fact. All I can say is that my attention was not drawn to this matter until this morning. I have made inquiries. I was not aware that these posters have been exhibited for some time. I have given the House all the information I have.

Colonel WEDGWOOD: In view of these facts, will the right hon. Gentleman withdraw the order?

Sir J. GILMOUR: There is no order; the matter is left perfectly open.

Commander LOCKER-LAMPSON: Is it not the case that the Jews are in a great minority and that, therefore, we ought to be scrupulously fair?

Sir J. GILMOUR: There is no question of unfairness. All that was done was to give certain advice which was believed to be in their own interests.

Mr. LOGAN: May I ask whether any German representations have been made to the right hon. Gentleman?

Sir J. GILMOUR: The answer to that is "No."

Mr. McENTEE: May I ask whether it can be understood by Jews that they may now exhibit such posters?

Sir J. GILMOUR: If they choose to do so, they are perfectly entitled. Of course they may.

Mr. CHURCHILL: Will my right hon. Friend make it clear that it is his intention, and the intention of the Government, to allow all reasonable expressions of free opinion upon this matter to be made in this country?

Sir J. GILMOUR: Certainly; there is no doubt about it.

Mr. THORNE: Has the Home Secretary seen one of these posters in the windows? Is he aware that they are simple statements of fact, that no German agents need apply, and that that is all there is in it?

CHINA AND JAPAN.

23. **Mr. COCKS** asked the Secretary of State for Foreign Affairs whether he has any information regarding Japanese military operations south of the Great Wall of China?

Sir J. SIMON: I am informed that Shihmenchai, a village lying between the Great Wall and Chinwangtao, was evacuated by Chinese, and occupied by Japanese troops on the 1st of April; there is reported also to have been fighting between that place and the coast, but the facts are not clear. The Chinese regular troops are reported to have withdrawn to the west of Tangho, the railway junction for Chinwangtao.

Mr. COCKS: Is the right hon. Gentleman taking any steps to protect British interests in that neighbourhood, particularly the interests of the British Kailan Mining Association; and how long is the invasion of a peaceful country to continue?

Sir J. SIMON: I am unable to answer the second part of the supplementary question of the hon. Gentleman. As regards the first part of the supplementary question, close attention has been paid to the question of protecting British interests.

POST OFFICE.

ROPE (SISAL FIBRE).

30. **Captain P. MACDONALD** asked the Postmaster-General whether, in view of the report to the Admiralty upon the successful results of the tests of rope made from Empire fibre, he will insist upon the use of such rope in all future Post Office work?

The POSTMASTER-GENERAL (Sir Kingsley Wood): My hon. and gallant Friend presumably refers to the report which states that the results of trials of Sisal fibre are sufficiently promising to warrant its partial adoption by the Admiralty so long as supplies can be obtained at satisfactory prices. I propose to follow the same line, and to have regard also to cost and suitability to the conditions in which the rope will be used.

LETTER DELIVERY, SAUL.

31. **Mr. PERKINS** asked the Postmaster-General whether he is aware that letters posted in London at 3 p.m. are not delivered in Saul, Gloucestershire, until the second post on the following day; and whether he will take steps to improve this service?

Sir K. WOOD: Letters incorrectly addressed to Saul, Gloucestershire, and posted in London at 3 p.m. are not delivered until the second post the following day, but, so far as I am aware, no instances have occurred where letters bearing the correct address, "Saul, Gloucester," have not been delivered until the second post.

NIGHT TELEPHONISTS.

32. **Miss PICKFORD** asked the Postmaster-General how many women telephonists have accepted employment until 11 p.m.; how many men are working as part-time telephonists with no other Post Office employment; how many men are working an 87-hour week; and whether he will hold an inquiry into the conditions of night work with a view to the up-grading of part-time trained telephonists?

Sir K. WOOD: Since I made an appeal a short time ago to women telephonists to volunteer for evening employment, some 70 in London have volunteered and next week a number will, I hope, commence such duties at one of the London exchanges. This number will, I hope, be augmented when it is more fully realised that my object is to improve the night telephone service in accordance with the experience of all other telephone administrations, that no man who is dependent for his livelihood upon the Post Office will be adversely affected, and that there will be various advantages to those women telephonists who undertake such duties. The number of part-time night telephonists in London with no other Post Office employment is 874, but a considerable number of them have other whole-time employment. The number of men who attend for 87 hours is 4; these men are only employed at small exchanges where they are able to obtain a reasonable amount of sleep during their attendance. I am keeping the conditions of night work under constant observation with a view to the creation of full-time appointments where justified.

AIR MAIL CHARGES.

33. **Mr. HUTCHISON** asked the Postmaster-General if he will take steps to extend the policy of averaging postal rates so as to make profitable services pay for the non-profitable, in order to cover air mail services, or, if not, will he state what obstacles exist to prevent this being done?

Sir K. WOOD: The charges to the public for the use of each air service or group or air services are fixed at the lowest possible point and there are no profits available which could be used to set off unremunerative rates. Owing to the wide disparity in the costs of air conveyance it is not practicable to adopt an average rate.

GOVERNMENT DEPARTMENTS (RUBBER FITTINGS).

34. **Captain ERSKINE-BOLST** asked the First Commissioner of Works whether, with the object of stimulating and calling attention to the increasing uses of rubber in manufactured articles,

he will consider the possibility of placing further trial orders for appropriate fittings in Government offices?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): I shall be happy to consider any suggestions that my hon. Friend may submit to me for the use of rubber in connection with fittings for Government offices.

SCOTLAND (HOUSING, ABERDEEN).

36. **Mr. BURNETT** asked the Secretary of State for Scotland whether it is his intention to intervene in the dispute which has arisen between the town council of Aberdeen and the tenants of subsidised houses from the action taken by the council under the Department of Health for Scotland Circular No. 51, 1933?

35. **Mr. NEIL MACLEAN** asked the Secretary of State for Scotland whether he is aware that hundreds of people in Aberdeen who are tenants of subsidised houses are being threatened with eviction for refusal to answer a means questionnaire; and whether he will make inquiries as to the possibility of reaching some agreement on the matter?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): I am aware that the corporation of Aberdeen have issued a questionnaire calling for the information necessary to ascertain whether the corporation's houses are occupied by persons of the working classes. This action is in consonance with the circular issued by the Department of Health for Scotland on the instructions of my right hon. Friend recommending that local authorities should take steps to satisfy themselves that the houses provided by them are occupied by such persons. I understand that in cases where the tenant refused to answer the questionnaire the corporation have issued a formal notice terminating the tenancy. I am informed, however, that this notice has been accompanied by a letter in which the corporation indicate that if the questionnaire is returned duly completed, the corporation will be prepared to consider the granting of a new tenancy at the present rent, or, at such increase on the present rent not exceeding £5 per annum at the corporation may determine having regard to the information contained in the reply to the questionnaire. In answer to the question by my hon. Friend, the Member for North Aberdeen, I may add that it is not my right hon. Friend's intention to intervene in the matter. The general management, regulation and control of the dwelling houses provided by a local authority are, under the Housing Acts, vested in and exercised by the local authority alone.

Mr. BURNETT: Is the Under-Secretary aware that the action of the town council is based upon this particular circular, that 906 families have received notice to terminate their tenancies, and that considerable uneasiness is felt because this notice has been given?

Mr. SKELTON: I think the uneasiness caused by the notices to terminate the tenancies will be mitigated by the knowledge that, if the questionnaire is returned and if circumstances justified it, there will be no increase of rent, and that any possible increase of rent is limited to £5 a year.

Mr. MAXTON: Can the Under-Secretary tell us where the town council gets statutory power to compel its citizens to fill up questionnaires of this kind?

Mr. SKELTON: It is contained in the last sentence of my original answer.

Mr. BURNETT: In view of the unsatisfactory answer, I beg to give notice that I shall raise this matter on the Adjournment.

COUNCIL ELECTION, CRAYFORD.

40. **Mr. HUTCHISON** asked the Home Secretary whether he is aware that at the recent council election of the Crayford District Council two candidates tied with 975 votes each, and that after two recounts it was decided to settle the issue by cutting a pack of cards; and if he will take steps to prevent similar happenings in future?

Sir J. GILMOUR: Rule 20 of the Urban District Councillors Election Rules, 1931, provides that in the event of an equality of votes between candidates, the returning officer, if he is not a local government elector for the area or if he is not willing to vote, shall determine by lot which of the candidates is to be elected,

[Sir J. Gilmour.]
and I see no reason to think that there has been any breach of the law in this case.

Mr. REMER: In view of similar cases that have happened in other parts of the country, will the right hon. Gentleman make clearer rules so that the returning officers may know what to do?

TRANSPORT (AUTOMATIC TRAFFIC SIGNALS).

41. **Captain ERSKINE-BOLST** asked the Home Secretary whether, in view of the general installation of traffic-governing lights, any classes of the community, such as police and firemen, have the right, in case of an emergency, of ignoring them?

Sir J. GILMOUR: There is no statutory exemption for any classes of the community from the provisions of the Road Traffic Act as to conforming to the indication given by a traffic sign, but I am not aware of any difficulty arising with regard to the passage of police and of firemen in cases of emergency, and I do not think any special provision is necessary.

LICENSED HOUSES, LONDON (PERMITTED HOURS).

44. **Mr. HUTCHISON** asked the Home Secretary whether, in view of the approach of Easter, he will take steps to bring the special hours of opening of licensed houses in the Metropolitan Police area into uniformity with the hours sanctioned by licensing benches on the boundaries of the Metropolitan Police area?

Sir J. GILMOUR: I am afraid this is not possible. As I pointed out in answer to a question by the hon. Member on the 22nd December last, it is incumbent on the Commissioner to consider each application for a special order of exemption separately and on its merits, and it would not be proper for me to interfere with his discretion in the manner suggested.

Mr. HUTCHISON: Is it not possible to bring the licensed houses in the Metropolitan Police area under the same regulations as the houses in the other districts? In the other districts they are licensed by districts, would it not be possible in the Metropolitan Police area to bring them under the same control?

Sir J. GILMOUR: No, Sir, but, if the hon. Member would care to discuss the matter with me, we could do so more appropriately than across the Floor of the House.

EUROPEAN SITUATION (CONVERSATIONS).

46. **Mr. COCKS** asked the Prime Minister whether he can make any statement on the present position of the negotiations for a Four-Power Pact?

The PRIME MINISTER (Mr. Ramsay MacDonald): I understand that the subject is to be raised during the Debate on the Adjournment on Thursday.

Mr. COCKS: Will the Prime Minister bear in mind that any Pact which involves any concessions to the present German Government will be instantly repudiated by the British people?

The PRIME MINISTER: I am sure that the House is well aware that there is no such Pact under contemplation.

UNITED STATES (PRIME MINISTER'S VISIT).

47. **Mr. D. GRENFELL** asked the Prime Minister whether it is his intention to discuss the question of this country's return to the Gold Standard on his coming visit to the United States of America; and whether he will give an assurance that the wishes of this House will be ascertained before any steps in that direction are taken by the Government?

The PRIME MINISTER: I intend to set no limits to the subjects which may be mentioned in the course of conversation between the President and myself. The object of the visit is not to negotiate and fix agreements, but to discuss questions which both of us are confronting. The second part of the question therefore does not arise.

Mr. DAVID MASON: Is it not the case that no steps of this character can be taken without legislation which must be submitted to this House?

48. **Commander LOCKER-LAMPSON** asked the Prime Minister when he is

leaving for America and how long he will be away?

The PRIME MINISTER: I hope to leave England on 15th April, and to arrive back in this country on the 3rd May.

Commander LOCKER-LAMPSON: Will the right hon. Gentleman do everything he can to prevent this country remaining the only one paying its obligations?

BATTERSEA ELECTRICITY POWER STATION.

50. **Captain SIDNEY HERBERT** asked the Minister of Transport whether he can make any statement as to the present position of the application made by the London Power Company, Limited, to the Electricity Commissioners for consent to instal an additional unit of generating plant in the new Battersea power station?

The MINISTER of TRANSPORT (Mr. Oliver Stanley): The London Power Company have applied to the Electricity Commissioners for consent to instal an additional generator unit. The Commissioners have informed me that their sanction to the proposal will be coupled with a condition limiting the output to a figure within the capacity of the existing plant and no sanction would, of course, be given to any extension of the coal-burning plant at the station until the Commissioners, in agreement with the Minister of Health and the First Commissioner of Works, are satisfied that the gas-washing plant already installed is working efficiently in connection with the existing boiler plant.

At the request of the London County Council the Commissioners met representatives of the County Council and of the city of Westminster, the Royal borough of Kensington and the borough of Chelsea. After learning of the condition proposed to be attached to any consent, and in view of the assurances given that there would be adequate opportunity for these authorities to consider any subsequent proposals for further developments at the new Battersea power station, the four councils do not now offer any objection to the present proposal. In all the circumstances, the Minister of Health and the First Commissioner of Works concur with me that there is no objection to the additional generator unit being sanctioned, and I have informed the Electricity Commissioners accordingly. I understand that the additional set would provide about one year's employment for 1,400 men.

METROPOLITAN WATER BOARD (CHARGES).

38. **Sir PERCY HURD** (*for* **Mr. SUMMERSBY**) asked the Minister of Health if he is aware of the considerable increase of income to the Metropolitan Water Board consequent on the increase of assessments in London; and will he introduce amending legislation so to control the Board's charges as to prevent any increase of profit to the Board consequent upon increased assessments?

Mr. SHAKESPEARE: The object which my hon. Friend has in mind is, in the opinion of my right hon. Friend, already secured by the local Acts governing the Board's undertaking, which provide that there shall be no profit.

Sir P. HURD: May I ask whether that circumstance has been brought to the notice of the Metropolitan Water Board so that their customers may be fairly treated?

Mr. SHAKESPEARE: I presume they know the regulations under which they work.

MR. G. S. DARA.

42 and 43. **Mr. MAXTON** (*for* **Mr. McGOVERN**) asked the Home Secretary (1) whether the passport of Mr. G. S. Dara, Congress secretary and editor of United India, who resides in London, has been found to be in order; and if he can state the reasons for police visits being made on this man;

(2) If he can state the number of occasions that police visits were made on Mr. G. S. Dara, Congress secretary and editor of United India, who resides in London?

Sir J. GILMOUR: I understand that a passport was issued to Mr. Dara by the Passport Office in 1930, current for the normal period of five years. Two visits have been paid to Mr. Dara by the police, one in 1928, in connection with a case then being investigated in India about which the Metropolitan Police had been asked to make inquiries, and one in 1932, following a suggestion which had arisen that his

[Sir J. Gilmour.]

passport was not in order. On the latter occasion, as stated in reply to a question by the hon. Member on the 7th July, 1932, an interview was sought as the simplest and most expeditious method of clearing up the point, but Mr. Dara declined to make an appointment and the passport consequently has not been examined.

BUSINESS OF THE HOUSE.

Motion made, and Question put,

"That the Proceedings on Government Business be exempted, at this day's Sitting, from the provisions of the Standing Order (Sittings of the House)."

The House divided: Ayes, 229; Noes, 24.

Division No. 131.] **AYES.** **[3.31 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Aitchison, Rt. Hon. Craigie M.
Allen, William (Stoke-on-Trent)
Atholl, Duchess of
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Beaumont, M. W. (Bucks., Aylesbury)
Bernays, Robert
Betterton, Rt. Hon. Sir Henry B.
Birchall, Major Sir John Dearman
Blindell, James
Borodale, Viscount
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Bracken, Brendan
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burghley, Lord
Burnett, John George
Cadogan, Hon. Edward
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Castlereagh, Viscount
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Charlton, Alan Ernest Leofric
Churchill, Rt. Hon. Winston Spencer
Clarke, Frank
Clayton Dr. George C.
Cobb, Sir Cyril
Collins, Rt. Hon. Sir Godfrey
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cooper, A. Duff
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Croft, Brigadier-General Sir H.
Crookshank, Capt. H. C. (Gainsb'ro)
Cross, R. H.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Donner, P. W.
Duckworth, George A. V.
Dunglass, Lord
Ellis, Sir R. Geoffrey
Elmley, Viscount
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Evans, R. T. (Carmarthen)
Fleming, Edward Lascelles
Foot, Dingle (Dundee)
Ford, Sir Patrick J.
Fox, Sir Gifford
Fraser, Captain Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Ralph G. C.
Goff, Sir Park
Goldie, Noel B.
Goodman, Colonel Albert W.
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Granville, Edgar
Grattan-Doyle, Sir Nicholas
Gretton, Colonel Rt. Hon. John
Grimston, R. V.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hannon, Patrick Joseph Henry
Harris, Sir Percy
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Capt. S. (Abbey Division)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hore-Belisha, Leslie
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hurd, Sir Percy
Hutchison, W. D. (Essex, Romf'd)
Jackson, Sir Henry (Wandsworth, C.)
Janner, Barnett
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kimball, Lawrence
Knight, Holford
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Lindsay, Noel Ker
Locker-Lampson, Rt. Hn. G. (Wd. Gr'n)
Locker-Lampson, Com. O. (H'ndsw'th)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
McCorquodale, M. S.
MacDonald, Rt. Hn. J. R. (Seaham)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Maitland, Adam
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Meller, Richard James
Mills, Sir Frederick (Leyton, E.)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Moore, Lt.-Col. Thomas C. R. (Ayr)
Moreing, Adrian C.
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Muirhead, Major A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Rt. Hn. W. G. (Petersf'ld)
North, Captain Edward T.
Nunn, William
Oman, Sir Charles William C.
Ormsby-Gore, Rt. Hon. William G. A.
Patrick, Colin M.
Perkins, Walter R. D.
Peto, Sir Basil E. (Devon, Barnstaple)
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickford, Hon. Mary Ada
Pike, Cecil F.
Potter, John
Pownall, Sir Assheton
Pybus, Percy John
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rawson, Sir Cooper
Ray, Sir William
Rea, Walter Russell
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Rentoul, Sir Gervais S.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Salmon, Sir Isidore
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Sandeman, Sir A. N. Stewart
Savery, Samuel Servington
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Bracewell (Dulwich)
Smith, Sir Jonah W. (Barrow-in-F.)
Smithers, Waldron
Somerville, Annesley A (Windsor)
Southby, Commander Archibald R. J.
Spencer, Captain Richard A.
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold

Thomas, James P. L. (Hereford)
Tryon, Rt. Hon. George Clement
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Captain George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Wolmer, Rt. Hon. Viscount
Womersley, Walter James
Wood, Rt. Hon. Sir H. Kingsley
Worthington, Dr. John V.

TELLERS FOR THE AYES.—Sir Frederick Thomson and Sir George Penny.

NOES.

Adams, D. M. (Poplar, South)
Attlee, Clement Richard
Batey, Joseph
Cocks, Frederick Seymour
Daggar, George
Davies, Rhys John (Westhoughton)
Dobbie, William
George, Major G. Lloyd (Pembroke)
Grenfell, David Rees (Glamorgan)
Groves, Thomas E.
Grundy, Thomas W.
Hall, F. (York, W.R., Normanton)
Hirst, George Henry
John, William
Jones, Morgan (Caerphilly)
Lawson, John James
Logan, David Gilbert
Lunn, William
McEntee, Valentine L.
Maxton, James
Nathan, Major H. L.
Thorne, William James
Williams, Dr. John H. (Llanelly)
Williams, Thomas (York, Don Valley)

TELLERS FOR THE NOES.—Mr. Charles Edwards and Mr. Tinker.

WRITTEN ANSWERS.

INDIA.

ARMY (CAPITATION TRIBUNAL).

Dr. J. WILLIAMS asked the Secretary of State for India (1) whether it is the intention of His Majesty's Government and the Government of India to publish the report of the Indian Capitation Tribunal; and, if so, when the report is likely to be isssued;

(2) whether it is the intention of the Government of India to allow the Legislative Assembly full opportunity of considering the Capitation Tribunal Report before final decisions are taken?

Sir S. HOARE: I cannot yet add anything to the reply which I gave to the hon. Member for Caerphilly (Mr. Morgan Jones) on 20th March.

SMALL-POX.

Mr. GROVES asked the Secretary of State for India whether any cases of small-pox or deaths from that disease occurred among officers, women or children with the British Army in India in any of the years 1923-31; and, if so, will he give details of such cases, including the year they occurred and the class in which they occurred?

Sir S. HOARE: The details available are as follow:

—	Officers.		Men.		Women.		Children.	
	Admissions.	Deaths.	Admissions.	Deaths.	Admissions.	Deaths.	Admissions.	Deaths.
1923 ...	3	1	14	3	5	—	2	1
1924 ...	—	—	31	4	8	—	7	2
1925 ...	2	—	24	3	18	1	6	1
1926 ...	1	—	11	2	11	1	7	—
1927 ...	—	—	5	—	3	1	4	1
1928 ...	—	—	2	—	1	—	3	—
1929 ...	1	—	4	—	3	1	4	1
1930 ...	1	—	—	—	—	—	5	—

Mr. GROVES asked the Minister of Health the revised figures of the numbers of small-pox deaths in British India during the years 1927 and 1928?

Sir S. HOARE: The final figures for small-pox deaths in British India for the years 1927 and 1928 were 118,197 and 96,123, respectively.

DETENUS (DEPENDANTS' ALLOWANCES).

Mr. D. GRENFELL asked the Secretary of State for India the number of State prisoners in custody under Regulation III of 1818 and the Bengal Ordinance (Bengal Criminal Law Amendment Act); the total number of such prisoners receiving no allowance for their

families and their dependants; and the total number receiving allowances from the State, with the equivalents in sterling of such allowances and their varying amounts?

Sir S. HOARE: The answer to the first part of the question is roughly 1,350. As regards the rest of the question, the position is that every person detained under these powers is provided with an allowance for his own support; his family, if dependent on him, must also receive an allowance. I am unable to furnish the details of individual allowances, and as regards family allowances my latest information is that contained in my answer to the hon. Member for Doncaster (Mr. Molson) on 31st October.

LAND DRAINAGE (RIVER CUCKMERE SCHEME).

Mr. T. WILLIAMS asked the Minister of Agriculture whether he is aware that a scheme for the River Cuckmere (Pevensey levels) had been prepared by the catchment area authority and sanctioned by the late Government with a promise of grant; what progress has been made with the scheme; and whether the Government are now prepared to contribute to the cost?

Major ELLIOT: The River Cuckmere Catchment Board submitted a partial scheme of works in April, 1931, and, subject to the submission of a comprehensive scheme, this was approved in principle for a Government grant, although no indication was given of the amount. Before the comprehensive scheme was submitted, the Ministry was, however, obliged to inform all catchment boards that no applications under Section 55 of the Land Drainage Act could be entertained, except in cases of the utmost emergency.

MILK (MARKETING SCHEMES).

Brigadier-General CLIFTON BROWN asked the Minister of Agriculture whether he intends to hold an inquiry under the Agricultural Marketing Act, 1931, into the scheme for setting up a milk producers' board by the National Farmers' Union; what will be the date of that inquiry; and whether any other milk schemes have been submitted to him?

Major ELLIOT: I anticipate that it will be necessary to hold a public inquiry in connection with the scheme referred to, but I am not yet in a position to inform my hon. and gallant Friend of the date. No other scheme for the marketing of milk has been submitted to me, but two schemes, for regulating the marketing of milk in defined areas in Scotland, have been submitted to my right hon. Friend the Secretary of State for Scotland.

SUNDAY ENTERTAINMENTS.

Mr. JOEL asked the Home Secretary whether he has received any return and, if so, of what nature, showing the percentages of Sunday takings at cinemas which are allocated to charity; and, if not, whether he will consider the desirability of obtaining such returns for the guidance of the public?

Sir J. GILMOUR: I have received no such return. The Sunday Entertainments Act does not require any such return to be made, and at present I do not think that I should be justified in asking local authorities for information on the point.

POLICE (APPEALS).

Mr. REMER asked the Home Secretary how many appeals had been received up to 31st March, 1933, under the Police (Appeals) Act, 1927, from men who had been dismissed or ordered to resign in lieu of dismissal from the Metropolitan Police, the City of London police, county police, and borough police, respectively; in how many cases were inquiries held; in how many cases was legal aid allowed and in how many refused; in how many cases were the appeals dismissed without an inquiry being held; in how many cases were the appeals dismissed after inquiry; in how many cases were the punishments appealed from varied; in how many cases were the appeals allowed; and how many appeals were outstanding on 31st March, 1933?

Sir J. GILMOUR: Ninety-four appeals have been received, of which six were withdrawn or not proceeded with. Of the remainder, one is outstanding and the rest were disposed of as shown in the subjoined schedule.

POLICE (APPEALS) ACT, 1927.

Particulars of Cases.

—	Total No. of Appeals.	No. of Inquiries held.	Legal Aid.		No. of Appeals Dismissed without Inquiry.	No. of Appeals Dismissed after Inquiry.	No. of Cases in which Punishment was varied.	No. of Appeals Allowed	No. of Cases outstanding
			Allowed	Refused					
Metropolitan Police Force ...	39	4	4	—	35	4	—	—	—
City of London Police Force	1	—	—	—	1	—	—	—	—
County Forces...	22	8	7	—	13	7*	1	*	1
City and Borough Forces ...	26	7	7	—	19	1	2	1	—
Total	88	19	18	—	68	15	3	1	1

* In two cases the Appeal was allowed in respect of one of the charges, but this did not affect the punishment.

TRADE AND COMMERCE.

RUSSIA.

Mr. R. T. EVANS asked the President of the Board of Trade the amount of commercial debts owing to the Soviet Government by British importers?

Dr. BURGIN: I regret that I am not in possession of the desired information.

MEAT AND DAIRY PRODUCTS (IMPORTS).

Mr. LAMBERT asked the President of the Board of Trade the imports of beef, mutton, pig products, butter and cheese, respectively, from each of the most important export countries for each of the last five years; and what are the amounts of each product for each country to be restricted by the recent agreements?

Dr. BURGIN: Detailed particulars of the imports of meat, butter, cheese and lard during each of the years 1927 to 1931 are contained in Volume II of the "Annual Statement of the Trade of the United Kingdom" for 1931, and the issue for December last of the "Accounts relating to Trade and Navigation of the United Kingdom" contains particulars of such imports in considerable detail for the year 1932. As regards the second part of the question, I would refer my right hon. Friend to the answer given by my right hon. Friend the Minister of Agriculture to the hon. Member for Cambridge (Sir D. Newton) on 9th March, to the hon. Member for Bolton (Sir J. Haslam) on 16th March, and to the Noble Lord the Member for Newark (Marquess of Titchfield) on 23rd March, of which I am sending him copies. So far as beef and mutton are concerned, maximum quantities have not been assigned to individual foreign countries either under the Ottawa Agreements or the voluntary arrangements, the restrictions being in terms of total imports of certain descriptions of foreign meat.

NEW SCHOOLS.

Mr. LECKIE asked the Parliamentary Secretary to the Board of Education whether he can give an assurance that proposals of local education authorities for the provision of new schools which satisfy the criterion laid down by the Minister of Health, namely, that they are required on grounds of public urgency, and which satisfy also the planning and other ordinary requirements of the Board shall receive the approval of the Board?

Mr. RAMSBOTHAM: The provisions of Circular 1413 already empower the Board to sanction proposals for new schools where, in their opinion, the conditions set out in the question are complied with. In the circumstances, my Noble Friend does not consider that any modification of the provisions of the Circular is called for.

LEAGUE OF NATIONS (EPIDEMIOLOGICAL REPORT).

Mr. GROVES asked the Minister of Health whether his attention has been called to the misrepresentation of the English conscience clauses in the Epidemiological Report R.E. 131, issued by the Health Organisation of the League of Nations; and whether he will instruct the representative of this country on that organisation to take steps to have a correct statement of the English vaccination law published?

Sir H. YOUNG: I agree with the hon. Member that in the document to which he refers the effect of Section 2 of the Vaccination Act, 1898, is incorrectly stated, but as that section was repealed in 1907 and the substance of the enactment which replaced it is correctly reproduced, I do not think it necessary to call attention to the inaccuracy. These reports are issued solely on the responsibility of the Health Section of the Secretariat of the League of Nations, and not on that of the Health Committee of the League.

NAVAL AND MILITARY PENSIONS AND GRANTS.

Mr. GROVES asked the Minister of Pensions if he will inquire into the circumstances attending the fact that the widow of the late Private E. A. Toms, 517,783, is not recognised as being entitled to any pension?

Major TRYON: This case has now been identified from the further information supplied by the hon. Member. Mrs. Toms is in receipt of a pension under Article 17A of the Royal Warrant.

KENYA (FRONTIER).

Captain CAZALET asked the Secretary of State for Foreign Affairs whether any further rectification of the frontier between Kenya and Italian Somaliland has been proposed by Italy at any time during the last 12 months and, if so, with what result?

Sir J. SIMON: No such proposals have been made.

INDIAN CONSTITUTIONAL REFORM.

Resolution of the House of 29th March last relative to the appointment of a Joint Committee on Indian Constitutional Reform, which was ordered to be communicated to the Lords, and the Lords Message of 6th April signifying their concurrence in the Resolution, read.—[*Captain Margesson.*]

Motion made, and Question proposed,

"That a Select Committee of Sixteen Members be appointed to join with a Committee to be appointed by the Lords, with power to call into consultation representatives of the Indian States and of British India, to consider the future Government of India and, in particular, to examine and report on the proposals contained in Command Paper 4268."—[*Captain Margesson.*]

3.40 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I am reminded by this Motion of a very wise observation of Dr. Johnson's, something to this effect:

"Make a man Prime Minister, and in 24 hours he will have lost all his friends."

I would extend that observation to Secretaries of State for India, particularly when they are dealing with proposals for setting up Joint Select Committees of both Houses. I can assure the House that of all the difficult questions that have faced me during the last 18 months none has occasioned greater complexities than the proposal which I am here to make this afternoon. The communal decision to which the Government came last summer was child's play compared with the negotiations that led up to the proposals which appear on the Paper. Indeed, if I may make a further comparison, I would say that the selection committees for the Test Match or the Davis Cup had a task far easier and far more popular than that which has been imposed upon me and my colleagues.

To-day, in a very few minutes, I propose to explain to the House why we make the proposals on the Paper and the reasons which have led us to suggest a committee of this size and composition. I started innocently with the idea that much the best type of committee would be a small committee of five or six drawn from both Houses, distinguished people who were quite impartial, in fact a small committee of Aristides. My trouble there, as the Lord President of the Council has just observed to me, was that the people of that kind are very difficult to find and are often very unpopular when found. Step by step I was driven from the idea of this small committee of impartial people—I do not think anybody on Indian questions is entirely impartial—and I was driven to the conception of a bigger committee composed, first, of experts, and, secondly, of representatives of the main bodies of opinion in both Houses.

When one came to see how that conception could be carried out, inevitably one was driven from comparatively small numbers to larger numbers. Take, for instance, the number of Indian experts, men who have done great service to India and the Empire, men whose names we should all expect to find upon a Committee of this kind. There is a considerable number of them. Take again this House. It has always been difficult in chosing Members of Select Committees to balance the strength of the parties in the House of Commons. It is more than ever difficult in this House. In this House there are more groups and parties than there have ever been in any House that any of us remember. I suppose there are four or five parties in this House, and I see sitting over there my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood) who is a party in himself, a kind of *Athanasius contra mundum.* When I come to my own party, I should be blinding myself to the very obvious facts if I said that the party was completely united upon Indian questions, and if I did not admit that there were definitely three groups, all of which ought to be represented on such a Committee as we are now proposing.

Let us remember that the Committee which we suggest is a Select Committee of both Houses. That means that we have to take both Houses as we find them. We have to take the representation that we actually see around us in this Chamber. We cannot go into abstruse and controversial questions as to what exactly is the balance of opinion in the country. No Select Committee has ever been formed on those lines. A Select Committee is formed on the basis of the representation of the parties and groups as they are actually found in the House of Commons. I have here an analysis of the membership of this House. I find that of the 615 Members who compose it 80.65 are Conservative, National Labour

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and Independent—468 being Conservatives —while 11.06 are Liberal—there are 68 Liberal Members—and 8.29 per cent. are Labour, representing 51 Members of the Labour Opposition. If you took the mathematical calculation as the exclusive test for a Committee of this kind, it would mean that in a Committee of from 15 to 17 Members—the actual number that we are proposing from the House of Commons is 16—but in the case of a committee of 15 the membership would be 12 Conservative, two Liberal, and one Labour. If it were a Committee of 17 the membership would be 13 Conservative, one Independent, two Liberal, one Labour. But the inquiries which I have made go to show that in actual practice, in the setting up of these Select Committees a "weightage"—an expression which is very common in Indian controversies about the communal question—is always given to minority parties. The result is, that the House to-day will find that we are proposing in the list of names which we have put before the House to give weightage, apart from their mathematical balance, first of all, to the Labour Opposition and, secondly, to the Liberal party.

I come now to the more difficult question of the representation of the Conservative party. I think I shall be right in describing the Conservative party as divided into three groups. First of all, there is the group that one may describe generally as in favour of the White Paper policy; secondly, there is the group definitely opposed to that policy; and, thirdly, there is the group, in undefined numbers, of my hon. Friends who have not made up their minds, or at any rate have not expressed them yet, as either in favour of or opposed to the Government proposals. We have taken into account all those three groups, and we have tried to see that they should be adequately represented on the committee as a whole. Let me say in passing, although it would obviously be out of order for me to make more than a passing allusion to the proposals for the House of Lords representation, that every hon. Member must take the proposals as a whole and must treat the committee as a single unit, and when he is considering what representation has been given to any group in this House, he must also take into account the representation that it is proposed to give to that group in another place.

Let me begin with the group of Conservatives who are definitely opposed, at any rate at present, to the Government proposals. On two occasions during this Parliament they have had the opportunity of declaring their views in the Division Lobby. In December, 1931, they voted against the Government after the discussion upon the White Paper that emerged from the Round Table Conference, and 43 of them went into the Division Lobby.

Mr. G. BALFOUR: How many abstained?

Sir S. HOARE: I do not know. In February of this year, when my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) moved a Resolution upon the Government of India, there again the issue was joined in the Division Lobby, and upon that occasion 42, of whom I think 41 were Conservatives, went into the Lobby against the Government.

Brigadier-General Sir HENRY CROFT: Does my right hon. Friend suggest that those who went into the Lobby against my Motion were voting for the White Paper?

Sir S. HOARE: No, but I am coming to that. I think the House must take the evidence as we find it, namely, that upon the two occasions when the issue has been joined between the Government and one section of the Conservative party, upon one occasion 43 Members went into the Lobby against the Government and upon the second occasion 42. Then I come to the group—it may be a large group—of my hon. Friends who have either not made up their minds or at any rate have not yet declared their minds. We have taken their point of view very fully into account, and as I shall show in a moment, they have, taking both Houses together, able and adequate representatives to make known their point of view.

I was unfortunate in not being able to persuade all my hon. Friends whom we should have desired to see on this Committee to join the Committee. One or two of them refused to join because they disapproved either of the representation suggested on the Committee or of the

whole basis. For instance, my right hon. Friend the Member for Epping (Mr. Churchill) felt it his duty to refuse, and I was very sorry that he did. I should have welcomed his presence on the Committee. I believe, if I may say so, that his views would have carried much more weight if he had been there to express them. I am always doubtful myself—perhaps I am wrong—but time after time I have had it borne in upon my mind that non-co-operation is really a bad plan. That is one of the reasons why I have never been able to agree with Mr. Gandhi, and indeed I have noticed in more respects than one that, although differing in every essential point of view, my right hon. Friend and Mr. Gandhi have been sometimes inclined to adopt the same kind of policy.

Mr. CHURCHILL: I trust my right hon. Friend will see that it is for a different object, and that non-co-operation to injure the British Empire is different from non-co-operation to assist it.

Sir S. HOARE: I am not to be drawn into an argument with my right hon. Friend, but I would only say that I do not think Mr. Gandhi would agree with the observation that he has just made. Anyhow, rightly or wrongly, wisely or unwisely, my right hon. Friend did not see his way to allow his name to be proposed as a Member of the House of Commons representatives on this Committee. There were other of my hon. Friends whom I should like to have seen on the Committee, but who were prevented from serving for other reasons. After all, it is asking a busy man a great deal to devote day after day, it may be month after month, to work of this kind and to cut himself adrift from his ordinary avocations; and, very much to my regret, my right hon. and learned Friend the Member for Hillhead (Sir R. Horne) was debarred on this ground from serving on the Committee; and there were my hon. and learned Friend the Member for Swindon (Sir R. Banks) and my hon. Friend the Member for Cirencester and Tewkesbury (Mr. W. S. Morrison). I say unreservedly that the Committee would have been the stronger for their presence, and I am extremely sorry that their business and legal avocations prevented them from giving their time to this work.

The result of these negotiations and these deliberations, which have now been going on for many weeks, is that, so far as the Conservative representation on the Committee is concerned, we are proposing 22 Members of the Conservative party, taking into account the representation in both Houses, and of those I think I should be right in saying that 10 or 11 are generally in sympathy with the Government policy, and the rest have either expressed their disapproval of some material part of it or have maintained their complete impartiality. I maintain that a representation of that kind is a very fair mirror of opinion in the Conservative party as a whole—a representation divided, roughly speaking, between those in favour of the Government programme and those either opposed or doubtful about it. So much for the unofficial members of the Committee.

I come now to the Government representatives of the Committee, and I see that some of my hon. Friends object to there being any Members of the Government on a Committee of this kind. How can they support the Amendment of my hon. Friend after months and months of committees and round table conferences and inquiries? If it were only a matter of personal convenience I would give up my chair to any other hon. Member in this House who desires it. But, quite apart from personal considerations, and apart from who may or may not be Secretary of State for India at the present time, I do not honestly believe that any committee of this kind can efficiently carry out its work without an effective representation of the Government upon it. My hon. Friends may say, "That is all very well for one or two Members of the Government, but why are six Members of the Government on a committee of this kind?" I hear my right hon. Friend the Member for Epping say, "Hear, hear" to that. I will give him the answer. These six Members of the Government are proposed to the Committee, not because the greater part are Members of the Government, but because the greater part, owing to their special claims in connection with India, and owing to their special fitness, ought to find a place on any committee of this kind.

Take, for instance, my right hon. Friend the Secretary of State for Foreign

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Affairs. The House will see that we have taken special pains to see that members of the Simon Commission are well represented upon this Committee. What could be more foolish than to have two or three members of the Simon Commission and to exclude the Chairman? Take, again, the long list of great experts, men who served many years in India. What could be more foolish than to put on the Committee one or two ex-Viceroys and to leave off a third ex-Viceroy. Take, again, the work of the Round Table Conference. Some of my hon. Friends never liked the Round Table Conference, and they did not disguise their views, but I do not think any hon. Member will now attack the deliberations of the Round Table Conference in almost every stage through which we have passed. It is, therefore, essential that, if the Committee is really to be an effective and a representative body, to have the prominent members of the Round Table Conference represented upon it. Lastly, there were the committees that went out to India last year, I believe with the full approval of almost every Member of this House, one of them presided over by Lord Lothian, who, naturally, ought to find a place on the Committee, and another presided over by the Noble Lord the Member for Hastings (Lord E. Percy), and I am sure we could find no better man and no more experienced judgment than his to have on a committee. You have the chairman of those two Committees. What rhyme or reason could there possibly be—and here I am not dealing with personal considerations at all—in leaving out the chairman of the third committee and my right hon. Friend the Chancellor of the Duchy of Lancaster, who made the very important inquiry connected with the Indian States.

These are the main reasons which justify the proposals that I am making this afternoon. I believe that I have justified them upon the details. I believe that I have justified them upon an analysis of the actual numbers of the various groups composed in this House. But I do not base my main argument at all upon the details, or upon an analytical, mathematical computation. I base it rather upon the general personnel of the Committee as a whole, and I ask any impartial hon. Member, wherever he may sit in the House, to look at this list of names, and to ask himself the question, "Are these the kind of people who are going into this inquiry with preconceived and rigid views upon a Government or party ticket?" I believe that the great majority of these gentlemen will go into this inquiry with a genuine desire to arrive at a wise and an impartial conclusion, and the suggestion that these men will be at the beck and call of the Government, the victims of party Whips, is really a complete travesty of the kind of Committee we are setting up. I have had some experience of these inquiries, and I do not for a moment believe that this Committee is going to be ranged into a series of camps with no bridge between them, everybody approaching everything with a preconceived view. I believe that, in actual practice, there will be very little voting at all, and I say here and now that the fact that a particular group may be small in numbers seems to me to enter very little into the case. The views of the Members will carry the weight that is due. The sections which represent those views will carry the weight that is due to them also, and I do not contemplate for a moment the work of this Committee as a series of party votes between one section and another. I hope that I have said enough to justify the proposal that I have made this afternoon, and I should like to end by hoping that the Committee will be of real value to this House and another place in enabling us to come to wise judgments to produce, in due course, a Bill that will be generally acceptable to Parliament.

4.9 p.m.

Mr. ATTLEE: I want to intervene only for a few minutes, because I feel that I am keeping Members of the Conservative party away from the joys of internecine strife. I sympathise very much with the Secretary of State in his extraordinarily difficult task. He told us that he had been looking out for a small committee of Aristides, but all his trouble has been with Alcibiades, and eventually he has been left out of the team. I want to state, briefly, our position in this matter. We are not concerned in the domestic question, which is between the various groups which support the Government. From our point of view, there is the Government and there is the Opposition. The Government consists of one party. It may be

compared to a considerable building in which there are semi-detached portions, but with no party walls between them, and whether you put in a Liberal Member from one or the other groups, or a Conservative Member on this side of the Gangway or the other, from our point of view they are all Members supporting the Government. They have all been elected as supporters of the Government. They represent, or did represent 18 months ago, a very big majority of the electors of this country. We represented a smaller body at that time, but probably a very much bigger body to-day. Most people will be inclined to agree with that.

The difficulty of the right hon. Gentleman is in getting a just balance of the views of this House and of the people in the other place. He says, quite rightly, that Committees in this House are made up in proportion to the actual Members elected, but I do not know that it is absolutely wise in a matter of this sort to keep strictly to mathematical proportions. Indeed, the right hon. Gentleman has not done so, and I believe he is perfectly right, because, after all, this Committee is not like a committee on some Private Bill, or even a committee on an ordinary party Bill. We are facing here a very, very big issue for the British Empire, and it is important when we discuss proposals which are going to affect not only the future of India but the future of this country and the future of the British Commonwealth of Nations, that we should endeavour to get on that Committee the experience of widely diverse opinion among the different sections of political thought in this country.

I frankly recognise that the right hon. Gentleman has given Members of this party more than their actual mathematical proportion in this House, but we are always in a difficulty, because whatever we get in this House we are bound to be a very small minority in another place, and the right hon. Gentleman said that in considering its numbers you must not think merely of the 16 representatives of the Commons, but you must think also of the 32 Members who form the whole Committee. We on these benches claim that we have been returned by one-third of the electors who voted at the election, and we say that in this business of Indian reform you have got to try to carry the whole country with you. You, therefore, want to have a number of people who have had the experience of going into details on this matter, and I entirely agree with the right hon. Gentleman that it does make a very great deal of difference when one has had experience and the opportunity to grapple with these problems. We on this side of the House decided that we would take our share in the work of this Committee. We did not take the primrose path of irresponsible criticism and abstention. That is not very fruitful, and it might encourage Indian people to believe that the gulf between East and West was not as great as was thought if they saw non-co-operation on both sides. We have not taken that line.

We consider that, having been sent here to do the work of the House of Commons, it is our duty to take our share of that work. We shall take our line on that basis, and we shall hope to co-operate fruitfully with others wherever possible without departing from principle. We feel that essentially in this House we have Government and Opposition. While we are not standing out and saying that we will not play because we have not got all we want, we should like to register our protest, because we believe that the Opposition, although small in numbers in this House and the other place, represents a big body of opinion in the country, a body which may before long return a Government into power in this country. That Government will have to deal with the Indian question. Any Government that is in power will have to face that situation. We should have liked to have a greater representation. I acknowledge the right hon. Gentleman's difficulties and the courtesy with which he has always met us. We leave aside as a domestic matter for the other side the question whether there should be Conservatives, National Liberals or Liberal Nationals or National Labour, or any section that composes the majority party, and we merely register our protest on behalf of the official Opposition that we think we should be more fully represented.

4.17 p.m.

Captain CROOKSHANK: I beg to move, in line 5, to leave out the word "Sixteen," and to insert instead thereof the word "Twelve."

[Captain Crookshank.]

After the very able piece of pleading—almost special pleading—of the right hon. Gentleman the Secretary of State, it is rather difficult to intervene now because he did not refer so much to the general composition of the committee. I do not think that it is seemly for us to discuss which Members should be on it, but I should like to take exception to the concluding part of the speech on behalf of some of my hon. Friends and myself who have put this Amendment down. We have not taken part at all in these Indian discussions, but we belong, I presume, to that little group to which the right hon. Gentleman referred, whose views are still locked up in the secret recesses of their own interests.

Colonel WEDGWOOD: On a point of Order. May I ask whether, if the Amendment is moved now, any general discussion will be ruled out of order?

Mr. SPEAKER: There will be no difference between the discussion on the Motion and the discussion on the Amendment.

Captain CROOKSHANK: I was saying that those hon. Friends of mine and I who are moving to delete the names of the Government from the Committee have not been associated with any of the agitation which has been going on. I saw on the Order Paper on Saturday that a similar course struck the right hon. Member for Epping (Mr. Churchill), which showed me that there was something in the point which we wanted to bring before the House. Needless to say, I hope the right hon. Gentleman, the Secretary of State, will acquit me in thinking that I am in any way at personal variance with him or of his friends on the Front Bench, or that we entertain any feelings of animosity with regard to them. I suggested at Question Time a few weeks ago what the Government called a curious suggestion, of which the right hon. Gentleman did not think very much. I suggested that we might have gone back to the practice of selecting members of the committee by ballot. That was the old practice of the House. I dare say that the right hon. Gentleman did not know that, but it was a custom up to comparatively modern times considering the length of time that Parliament has existed. It has saved many difficulties and it would probably have produced a much better Committee. The value of my question, if any, was to extract from the right hon. Gentleman some answer, which he gave as a matter of fact, in regard to the kind of Committee which he had in mind on the 20th March. He said:

"I am most anxious that it should be impartial."—[OFFICIAL REPORT, 20th March, 1933; col. 5, Vol. 276.]

On that I was thoroughly satisfied, but is the right hon. Gentleman going to say that this Committee is impartial? Obviously not, as he does not reply. Whatever merits this particular Committee may have, no one in his wildest moments could accuse it of impartiality. He said that his first idea had been a small committee of impartial people and that he had found that very difficult to find. I do not know on what principle the original Simon Commission was selected, but my recollection serves me well when I recall that when the names were announced everybody was very struck at the skilful way in which the Government and the Opposition had managed to find certain Members of both Houses who had no views on the subject which they were to investigate, but in the judgment of each one of whom the House as a whole had ample confidence. I find it hard to believe that the Parliament of 1931 is worse equipped than the 1924 Parliament in that respect. I cannot help thinking that a little more effort along those lines might have been tried with successful results. The other possibility which the right hon. Gentleman referred to was the Standing Committee, but that it not really relevant to this issue.

When the right hon. Gentleman at the end of his speech told us that Members of both Houses were going to be on this Committee and were not going to vote on the Government or party ticket and were not going to be at the beck and call of Whips, had anyone in their wildest moments thought they would? That is not the way in which Select Committees work. Perhaps the right hon. Gentleman has not been on one. Many hon. Members have been on Joint Select Committees. I have myself, and to suppose that Whips or Government or party tickets play any part is entirely wrong. What does come in is the question of precon-

ceived notions in regard to the Measures which are being discussed. That is the point over which the right hon. Gentleman skated—if I may use such a word—rather lightly. The only reasonable way, if you cannot have a committee in which all the people are presumably impartial, is to try the principle of equal thirds where you have one-third of the members supporting what is to be proposed, one-third definitely against, and one-third neutral. It would then be up to the right and left of the Committee to try and persuade the Middle body to adopt their views.

In the particular Committee which the right hon. Gentleman is proposing there are four Members of the Government, and we suggest that they should withdraw their names. The right hon. Gentleman himself said that he would be pleased to withdraw, from which I gather that he has had more committee work in the last two or three years than has ever fallen to the lot of any man; and right well has he done it. I do not say that the result has been satisfactory, but, so far as attention to the work is concerned, it has been as assiduous and as correct as we should expect from him. But does he not remember that a great deal of the trouble in the minds of many people over the original Government of India Measure was the very fact that the Secretary of State and the Viceroy evolved the scheme before it came to Parliament? Are we to have a repetition of that? The late Lord Chelmsford and the late Mr. Montagu produced something and got it through Parliament with a very much smaller Committee, which included seven Members of this House and only one Member of the Government. It is suggested that the Secretary of State for Foreign Affairs must be on the Committee because all the members except one of the Simon Commission are members of the Committee. That is an argument as far as it goes, but how often is the Secretary of State for Foreign Affairs ever likely to attend the Committee? I do not want to make any rude remarks about anyone, but we know that in the pressure of public business Disarmament and Geneva render it practically impossible for the right hon. Gentleman ever to come to the House. We have the most fleeting visions of him, and to think that he is going to spend morning after morning engaged in a committee of this kind is preposterous.

As a matter of fact, I could build up my own case on his name, because what I would like to see done, and what I am sure a lot of hon. Members would like to see done, is to remove the Members of the Government from the Committee and let them have exactly the same status as the Indian gentlemen who are coming over here. The right hon. Gentleman cannot object to that, because all along, in every speech he has made, he has always told us of the value and importance of the co-operation of the Indians who are coming over. Some people were rather doubtful about that, but he is not, and he has stressed it time and time again. Indeed, in the Motion the Committee is to be given power to call people into consultation, and why should not they call into consultation Members of the Government as they desire? Then, at any rate, there would not be that huge block of opinion which must support the scheme in the White Paper. It is the Government's own scheme. You cannot imagine, if it ever came to a vote in the Committee, that the Secretary of State or the President of the Board of Education or any of the other Ministers would solemnly vote against it.

The Government are in the proportion of six to 32—an enormous proportion in the Committee, which will be the jury in this case; and then at the end the Government have got to judge on the merits of the report of the Committee. Quite apart from India or anything else, I cannot believe that it is right of Parliament to set up any committee on any subject in which there is that kind of weightage. I see the value of the experience and knowledge—I would be the last person to decry that—of the lady, the gentlemen and the Noble Lords who are being invited to serve on the Committee. But the trouble is that they have almost too much experience, if that is possible, because they do not represent, they cannot represent as a whole, the general opinion of this House. There is one thing about which I heard a lot when the House first met. It was about the splendid body of new young Members who were going to co-operate in the work of this Parliament. The Lord President was one of the most eloquent on that point, and quite rightly, but where are the

[Captain Crookshank.]

young Members or even the new ones. There is only one new one on the Committee. I do her the courtesy of saying that she is a young Member, of course; common politeness would not have let me do anything else; and I acknowledge the charming way in which she has addressed us on many occasions. On the other hand, the House, and I am sure she would be the first to say that it was a pity that there are not some other new young Members on a body of this kind.

The right hon. Gentleman's case, based on those figures and statistics, rested largely on the proportions of political opinion, weightage to the Opposition, and so on; but we can look at the 16 Members of this House who are suggested for this committee from a different point of view, and get a very different weightage or different emphasis. First, there are the four Members of the Government. It is their scheme; they are for it. Then we get the four Members of the official Opposition who have, as we have been told, consented to do the work. We know that they will be for the scheme as far as it goes, only objecting to it because it does not go far enough, but they are sufficiently realist politically to take the little they can get instead of holding out for the great deal which they know they will not get out of this House. To that extent we now get seven Members committed to the scheme. The representative of the Liberal party was a member of one of the Round Table Conferences, and to that extent is personally interested in the scheme, which he helped to develop in its earlier stage. That makes eight out of the 16—50 per cent.—committed to the scheme. Next we have the Noble Lord who was a member of the last Round Table Conference. That makes nine. Then we have the Noble Lord the Member for Hastings (Lord E. Percy), who was chairman of one of the committees, and is not very likely to be very much against this scheme. That is 10. Then we have the hon. Lady, who was a signatory of the Franchise Committee. She said the other day in this House that the trouble about this scheme was that it did not go far enough in that direction. She, like the Labour party, would accept the less as she cannot get the greater.

We are getting on now, Mr. Speaker. The committee is not quite what the right hon. Gentleman suggested. I hope that in what I am saying I am not being personal. I am merely going on published statements and speeches made in this House; I have nothing to do with the private opinions of people. Then we have the hon. Member for Kidderminster (Sir J. Wardlaw-Milne), who supported the scheme in this House the other day in a very brilliant speech. We are left now with only four out of 16; 75 per cent. of the committee are what one might call definitely Government weightage. [*Interruption.*] I can take away the word "Government," and will say they are weightage for the scheme so far as it goes. Perhaps the hon. Gentleman will agree to that. He does not. Well, I give him up. Of the four other Members with whom we are left, two of them frankly represent opposition to the scheme, that is admitted; another is my hon. Friend the Member for Finchley (Mr. Cadogan), who is there because he was a Simon Commissioner. I would not say he was very enthusiastic for the scheme judging by the speech he made the other day. We are left finally with the right hon. Member for West Birmingham (Sir A. Chamberlain), who is, so far as I can detect, the only impartial person. He has made no statement at all on this subject. Two hon. Gentlemen, one representing the English Universities and the other a division of Manchester, are frankly in opposition, they have made speeches in that sense. The only person who has not made a speech is my right hon. Friend the Member for West Birmingham. Therefore, he is the "impartial neutral representative," as the Secretary of State said, of that great body of opinion the Conservative party, and he is a very good representative of that opinion.

I would stress the point that we cannot discuss the Members of the Committee from the House of Lords in a matter like this, we really cannot. We are concerned only about our own nominations. The House of Lords may choose a very different committee after Debate than what is proposed, and we cannot discuss them. I hope I have not given any indication of the views of myself or of my hon. Friends on the Indian question, because I did not intend to, but if we look at this Committee impartially there is more or less of a weightage in favour of the Government

scheme in the proportion of 75 to 25. If we take away the four Ministers we do reduce that proportion. At the same time the Committee would not be deprived of their advice; they could call them in consultation every day if they liked. Further, the Government would be less likely to be in a false position at the end of the proceedings supposing the Committee recommended something which the Government did not like. What is to be the position of the six Ministers—six out of 32 who are on the Committee—in that case? It is going to be a very difficult task for them to have to persuade their colleagues back along the path on which they have advanced, or make them move further along the path which they have refused to follow. In either case, to ask four Ministers from this House, however able their work in this matter—and we all recognise and admire their steady devotion to this most difficult problem over a long period of time—to serve on this Committee is to ask too much. Therefore, I beg the House to be so good as to accept this Amendment to reduce the number in order that we may have an opportunity to move the consequential Amendments to leave out members of the Government.

4.36 p.m.

Sir JOHN GANZONI: I beg to second this Amendment.

At the outset I would like to say how very much I enjoyed the battle of flowers which we have seen just now. I could not help admiring the way in which the Secretary of State threw bouquets with unerring aim at all the Ministers and ex-Ministers who have been chosen to serve on this Committee. Never before have I had the privilege of witnessing a battle of flowers upon the ice, or even upon thin ice—an engaging and memorable spectacle. I feel emboldened to second this Amendment because I am quite certain that I am not by any means speaking for myself alone. Like the hon. Member who moved the Amendment, ever since I came into this House I have tried to steer clear of juntas, cabals and groups of all kinds, and I make a point, as far as possible, of refusing to sign proposals which are brought before me pleading for all sorts of innovations; but I do feel that the manner in which the personnel of this Committee has been chosen will be bad for the reputation of the Government in this country and in India.

The other day, when we had a Debate upon the setting up of a Committee on India, I voted in favour of it because it was recommended upon the ground that the Committee would make a thorough, a searching and an impartial examination of the proposal. I was by no means enamoured of the whole of the proposals. Like many others in the House and in the country I was certainly not prepared to condemn them, and I sincerely hope that after their examination I shall not be obliged to condemn them, but I do feel that the searching and impartial examination we were promised would be very much prejudiced by the presence of four Cabinet Ministers and other Ministers upon the body. It will naturally make things rather difficult for the other members of the Committee, for however much the Chairman endeavours to protect them, the weight carried by those Cabinet Ministers and ex-Cabinet Ministers is bound to make itself felt, and therefore it seems to me undesirable that they should serve. I take the words of the Secretary of State himself when he said, "After all, it is asking a great deal of a busy man." He went on to refer to the fact that the right hon. Member for Hillhead (Sir R. Horne), who is a very hard worker, is occupied in commerce, and that the hon. and learned Member for Swindon (Sir R. Banks) and the hon. Member for Tewkesbury (Mr. W. S. Morrison) are very hard-working members of the Bar.

I think we are learning to-day that Cabinet Ministers are an unorganised trade or profession, because if they had any union behind them that union would have had a word to say about all this overtime. It is going a little too far to expect a man like the Secretary of State for Foreign Affairs to be available for the continual sittings of a Committee of this kind while at the same time looking after the interests of his difficult office and going abroad to wrestle with beasts at Ephesus—well, not exactly that, perhaps, but argue with delegates from all parts of the world at Geneva and other European centres. I think I have said enough to show how very strongly I feel on this point. I am jealous of the reputation of the Government, and I think they should avoid every appearance

[Sir J. Ganzoni.]
of partiality, and I feel that what they propose would not be keeping faith with those in this House who still have open minds and want to see the proposal properly examined. It would certainly have a very much better effect throughout the country and the Empire and in India if this Amendment were accepted.

4.41 p.m.

Brigadier-General Sir HENRY CROFT: In rising to offer a few remarks to the House I would like to assure hon. Members that it was only after the very deepest searching of heart that I felt it impossible for me to serve on this Committee. I will briefly give my reasons for that attitude. I confess that I came here hoping to hear from the Secretary of State some really adequate reasons for the personnel which we are asked to vote upon this afternoon, and I think it will be very difficult for anyone to feel satisfied after the explanation we have heard. When he quoted a vote in the Division Lobby on a Private Member's Motion as representing a decision of this House, I must remind him that the Motion which I moved on that occasion was in favour of the Simon Commission's Report, with certain reservations as to law and order temporarily. The Noble Lord the Member for Hastings (Lord E. Percy) invited the House, I thought with the co-operation of the Whips, to go into the Lobby with him not against my Motion but in order that there should be no decision at that time. That was perfectly clear, and I think that on reflection the right hon. Gentleman will agree that it was hardly fair to quote that as a vote by the House of Commons—with over 200 Members of the Conservative party absent—in endorsement of the White Paper.

It was only when I was convinced that the Committee must be overwhelmingly committed to the Government proposal, and that any Member of our very small and almost negligible minority could have no opportunity of deflecting the Government from their main purpose, that I very reluctantly decided that it was impossible for me to accept the invitation to join the Committee. I regret this the more because for nearly 30 years during which I have followed a certain course I have in consequence found myself on repeated occasions in conflict with His Majesty's Government, and I did hope a few years ago that all these strivings on my part had now come to an end and that I had come to a time when I could sing a political *Nunc Dimittis*. But this question is one which seems to me to be greater than any issue which has ever tested us, except perhaps that of August, 1914.

When I was invited—and I cordially admit the honour which the Secretary of State did me—to join this Committee, I felt that I was in a very similar position to one which I can recall very early in the War in 1914, when I was a young company-commander. I happened to be with two private soldiers carrying out the very ordinary duty of examining German wire. It was a very dark night, and we bumped into a working party of Germans numbering about 40. If I had been merely a brave man, I suppose I should have rushed and endeavoured to slay one of those Germans, with almost suicidal results to myself; in other words, I should have joined the German select committee. I should also have been imperilling the lives of my two comrades. Some hon. Members may say that it was cowardly, but very discreetly I decided that if I was going to fire another shot in the War the thing to do was to get away as quickly as possible to an entrenched position, and I took my comrades with me.

It seems perfectly obvious, that on a Committee where there is such an overwhelming majority against those who hold my views, I should no longer be able to fire a shot with any effect on a question of such great moment, and that I should be entirely muzzled from endeavouring to put the case before the people in the country, on account of the fact that one would naturally be precluded from doing so by joining a Committee of this character. When I learned what was to be the complexion of the Committee, I confess to being staggered. I saw at once that, with the exception of my right hon. Friend, the Member for Epping (Mr. Churchill), I should be absolutely alone, among 16 or 17 persons, in holding the view that you should not abdicate central government and should at the same time maintain the power of law and order in the provinces. I would remind the House that there was to be not one man

representing the great business interests of this country in India, such as the industries of Lancashire and elsewhere.

I am rash enough to suggest that probably if hon. Members had been asked a fortnight ago how this Committee would be composed, nine out of 10 would have replied "Well, they contemplate a Committee of about 24 in all, with a majority, of course, of 10 supporting the Government policy of self-Government at the Centre, at least seven who believe in the continuance of British rule at the Centre in India and at least seven—who are not strongly committed to either policy." As has been said by the hon. and gallant Member for Gainsborough (Captain Crookshank), the House expected to see some middle body of opinion from those who had not been committed one way or the other. Instead, there are only two, representing the view which is held not by a few but by a very large number of hon. Members in this House, and which I claim to represent, and also the view of my hon. Friend the Member for Finchley (Mr. Cadogan), who is supporting the Simon Commission pure and simple, and who slightly varies his view from that of myself, and of some of my hon. Friends, with regard to law and order.

We have heard it suggested that possibly the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) also holds views against the policy of abandoning rule at the Centre. I could hardly believe that if the right hon. Gentleman, who is an ex-Secretary of State for India, had held any strong views on this subject, he would have kept silence all this time. He does not hesitate to express views, inconveniently sometimes, as was shown a week or so ago. I am convinced that had he had strong views on this subject he would have found an opportunity of warning the country, if he had thought that such a warning was necessary. What are the rest of the Committee? There are three right hon. Gentlemen and hon. Gentlemen representing the Official Labour party. They go even further than the policy which they bequeathed to His Majesty's Government. Then there is the representative of the independent Liberals. That is four. Already my right hon. Friend would have been in a minority of two to one. I am not suggesting that this is going to be a question of votes all through, but I am trying to get the degree of opinion to which people are committed, if they are committed.

The calculation so far leaves nine others, every one of them pledged, in spite of what the Secretary of State said. If I understood him rightly, he said that there were only 10 Members of the whole Committee of both Houses who could really be described as pledged. I say that there are nine others, every one in this House, pledged either to the federal plan or to ultimate abdication of British Government at the centre in India. Two others are so committed. The Noble Lord the Member for Horsham (Earl Winterton) who was a Round Tabler, and the chairman of the Indian Committee. If I understand his speech, he has come off the fence and is definitely committed to the Government proposals. Everyone knows that they are very estimable gentlemen of very high character, and nobody is questioning their desire to do their very best on the Committee from every point of view. We know that they will do so. Nevertheless, if a man has been devoting his time to a cause for two years and produces a White Paper which is brought before Parliament, it is almost too much to ask, unless he is an archangel, that he will not consistently and continually support those policies in the future. They are sincerely convinced, there is no doubt about that, but I think that a lot of people in the Conservative party would be inclined to say that they are rather among the intellectuals and the Kerenskies of the party who believe that in this post-War era one can settle so many questions by setting up committees or holding conferences, and by giving every imaginable type of person a vote.

Can we look to the House of Lords for any redress? I know that I am not allowed to discuss their personnel, but I have taken a little trouble to make inquiries, and I think that I know the views of most of the Noble Lords concerned. Nobody could claim that there are more than three, or possibly more than four, who hold the view that Britain should stay definitely governing India at the centre. If that is so, to bring the House of Lords into the picture does not help the situation, but it shows that in that House the position is very similar to the position in this House.

I attended the Blackpool Conference of the Conservative party last autumn.

[Brigadier-General Sir H. Croft.]

There I heard the admirable speech of my Noble Friend Lord Lloyd, and anyone who was there on that occasion will bear me out when I say that, while he was speaking, the whole conference shared his views. The right hon. Gentleman, the Secretary of State, got up and made an excellent speech, as he always does, and he pleaded for a Select Committee. The same thing happened at the Central Council which met in London, where there was a very close vote. I think the majority was only 24—I am not sure—and I think that there were 25 seats on the platform. The Secretary of State on both those occasions spoke very fairly to the assembly. He said: "Do not make my task more difficult." We had all been cheering him a minute or two before for his administration, and our good will was with him. He said words to this effect: We are going to do an exceptional thing; we are going to set up a Joint Select Committee of the Lords and Commons, in order that this question may be referred to them. You could almost have heard the sigh of relief that went throughout that conference, when he uttered those words. Those innocent people did not know that he was going to set up a Joint Select Committee with a majority of five or six against the views about which they were so anxious. I would like to ask the Secretary of State for India whether he really thinks he could have passed a vote on either of those occasions if the people present had realised how heavily the scales were to be weighted against their views, and how very far from impartial this committee was to be.

I have only one or two words more to say to the Secretary of State. I think he misunderstood me, and I did not take the opportunity of replying to him in the Press, with regard to my letter and to my failure to join the committee. I said in my letter:

"I would remind you that the present House of Commons was elected for certain definite purposes and no single Member is elected with a mandate to abandon British rule in India, and this fact I should have thought would have caused His Majesty's Government to take special pains to see that at least 45 per cent. of the Select Committee should represent those who believe that India can be preserved for the Imperial Crown and that reforms should be instituted step by step as indicated in the Government of India Act."

The Secretary of State replied:

"I could not for a moment accept your contention that you and your friends are entitled to 45 per cent. of the representation."

The Secretary of State missed my point. I did not say for one moment that we represented 45 per cent. of the hon. Gentlemen of this House, but I ask him, how does he know that we do not represent the majority of the people in the country when the Government have taken no steps whatever to consult the electorate? Even by his own test, which he took this afternoon, his arithmetical test, what representation is he giving to those 200 Members of the Conservative party who, so far, have not expressed themselves definitely one way or the other? Are they not entitled to some representation? The right hon. Gentleman has from the first admitted, in regard to the group of which I am a Member, that we are entitled to some representation, small and inadequate in my humble submission, but surely 200 Members who have given no views on this subject have a greater right to be represented, and they ought to be represented by at least six Members of this House if the committee is to be truly representative in every direction.

Again, taking that test, may I ask him if the views of the Members of another place are in any way representative of the Members of that House on the same question. If we take the test proposed by himself, I think that it will be found that it is quite impossible to regard this committee as impartial. He further stated in his reply to me that he could not accept the view

"that it is only you and they who believe that India can be preserved for the Imperial Crown."

Why did I deliberately insert those words? I can explain very briefly. In forming this committee we want to know what the Members' views are. The reason was that I had listened with dismay, and with the keenest distress, to that portion of the speech of the Lord President of the Council in which he used these words:

"I decided, after mature reflection, that if we went forward we might save India to the Empire, but, if we did not, that we should lose her."—[OFFICIAL REPORT, 29th March, 1933; col. 1130, Vol. 276.]

My hon. Friends and I are in absolute conflict with those views. I assume that

those views were shared by the Secretary of State and by those whom he has nominated from the Government. May I assume, from the Secretary of State's answer, that he repudiates those views? If so, I rejoice. That is a policy of complete and utter defeatism, and there is no mandate for that. I take the opportunity to suggest to the Lord President of the Council that any question of losing India, or of leaving the Government of India at the Centre, because the British Government refuses to yield to agitators, no more represents the views of the Conservative party than the views of the few hon. gentlemen of the Oxford Union represent that great university of 4,000 persons.

These post-War ideas that we have paraded before us ignore the facts which are being realised by practically all other countries. Numerous countries, in their distress, are throwing up strong men to meet their emergencies in this post-War world. Some of them may be repugnant in their methods, ideas and measures to us in this country, but we should not forget that those strong men apparently have their nations behind them. They are being supported to the full, and we cannot base our whole policy in this country on declaring that we no longer have the strength to govern India, and that we must lose her anyhow unless we accept these reforms, though we may hold her if we introduce them. That is not the spirit of the country. Even if it were the spirit of the politicians of the country, there is one warning that I want to give. The ex-service men of this country do not believe that that is a right policy, and, when they remember all that they suffered to preserve the Empire, they will be no party to a policy of abdication. It seems to me that the whole of this policy is being forced through without any popular sanction whatsoever, and for this reason I would say, let us have a committee of reasonable proportions, and let us do what we can, even at this late hour, to see that it is more representative of the differences of opinion in this House.

5.1 p.m.

Viscount WOLMER: As one of those who declined the invitation to serve on the Committee, I would like to give the House very shortly my reasons for doing so. I do not share, and did not share, the surprise of my hon. and gallant Friend the Member for Gainsborough (Captain Crookshank) that this was a packed Committee. To my mind it was inconceivable that the Government really intended to have an impartial Committee on this question, and I very much regret that the Secretary of State for India should have used words which undoubtedly led a great many people, in this House and outside it, to think that that was the Government's policy. When one realises the amount of labour that the Secretary of State, the Prime Minister, and other Members of the Government have bestowed on this subject, it must surely be obvious to everyone that they are absolutely convinced that this is the right policy in regard to India, and, therefore, they must feel it to be their duty to carry this policy through by every means in their power. After the Round Table Conferences and negotiations, and the steps which the Secretary of State and the Prime Minister have taken, it is impossible to regard their attitude from any other point of view. Therefore, personally, I do not wish to make any complaint at all that this is a packed committee. It appears to me to be perfectly consistent with the course that the Members of the Cabinet have pursued in regard to this matter, although I agree that it is at variance with some of the assurances that were given from time to time.

The only thing that I should like to say to the Secretary of State about it is that I think he is overdoing it a little bit, and I was amazed to hear him express the confident opinion that at least half the Conservative Members of this House are whole-heartedly in favour of the White Paper policy. I do not believe that that represents the facts at all. I also think he is entirely mistaken in regarding the declared opponents of the White Paper policy as numbering 42 or 43. If he studies the two Division lists, he will find that they contain by no means the same names. For instance, I voted against the Government in the first Division, because I felt that it was one of those Divisions which one was not morally justified in shirking; but, being a Member of the House who has no desire to divide against the Government more than I can possibly help, I did not support the second Motion, because I thought it was unnecessary to take a Division on the question; and there were a good many

[Viscount Wolmer.]
other Members in the same sort of position. But there were a great many more Members who abstained from both Divisions, simply through a desire not to vote against the Government, but who agreed in their whole-hearted condemnation of the White Paper policy. I should have thought that the Secretary of State for India was well aware of that fact. Therefore, when I was invited, after my right hon. Friend the Member for Epping (Mr. Churchill) declined, to serve on this committee, I felt that there was no hope of anyone who was entirely against the Government's policy doing any good on such a committee except in regard to detailed points, and in that connection I thought that my hon. Friend the Member for the English Universities (Sir R. Craddock), who has infinitely greater knowledge of the details of Indian administration than I have, would do very much better work on the committee. It was simply for that reason that I declined.

Those of us who oppose the Government's White Paper policy are opposing it on a great principle. We do not wish to fight a ding-dong battle in a committee, to obstruct as the Irish obstructed the Measures of the Conservative Government, or as the Conservative party obstructed the Home Rule Bill. That would not be our plan. We wish to carry the issue to the country. We feel that all that this Select Committee is doing is to hammer out the policy of the Prime Minister and the Secretary of State for India—that the personnel of the Committee is such that it can have no other function. It is composed primarily of the people who are responsible for that policy, and to ask them to look at the thing impartially at this stage is surely only an absurdity. It is simply a stage which the Government are taking quite properly from their point of view. I make no complaint; they are merely anxious to see that their plan, which they have carefully thought out, is polished up and perfected in its details, and improved as far as they can get it improved. I make no complaint of that at all, but I, for one, will have neither part nor lot in it.

I believe that the plan is a defeatist plan, a plan to give up responsibilities at the centre which it is not right for us to give up. I believe that they are responsibilities which the people of this country do not wish us to give up, and I am sure that the great majority of the Conservative party do not wish us to give them up. But the steam roller has started; the Select Committee is going forward with the same irresistible force; the sausage machine is at work, and in due time we shall be presented with the result of its labour. We all know now that the result of this Joint Committee can but be a perfecting and an elaboration of the White Paper policy, and, therefore, no Member of this House can now be in doubt that, unless those who think strongly on this question do what they can to defeat that policy, they will lose their opportunity before very long. The Government are irrevocably committed to this tremendous revolution in India. They believe it to be the right policy, and they will show that they are determined to carry it through by every means within their power. I shall support my hon. and gallant Friend in the Division Lobby, as a part of my general protest against the Government's policy, but I ask everyone in the House and outside it to realise the road down which we are now going. Let us all realise what are the issues that are at stake.

5.10 p.m.

Mr. G. BALFOUR: I wish to say a word or two in support of my hon. and gallant Friend. I endorse every word that he has uttered, and could, were it necessary, say a great deal in extension and support of what has fallen from him. I wish, however, to direct my short observations to that part of the Secretary of State's speech in which he laid down the principles upon which a Select Committee of both Houses of Parliament should be constituted. He detailed at some length the machinery which should be adopted so as to give proper and full representation, not only of the political parties in the House, but of the groups within those political parties. That proposal was in my judgment a sound one, but I will go so far as to say that, even if the committee were properly constituted on the principles laid down, and even if it were an impartial committee—which I totally and absolutely deny—it would not, even then, comply with the necessities of the case, nor would it meet the demands of the country. As my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) has truly

said, the present House of Commons was not returned in order to deal with this matter, and no committee representing the political complexion of parties, or groups within parties, within this House, can in any sense represent the feeling of the British public outside. I deny entirely the right of the right hon. Gentleman to ask the support of the House for this Committee on the basis of the theory that the political parties in this House have a right, as the House is at present constituted, to determine this issue by means of any committee, even though it were an impartial committee. Of course, however, the case does not rest upon that; it rests upon the absolute condemnation which has been so effectively placed before the House by my hon. and gallant Friend the Member for Gainsborough (Captain Crookshank), and on what has fallen from the lips of my hon. and gallant Friend the Member for Bournemouth. As far as I am concerned, I regard the constitution of the Committee, as it has been submitted to the House, as an insult, not only to the intelligence of the Members of the House, but also to the intelligence of the people in the country outside.

5.13 p.m.

Colonel WEDGWOOD: The composition of this Committee is really of vital importance from a point of view that has not yet been mentioned in the Debate. Anyone who took part in the Morley-Minto reforms, or in the Montagu-Chelmsford reforms, and who remembers the form in which those Bills were presented to the House, must realise that it is impossible, or, if not impossible, exceptionally difficult, to draft any sort of Amendment to Bills of that kind when once they are brought before the House. All the details as to the franchise, communal representation, the distribution of seats, reservation—all these details are inevitably reserved for rules and regulations which are enacted after the Bill has become law. They do not come before Parliament. Merely the general principle is put before Parliament, and the details rest with the Secretary of State. If, therefore, the House is to discuss the details, if it is to express its views on those details, it must be before this Joint Committee, and, therefore, the composition of the Joint Committee should be such as represents the House as a whole, and not the Government in particular. I differ from the view of the Noble Lord the Member for Aldershot (Viscount Wolmer) that it is not possible or practicable any more to fight this Bill in Committee——

Viscount WOLMER: I do not want the right hon. and gallant Gentleman to misrepresent me. I did not say that, and I did not mean that.

Colonel WEDGWOOD: I understand that the Noble Lord's refusal to serve on the Committee was due to the fact that he thought that improvement was impossible.

Viscount WOLMER: May I make my position clear? I did not wish to obstruct in the Committee, or to take part in deliberations on a scheme with which I was fundamentally out of sympathy.

Colonel WEDGWOOD: I agree with the Noble Lord as to the desirability of rejecting the White Paper, but I asked the Secretary of State to put me on the Committee. [*A laugh.*] Why should people laugh? It is such a misconception. Getting on to a Committee is not necessarily a favour.

Sir PATRICK FORD: Some of us laughed at the same view being arrived at in such diametrically opposed ways.

Colonel WEDGWOOD: The views are absolutely identical, but it is a question of how they are put into operation. The Secretary of State, in his kindly reference to me, pointed out that I was Athanasius *contra mundum* and he could not make room for Athanasius. There would be something to be said for it if it were not for the fact that in the end Athanasius proved right. I cannot help thinking even now that you might have Athanasius not so entirely in a minority if the Government Whips were taken off, and if the House decided whom they would have on the Committee. I feel certain that, if we could vote freely today, we should get a better Committee.

Viscount WOLMER: Athanasius was a member of the Council, too.

Colonel WEDGWOOD: I wish I had remembered that point. In that case, no doubt, I should have been one of the

[Colonel Wedgwood.]

select and favoured few. The point of view that the ordinary Member of this House represents to-day is not, I believe, overwhelmingly represented on that Committee. You have put on the Committee people who have taken part in the past stages. They were on the Simon Commission or the Lothian Committee, or on the Round Table Conference. Those people have not merely made up their minds on the question. They have a vested interest in the particular point of view. Those people who are on the Committee are not subject to pressure from the Whips, but they are subject to the ordinary feelings of human nature. When you have an overwhelmingly strong Government, it is much easier to please that Government and it is much easier to anticipate the reward of ordinary political life. I can see in this Select Committee quite a number of prospective Viceroys and Governors and Secretaries and Under-Secretaries of State. This is the first step on the political ladder and, therefore, the Government not merely have on their side the fact that most of the people who have been appointed have already made up their minds and made them up for the Government scheme, but you also have the inevitable result of political life in driving Members to share in the Government point of view. It would be much better if we had a Committee drawn by ballot or a Committee drawn, as Standing Committees are, by the Committee of Selection, which would make it less of a new Government Department and more of a representation of opinion in the country.

The real point at issue is this: The Secretary of State has said over and over again that there will be an opportunity before the committee of raising all points in detail, and that he will listen to every point of view and see that, if it is an improvement, it is embodied in the scheme. There is a chance of improvement in detail. Will he take evidence? Will Members of the House who have a point of view which they wish to put forward have an opportunity of putting it before the committee? Secondly, while it is possible, I hope, to improve the Bill in detail, will it be possible to make any modification in it on the real issue before us, whether there shall be this transfer of powers at the centre, which, to my mind is such a reactionary step at present? I do not think there will be much division of opinion in the House on the matter of provincial autonomy. On that side we all agree. The real issue is the transfer at the centre to what I maintain to be a most reactionary body, a permanently Conservative organisation. Shall we possibly be allowed to persuade the Government on that point and to fortify the views that I expressed the other day on the main issue, that the people in India itself do not want this transfer at the centre to this Conservative organisation?

Mr. DEPUTY-SPEAKER (Sir Dennis Herbert): I think the right hon. Gentleman is now getting on to the merits of the proposals in the White Paper. We cannot discuss those on this Motion.

Colonel WEDGWOOD: That is the real issue which the committee has to decide, the major issue of whether we are definitely committed to the whole scheme of transfer at the centre. It is on that point that the composition of the committee becomes vitally important. We read to-day in the "Times" the following interview with Mr. Gandhi. It is evidently curtailed very largely, but I wish the Secretary of State and the House to observe what Mr. Gandhi is reported as saying:

> "If peaceful conditions for the evolution of independence were possible, I would use influence with my friends of the Congress to induce them to agree to a suspension of strife and to the operation, after examination, of Provincial Constitutions as, in my opinion, they may be a truer test of the real transference of power."

That emphasises the point that there you have the best of liberally-minded opinion in India moving in the same direction as most people in this House, that whereas there will be unanimous agreement on provincial autonomy on the lines of the White Paper, you will have the most determined opposition both in this country and in India to the setting up of this new body involving Princes and millionaires.

Mr. DEPUTY-SPEAKER: The right hon. and gallant Gentleman is still transgressing my Ruling and dealing with the merits of the proposal.

Colonel WEDGWOOD: It is very difficult to distinguish. The real point of objection to the present composition of this joint committee is the fact that they are apparently prejudging that major issue, whereas the Secretary of State has repeatedly told us that there will be opportunities on the committee to put every point of view and to raise every issue, even the major issue, of whether change at the centre is inevitable and is part of their definite scheme or not. What I would press is that the committee be modernised so as to represent more fully the opinion of this House and possibly more the opinion of the country, and less the official view of those who have made up their minds.

5.25 p.m.

Mr. MOLSON: It is remarkable that we should have heard charges of bad faith against the Secretary of State being bandied about. He has been subjected to much criticism in India, but I do not think that particular accusation has ever been brought against him before. I cannot quite understand why so much resentment should be expressed by Members at the composition of this Select Committee. I have followed the question with some care, but I have never understood the Secretary of State to make a promise that the Government's considered policy was to be referred to some committee consisting of people who have not made up their minds upon it, and that the Government were to accept the decisions of that Committee as binding upon them. The hon. and gallant Baronet the Member for Bournemouth (Sir H. Croft) constantly refers to two domestic meetings of our own party, one at Blackpool and the other in London. It seems to me that he could hardly refer to them more frequently had he been successful in getting the majority of the people present on those two occasions to support his point of view. If I understood the speeches of the Secretary of State on those occasions rightly, it was that he undertook that the proposal of the Government should be referred to a Joint Committee of both Houses, which would carry confidence in the country, and when one sees the array of talent, of experienced administrators, ex-Secretaries of State and ex-Governors, I believe the vast bulk of the people in the country, at any rate, who ask for some reassurance from the Secretary of State will say that that is precisely the kind of Joint Select Committee that they had in mind. They will say there is only one defect in it. They would have desired that the right hon. Gentleman the Member for Epping (Mr. Churchill), the hon. and gallant Baronet the Member for Bournemouth, and possibly even my hon. and gallant Friend the Member for Wycombe (Sir A. Knox), who is interrupting me, should have been there in order to express their point of view. It is their failure to accept the invitation that was extended to them which will make a very large number of people in the country who, in the past, have had some sympathy with their point of view, ask whether the diehard section have all the courage to which they have laid claim in the past.

I never expected to hear the hon. and gallant Gentleman the Member for Bournemouth put forward such strange constitutional theories as that the Government were, in the first place, to invite the two Houses to appoint two Select Committees upon some estimate which they might form of the popularity of certain views in the country. I have always understood that Parliament was a Sovereign body, that it was to Parliament that the Government must look in order to ascertain what representation should be expresesd to various opinions. We are not only told that the Government should consider the alleged popularity of certain opinions in the country, but we are also told that the Government should be willing to set up a Joint Select Committee and submit its fully and carefully considered proposals to a body of that kind and then be prepared to have them amended in principle as well as in detail. I was interested to hear a reference made to the uprising of strong Governments in various countries of Europe. In 1931 the people of this country expressed their desire to have a strong Government. That is the Government that is in power at the present time, and I rejoice that the Secretary of State and the Government are prepared to carry through the considered proposals which they have put forward in the White Paper.

5.30 p.m.

Duchess of ATHOLL: My right hon. Friend the Secretary of State for India has told the House that in regard to this

[Duchess of Atholl.]

very grave question of India he divided the Conservatice party into three groups —those who favoured the policy indicated in the White Paper, those who were definitely opposed to it, and a third group which he described, rather superciliously it seemed to me, as indefinite in number who had not made up their minds or expressed them. Taking both Houses together, he claimed that all their groups, particularly the groups of his critics, were adequately represented. Before passing to speak particularly on the third of the groups of my hon. Friends, I should like to join with those Members who have deprecated considering that the representation given to the various groups here is amalgamated with the representation of similar groups in another place. It is impossible for hon. Members here to know exactly the position of Noble Lords in another place, and we are bound to consider whether the personnel proposed adequately represents the opinions expressed in all parts of the House. I always understood that that is the principle on which Committees in this House are set up, namely, that, as nearly as possible, the Members are nominated as they represent different points of view.

I wish to speak on behalf of the third group of Conservative Members. In the first place, I suggest to my right hon. Friend that the genesis of this group dates from further back than perhaps he realises. He spoke of the Division in this House on the White Paper in December, 1931, and mentioned that not more than 43 voted with my right hon. Friend the Member for Epping (Mr. Churchill) against that White Paper. He omitted to mention the fact that over 150 Conservative Members abstained from voting, and I venture to say that that was a portent which deserves to be taken into very serious consideration when we remember that my right hon. Friend the Lord President of the Council had wound up the Debate with an appeal to a party which regarded him with great loyalty, respect and personal affection, to support the Government. It seems to me that the abstention of over 150 Conservative Members on such an occasion was a writing on the wall of which Members of the Government ought to have taken more account than they appear to have done. The right hon. Gentleman twits those Conservative Members with not having expressed their opinion. I would remind him how very little opportunity they have had to do so. In the course of 1932 three days were set aside for India to examine and report upon definite matters connected with the Government. The House was not allowed any opportunity of discussing the reports of those Committees when they were presented. We had no opportunity of debating the proposals of the Government between December, 1931, and the 22nd February, when three hours were devoted to the subject on the Motion of my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft).

I would ask the right hon. Gentleman, who, I am sorry, is not in his place, because this is rather an important point, if he does not remember that, in February, before the Debate upon the Motion of my hon. and gallant Friend, representations were made to him by members of this group which not only consisted of questions to try to elucidate further information as to the intention of the Government and matters connected with their proposals, but also contained expressions of grave anxiety with regard to several proposals which had been discussed at the Round Table Conference. Further, the representations included also definite recommendations with regard to several matters. Therefore, the right hon. Gentleman is hardly in a position to say that this group of Conservative Members has not expressed any opinion upon this tremendous question. I also would ask the right hon. Gentleman if he was not informed at the time these representations were made, that those for whom the deputation spoke were considerably more numerous than those who had voted against the Government with my right hon. Friend the Member for Epping? Therefore, the right hon. Gentleman, from what he learned in February, was bound to have regard to the fact that, in addition to those who had openly shown their views in the Division Lobby, there was a larger number of Conservative Members showing great interest and making some recommendations to the Government in regard to this question.

But when it came to the Motion of my hon. and gallant Friend the Member for Bournemouth, it is true that Members of this group did not go into the Lobby with the hon. and gallant Member. That is very easily explained by the fact that the deputation, as I have said, had not only

made recommendations and expressed an opinion, but had asked for more information, and they felt that it was, therefore, only right to get the full information for which they had asked, namely, to wait until the White Paper was published before definitely recording a vote against the Government, or in favour of their proposals. Therefore, the fact that there was only a small Division for the Motion of my hon. and gallant Friend is of little account. The appearance of the White Paper, with nothing in it to set at rest the anxieties which we had expressed, and nothing done to meet the recommendations which we had made, has in no wise diminished the number of Members who made those representations to my right hon. Friend before the 22nd February. But, again, those Members have had little opportunity to speak. We had, it is true, a three days' Debate when many Members of the group put down their names to speak, but in view of the great number of Members wishing to take part in this very important Debate, only three or four Members of that group were able to make their voices heard in the Debate. Certainly all four showed great anxiety, and three out of the four certainly showed very little hesitation in the way in which they expressed their anxiety and their views in general. However, I would point out that, owing to the form in which the Government cast their Motion, there was, fortunately, no need for this group, or, for that matter, the group associated with my right hon. Friend the Member for Epping, to move any Amendment, or to suggest any addition to the Government Motion. Therefore, again, this group had no opportunity of showing, as of old, their views.

When we come to examine the representation which this group is to be given on the Joint Select Committee from the House of Commons, we find that out of the three definite critics of the White Paper only one of them represents this group. I think that I am right in saying that two of them, namely, my hon. Friend the Member for the English Universities (Sir R. Craddock) and my hon. Friend the Member for Hulme (Sir J. Nall) are both Members of the Committee associated with my right hon. Friend the Member for Epping—the Indian Defence Committee. Only my hon. and gallant Friend the Member for Finchley (Mr. Cadogan) represents what has been indicated to the right hon. Gentleman as a very much larger group than those who are members of the Indian Defence Committee. The group, though mainly Conservative, includes some representation of Liberal and Labour opinion. My observations lead me to believe that this group, and the group associated with my right hon. Friend the Member for Epping, together account for considerably more than one-third of the Members of the whole House. I submit that the representation that should have been given to all the critics of the scheme of the Government taken together should at least be five out of the 16 members whom it is proposed to select. The group of which I have spoken should have not less than three members in addition to the two from the Indian Defence Committee. It is all the more extraordinary that my right hon. Friend has nominated only three critics from the House of Commons, when we are led to understand from the letter written by the hon. and gallant Member for Bournemouth to the right hon. Gentleman declining the invitation sent to him that originally four critics had been invited to serve. I understand from the letter of my hon. and gallant Friend that he objects to the fact that only four out of 17 Members altogether would hold the view which he holds.

Sir H. CROFT: Only two Members holding the views of the right hon. Gentleman the Member for Epping (Mr. Churchill) and myself were selected from the House of Commons as far as I remember.

Duchess of ATHOLL: I read from the letter of the hon. and gallant Gentleman—

> "I gather that there will be four members out of 17 selected in the House of Commons who are presumed to be in opposition to the Government's proposals in regard to Indian reform."

Sir H. CROFT: I understood the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) might be presumed to be sympathetic to the views of those who were opposed to the proposals of the Government, and the four included the hon. Gentleman the Member for Finchley (Mr. Cadogan). There were only two absolutely opposed to law and order being transferred in the Provinces and abdication at the centre.

Duchess of ATHOLL: I have not been treating the subject in any detail but

[Duchess of Atholl.]

trying to keep within the ruling recently pronounced on the matter. I have dealt broadly with those whose attitude is that of criticism towards the proposals of the Government. I certainly gathered from the letter of my hon. and gallant Friend—I may be wrong—that in the beginning my right hon. Friend had invited four who were definitely, or who were believed to be definitely, critics of the proposals to serve on the Committee. I have no knowledge of my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain). Therefore, my right hon. Friend will inform the House if I am wrong in saying that, independently of the right hon. Gentleman the Member for West Birmingham, he originally invited four Members whom he believed to be critical of his policy, whether associated with the right hon. Gentleman the Member for Epping or not, to serve on the Committee. But now, independently of the right hon. Gentleman the Member for West Birmingham, there are only three. Unless I am wrong in my reading of the letter of my hon. and gallant Friend, the right hon. Gentleman has made a very grave mistake and seems to have sinned against the light, when at the moment, when two representative Members who have shown themselves to be critics of his proposals refused to serve on his Committee because they considered that the representation was inadequate, he limits the representation of critics to three. It seems to be an extraordinary step to have taken, if that is the case, but no doubt if I am wrong, my hon. friend the Under-Secretary of State for India, or the right hon. Gentleman will tell the House. I think that the representation is extremely inadequate, more especially in regard to the large number of Members who are gravely anxious on this subject but who have not joined the Committee of my right hon. Friend the Member for Epping. I do not think that the Amendment moved by the hon. and gallant Member for Gainsborough (Captain Crookshank) is practical politics. To reduce the Committee to 12 would leave the representatives of this House four fewer than the representatives from the other House.

Captain CROOKSHANK: The other place has not taken their decision yet. They might reduce their numbers.

Duchess of ATHOLL: We cannot be sure that the four that would be taken off the Committee in the other place would make the balance of opinion more fairly representative. It is difficult to imagine that the other place would find it easy to put off four of the very distinguished gentlemen who have already been announced in the Press as nominated to the Committee. I think the more satisfactory way of proceeding would be to substitute, as is suggested in one Amendment, the names of two Members who are known to be critics of the Government policy for the two junior Ministers who have been nominated. I am sure that the two latter hon. Members would acquit me of any desire to be discourteous. I regard both of them as my personal friends. With one of them I have done a gread deal of work in past Parliaments. This is not a matter of personal views or feelings. We have to think of the fair balancing of the opinion that exists in the House. I feel that the Government's proposals are exceedingly inadequate, and that they will not add to the weight and the authority that the Committee should have.

5.47 p.m.

Mr. MORRISON: There are many hon. Members, especially those belonging to the party to which I have the honour to adhere, who will feel a great deal of sympathy with some of the criticisms that have been made about the character of the Committee. I should like, if I may do so respectfully, to suggest to my hon. Friends that we are not discussing the merits or demerits of the Government's proposals but the question of procedure. And I should like to give reasons why we should not at this stage persist in the Amendment. If we are to have a Joint Select Committee, as has been already decided upon, it would be a great mistake if we sent that Committee away to its labour with its authority diminished by any lack of expression of confidence in its composition. It is very hard for any Government in the present unknown state of public opinion on this question to set up any committee that would satisfy all sections of opinion in the House. The peculiar nature of the Motion on which the House has hitherto divided on this question makes it impossible to judge from an inspection of the Division Lists what is exactly the view of the House. When hon. Members

suggest that the Committee ought to be more impartial, it appears to me to be very hard to know what is the feeling to which the Government ought to give expression in the composition of the Committee.

May I put my own point of view about the proposals, merely to show the angle from which I am approaching consideration of the question? As a private Member I am profoundly anxious about some of the proposals in the White Paper. My anxiety may arise from ignorance on my part, because I have not had the advantage of the personal knowledge of Indian questions that is enjoyed by some hon. Members. My difficulties may arise from that fact. When the Bill comes before the House, I think that will be the time when every hon. Member must express his opinion on the proposals, in the light of his duty to the country and the Empire. I propose to take all the time that is being offered to me to study this question. It is a question of such size and comprises issues of such great importance that I do not feel in the least apologetic at not being able to make up my mind in five minutes about it. I think, therefore, that we ought to take advantage of the opportunity that is given to us in the setting up of this Committee to inform ourselves more clearly in regard to the matter.

As regards the suggestion that the Committee is not impartial, it is very hard to know what is meant by being impartial, and what the Government's duty is in regard to setting up a Committee to secure impartiality. Impartiality may arise from a nicely balanced set of opinions in which the considerations pro and con are so evenly balanced that the mind is entirely ready to be swept one way or the other. You may also have impartiality from another cause, from blank, vacant ignorance of the whole question. Some of my hon. Friends who have to-day criticised the Government for weighting the Committee in a particular direction have themselves had the same experience that I have had of being invited to serve on the Committee and being compelled for reasons of one sort or another to decline the invitation. If that be so, and I think it is so, what is the Government to do if it cannot get those who oppose definitely these measures to serve on the Committee? If the Government have sent out invitations to those who have been prominent and distinguished in the controversy as critics of the Government, and if those hon. Members have felt it to be their duty to decline the invitation, I cannot see what the Government can do.

Captain PETER MACDONALD: Cut down the numbers.

Mr. MORRISON: My hon. and gallant Friend suggests cutting down the numbers. That, to my mind, neglects the fact that this is a Joint Committee and that Noble Lords in another place have to appoint their quota to it.

Mr. CHURCHILL: Does the hon. Member suggest that if the Government suggested to the House of Lords a similar reduction in the numbers from that Assembly, to follow the decision of the House of Commons, they would not agree to that reduction?

Mr. MORRISON: My right hon. Friend mistakes the point that I was making. He has jumped ahead too quickly. My point was this: Suppose we reduce the numbers of the Committee by a Resolution of this House and the Government urge, as my right hon. Friend suggests, that in another place the same action be taken. By that reduction the character of the Committee in another place might be vitally altered. I do not know whether hon. Members have considered the personnel which it is proposed to nominate in the other place. If they have done so they will see that in that representation there is no lack of critics. There are those in that personnel who are profound critics, and who have declared themselves to be critics. Does the right hon. Gentleman suggest that we in this House by altering the numbers should leave it open to the Government in another place, by reducing the numbers, to cut out some of those very important critics who are in the representation from the other place? As this is to be a Joint Select Committee, it would be ill-advised for us, in my humble view, at this stage to alter the numbers, because that action would bring in its train the great risk of deterioration in the proportion of critics on the Committee from the other place. I see nothing about which anyone occupying my viewpoint of scepticism and suspicion about the proposals can complain in the composition of the Joint

[Mr. Morrison.]

Select Committee proposed from the other place, and I would rather have things as they are.

There is one further point to which I should like to draw attention. The Government having invited well-known and distinguished advocates in this House of views contrary to those of the Government on this question to join the ranks of the Committee, and those gentlemen having refused, what were the Government to do? What was their duty? If they could not get, for the reasons that I have indicated, true impartiality or balancing, they must go for knowledge of the question and experience. This Joint Select Committee is being set up for the purpose of informing this House as to its views upon the Government's proposals. Impartiality may be a sort of mathematical myth which in the circumstances it is impossible to get, and I think we can congratulate ourselves that if the Government have failed to secure impartiality, which is an impossible task, they have at least secured distinction, knowledge and information in the representation from this House on the Committee. In that case let us trust those Members of the Committee who are sent from this House, no matter what they have said in the past and no matter what expressions of opinion they have given.

Some of my hon. Friends say that some of these hon. Members have declared themselves. This India question is a very big question as it impresses me. I have changed my own views several times on it, and I am not by any means in possession of such information that I can now say that I can make a final decision. I think it is perfectly certain that if we approve the Committee as proposed and send them to their labours with the full authority of a unanimous House of Commons behind it, when they sit down to their labours they will not be deterred from carrying out their duty to the House and the country by any incidents in the past. For my part, I have sufficient faith in those whom it is proposed to put on the Joint Select Committee, because I feel that they will carry out their duties in the best possible way. As impartiality is so difficult to obtain, with the lack of knowledge of what the House is thinking, with the refusal of some of my hon. Friends to join the Committee, I submit that the Government have done the next best thing and have given us a Committee well informed and composed of those who will discharge their duty faithfully in this matter.

5.57 p.m.

Mr. CHURCHILL: I shall detain the House only for a very few minutes, but I should like to say, in answer to the very excellent and clever speech just delivered by my hon. Friend, that we have heard this tale against voting very often. Time after time we have been been told that there is no real issue, and that this is only a Resolution which commits us to the spirit of the Prime Minister's speech at the farewell Round-Table Conference. Then we have been told: "Wait till you see the White Paper." We have also been told: "Wait till you see the Joint Select Committee." Now my hon. Friend says the real moment will come when the Bill is presented to the House. Meanwhile, things are not standing idle. The whole force of the Government here and in India is used to drive forward their policy. Meanwhile those who, in response to appeals for party loyalty and goodwill have abstained from voting, find themselves damnified when the Select Committee is to be set up, because we are told that only 45 voted and that the others who did not vote are a quantity about which indeed argument may be entertained but upon which no serious or solid assertion may be made. I believe it would have been far better if everyone who had doubts about this question had entered a caveat by their votes, and then they would have been in a position to acquire such representation as would have enabled this Parliament to deal adequately with so very grave a matter.

My right hon. Friend the Secretary of State for India, has, in his gay and airy way, twitted me with imitating Mr. Gandhi in a policy of non-co-operation. I do not think the House will consider that that was altogether just, but, in so far as it is witty, it is not new wit, because I have seen it many times in the public prints that support the Administration. Is it true? Is it just? The co-operation which Mr. Gandhi refused was a co-operation in administering and working the law of the land; the co-operation which Members who have

declined to serve on this Joint Select Committee have refused is a co-operation in making a new law about which they have great doubts, and which they are endeavouring to oppose. There is no sort of comparison between the two cases.

The hon. Member for Tewkesbury (Mr. Morrison) has told us that in view of the refusal of some of the pronounced opponents of the Government to sit on the Committee that, as the Government were not able to get impartiality, they have fallen back on knowledge. It was with the Committee before our eyes that we refused to serve upon it. There is no question of the Government saying: "We were going to be impartial, but as some hon. Members will not serve we must make a new Committee which will not aim at impartiality; we are relieved from our pledge of impartiality, and must set up a new committee," when the Committee was set up long before. That argument is not one which should weigh with hon. Members in the Division. I should like very much to have served on the Committee and should have regarded it as an honour to have taken part in the deliberations of a body which contains so many eminent and venerable figures. I would not have allowed any personal consideration or convenience to stand in the way. I do not even say that the representation which the Committee offers to the various groups and parties in the House is in itself unevenly balanced, provided that the Committee had not been swollen to inordinate proportions. Such figures as were discussed, and as have appeared, for the minority representation would not have been, in my opinion, unfair had the Committee been limited to 22; but even then the Government would have had an effective majority. The right hon. Gentleman is not satisfied with a little of the pudding. He wants the lot. He must overload; he must pile on.

There are four, shall I call them, paid officials of the Government on the Committee compared with two opponents of the Measure; and, in addition, how many more? They have been detailed by various hon. Members this afternoon, five or six, or seven or eight Members, who in one way or another have committed themselves to this policy, who have been brought into the general swim and movement of Government business because they have been openly associating themselves with this policy. The Committee will not give any fair chance of procuring a reasoned reconsideration of the question of principle. It may make improvements in details; and of the very able Members who are on the Committee one represents an hon. Member who has spent a lifetime in India and one represents, for the first time, the great commercial interests of the East. They will be able to develop those points, but the Committee as constituted gives no hope of altering the general decision of the Government to set up a Federal Government in India, or what we consider to be tantamount to an abdication of power at the Centre.

The hon. and gallant Member who moved the Amendment pointed out to the Government a very reasonable course which they could have adopted. They could have placed all the Members of the Government they have in their minds associated with the Committee, on the same basis as the Indian Delegation which is to come over. That would have been more convenient in the practical working of Government business, and it would have had a further advantage. I do not know whether hon. Members have thought of the enormous difficulties which will arise in regard to the method of consultation with the Indian Delegation. Very dangerous questions of status may arise, questions as to whether they are placed in an unfair position, and which might cause unnecessary ill-will. But if Ministers of the Crown took the same treatment and were placed in the same position, that danger and difficulty would be removed, and Ministers of the Crown would not be called upon to attend more than was required by the Committee or more than they desired themselves.

I have not often heard a Debate which has been so completely one-sided as this Debate. Apart from two speeches, no hon. Member except the Secretary of State has spoken in favour of this arrangement. I feel that we are being moved steadily nearer and nearer to the verge of an irrevocable position. With extraordinary coolness and persistency the Government, month after month and year after year—I have been resisting

[Mr. Churchill.]

this now for three years, since I severed myself from my right hon. Friend and his policy—have told us that this is not the time to vote. All of a sudden the time will come when the Government will say: "Here is the report of our impartial committee, a large majority are in favour of it. Look at the expectations which you have aroused in India. You cannot go back now. You have no other course but to go on." That is to deny the House the facilities of debate; it is to deny to the Select Committee the efficacious work which they could have done. I hope that even now the Government will indicate that efforts will be made to remodel the Committee more in accordance with the wishes of the House.

6.7 p.m.

Vice-Admiral G. CAMPBELL: Twenty years ago, when a young lieutenant, I received the First Lord on board; the band played "Rule Britannia," but I did not then ever expect to see the day when I should disagree with the right hon. Member for Epping (Mr. Churchill). I am one of those Members of the House who has not yet opened his mouth on the subject of India, and I had not intended to do so now except for the fact that I have never before listened to such a succession of speeches with which I have been in entire disagreement. I have hardly heard a speech, except perhaps that of the Secretary of State and that of the hon. Member for Tewkesbury (Mr. Morrison) which, in my opinion, have been of any assistance to India or to this country. The right hon. Member for Epping says that the Debate this afternoon has been one-sided. Some of us have been brought up to deeds rather than words, and if we do not always speak it does not mean that we do not think. The Secretary of State has had a most difficult task to perform in selecting the Committee and, I think, he has done it in a most excellent fashion. It is a Committee which should meet with the approval of the whole country.

I share the regret that some hon. Members have not seen their way to join the Committee when invited to do so. It it not for me to question their reasons, but I should have thought that those hon. Members with great experience of India would have been doing better service if they had sat on the Committee. I should have thought that the only reason for declining the invitation to serve on one of the most important committees ever set up in this country would have been lack of knowledge, but that does not apply to any of the right hon. and hon. Members who have been invited to sit on the Committee. It is said that hon. Members who object to the White Paper consider that they will be doing better service to their country by making speeches on platforms in this country and in warning the electors. Personally, I should have been much more convinced if I had seen these right hon. and hon. Members on the Committee, even if they thought it necessary to sign a minority report after having heard all the facts of the case and read all the documents, some of which, I presume, will be confidential and cannot be made public. I should have been much more convinced by such a minority report than by going to Queen's Hall and places of that sort and listening to the finest oratory in the world. A large majority of this House supported the Government in December, 1931, when we were all well aware of what was coming.

Sir H. CROFT: Did the hon. and gallant Member put it in his election address?

Vice-Admiral CAMPBELL: A vote was taken in this House on that occasion and a large majority supported the Government. Hon. Members knew perfectly well that as a result a White Paper would be forthcoming. Quite recently we again supported the Government in setting up this Joint Select Committee, and I do not think that we are doing a great service in trying to insinuate that the committee is not impartial. The hon. and gallant Memeber for Bournemouth (Sir H. Croft) asks me if I put it in my election address. Certainly not. The National Government were returned for one purpose. I do not think that India should be brought into our politics; it should be kept outside. The hon. and gallant Member for Bournemouth referred to ex-service men, and asked what they would think of our giving up India. I do not know. The first thing ex-service men look for is for people who will inspire them with confidence, and I do not think the hon. and gallant Member for Bournemouth is inspiring them with

confidence in this Select Committee which the House is being asked to set up. We should see that this committee has the support and confidence of this House. I have far more confidence in my fellow countrymen than some hon. Members, and I intend to maintain that confidence until I am deluded. I ask the House to give this committee their whole-hearted support so that they can have a fair start. We have men who will be impartial, who will be fair, and who will do their best in a difficult task, upon which the future credit of India and the British Empire depend.

6.14 p.m.

Sir WILLIAM DAVISON: I cannot allow the slip which the hon. and gallant Member for Burnley (Vice-Admiral Campbell) has made to pass unnoticed. He was asked whether he referred to the question of India when addressing his constituents at the last General Election, and he said, "Certainly not." Immediately afterwards he said that the National Government were returned for one purpose, which had nothing to do with India. The first point which I desire to make is that the Government have no right to set up this committee or any other committee, on this matter. Apart from the speech of the Secretary of State there have been only three speeches to-day in favour of this Motion. I have dealt with the last speech. Of the other two, there was first the speech of the hon. Member for Cirencester (Mr. W. S. Morrison), who began by saying that it would be a mistake if we launched this committee with any suggestion of lack of confidence in its constitution. Other speakers have said, what is the good of criticising this committee when the right hon. Member for Epping (Mr. Churchill) and the hon. and gallant Member for Bournemouth (Sir H. Croft) have declined to serve on it? They seem entirely to have missed the whole point of the criticism.

That point is not with regard to any particular Member serving upon the Committee, but that the Committee as constituted is loaded from a particular point of view; that is to say, without imputing any kind of dishonesty, as none of us would think of doing, to the Secretary of State, whom we all respect of a friend, that the men who have for months past been developing a particular point of view cannot change in a few moments and bring up to this House a report on a different line. Without suggesting any bad faith, as was done by the hon. Member for Doncaster (Mr. Molson), I say that the Secretary of State, rightly or wrongly, misled not only this House but the country, and especially the Conservative party——[HON. MEMBERS: "No!"] Let me give my opinion, and I shall not be without a number who will agree with me. I say that, rightly or wrongly, the Secretary of State has undoubtedly misled not only this House but the country, and especially the Conservative party, as to what the constitution of this Joint Select Committee will be.

As the right hon. Member for Epping has said, we have been again and again in this House reminded by dozens of Members that they had made up their minds, that they were pledged not to vote for a Motion of the hon. and gallant Member for Bournemouth, or other Motions, until they had had the report of an impartial committee which had gone into the whole matter. Does the Secretary of State suggest that if, at the meetings of the National Union of Conservatives at Blackpool and in London, he had said that the Joint Select Committee to be set up would have a three to one majority in favour of the White Paper, those meetings would have carried the motions by a small majority, as they did? I ask anyone who was present at those meetings, certainly the last one held in London a few weeks ago, whether, if there had been any suggestion of that kind, the meeting would not have passed the resolution sent up from Epping? There is no question whatever that the general reflection of the mind of this House and of those meetings and of the country was that the inquiry by the Joint Select Committee would be an impartial one, and that it would be something on which the country could rely in making up its mind.

Mr. MOLSON: Does my hon. Friend suggest that the Conservative Secretary of State should take orders from the National Union in the same way as a Socialist Government takes orders from the Trades Union Congress?

Sir W. DAVISON: That is an irrelevant interruption. What was the opinion of this great body of men who represented

[Sir W. Davison.]

the Conservative party in the country? I did not say anything about the Secretary of State. As a matter of fact the Secretary of State was very anxious to secure their good will. The Select Committee that I would suggest is one which would meet the point of the Government and would be fair. I would nominate the Secretary of State—I see the difficulties of having all these busy men—three representatives of the Government representing the White Paper, three representing the Indian Defence Committee, and six representatives appointed, as we always appoint committees in this House, by the Committee of Selection. In that way we would have six men who were not committed to any view. We would have the three Government spokesmen urging one thing, three spokesmen of the Indian Defence Committee urging another point of view, and six men appointed by the Committee of Selection who had not expressed their views one way or the other. If we had a report from such a committee the country would have confidence in it, and it would be a report on which the country could rely.

Duchess of ATHOLL: On a point of Order. Before we go to a Division may I ask whether my right hon. Friend the Secretary of State will give an answer to the question that I put to him?

Mr. SPEAKER: That is not a point of Order. No doubt the right hon. Gentleman will give an answer.

Several HON. MEMBERS *rose.*

6.22 p.m.

Mr. MAXTON: It is a matter of very great regret to me that the voice of Bridgeton should be heard in preference to that of the ancient university of Oxford. That, however, does not lie in my hands, but with Mr. Speaker. I merely rose to say that the hon. Knight who spoke last, the Member for South Kensington (Sir W. Davison), was mistaken when he said that there had been only three speeches in favour of the Government's position to-day. I came here with my mind fully made up to vote with those who are protesting against the composition of this committee. I think the committee is not fairly and justly composed. I think that the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) was perfectly right in staking a claim as representing a very distinct point of view that will not be represented on the Select Committee. But I must say that the speeches of the critics of the Select Committee have almost driven me to the extreme and opposite point of view. They have left in my mind the impression that the Government must at a very early date give the House an opportunity of deciding, not on steps towards Indian reform, but on the big principle, because if the claims of the critics of the Government are well founded there is a majority in this House who do not want India to get any measure of increased self-government at all. The hon. and gallant Member for Bournemouth (Sir H. Croft) went further in his concluding remarks. He talked about some strong man who was to walk into India, not thrown up by the Indian people but thrown up by this nation, and to rule India with dictatorial powers. If that be the majority view in this House the sooner we know about it the better.

Sir H. CROFT: I said no such thing. What I did say was that I hoped that in this country we should not take the slogan of defeatism which was uttered in the Debate the other day as representing the views of this country, and that strong leadership was required in this country. I never made any reference to any form of dictatorship in India.

Mr. MAXTON: I apologise to the hon. Baronet and accept his statement of what he said as the accurate one, but certainly that was not the impression that was left on my mind when I listened to him, nor was it the impression left on my mind generally by that point of view as expressed in this Debate. Right through the critics have said that genuine Conservative opinion, as distinct from the non-genuine variety that is represented on the Treasury Bench, is not adequately represented on the Select Committee, and they are afraid that India will get some greater measure of self-government than they desire India should have or than they think India is fit for. That is the view of the critics of the Select Committee. It is unfair for the hon. Member for South Kensington to make a point against the hon. and gallant Member for Burnley (Vice-Admiral Campbell) by saying that the hon. and gallant Member did not put this matter before his electors. That may be a point against a new Member of this

House, but every senior Member, the right hon. Member for Epping (Mr. Churchill), the hon. Member for South Kensington, and the hon. and gallant Member for Bournemouth knew that unless the word of this nation to India was to be broken, this House had to take steps; and as I see the whole Debate to-day this is an effort on the part of Conservative sections in this House to contract out of an honourable promise that was given to the Indian people, to withdraw from the decision taken by this nation in 1917, which they regret was ever given.

My criticism of the operation of the Government is from the extreme opposite pole. My criticism of the Select Committee is that it does not contain one representative of the point of view which says that India should be recognised as a free and independent nation, and that the constitution India has to live under in future should be laid down by the Indian people themselves. That point of view is not represented on the Select Committee and therefore the Committee is not a representative one.

6.28 p.m.

Sir STAFFORD CRIPPS: So far as the Labour party are concerned, we shall support the Amendment. We do not do so because we agree with the right hon. Member for Epping (Mr. Churchill). As everyone knows we are worlds apart in our views on the Indian situation. But with the speeches made by the Mover and the Seconder of the Amendment we do agree to this extent—that this Committee is unduly weighted on behalf of the Government. We have throughout protested that the representation of the Opposition should be greater than it is, and one of the means of bringing that about, of course, is to remove the Government Members from the Committee so as to leave a larger percentage of the remaining Committee for the Opposition. I do not agree with what the last speaker has said as regards no representation on the Select Committee of those who believe in Indian self-determination. We have always taken that view, and since the Select Committee is to consider not only the details of the White Paper but the fundamental principles which lie behind the White Paper, we feel that we are entitled to a larger representation than three out of 16. For those reasons we shall support the Amendment.

6.30 p.m.

Sir S. HOARE: This Debate has run exactly the course that I expected it to run, even to the last stage. I felt quite sure that the more anxious some of my hon. Friends were to criticise the Government and our proposals, the more certain it was that they would be supported from the Opposition benches including the official Opposition. We have just seen one of the usual incidents of Parliamentary tactics. The Opposition—and I do not blame them, for we should have done exactly the same thing in their position—wait to see what course a Debate is going to take, and, if there is a cleavage in the Government ranks, then immediately they jump in, and announce that they will support the embarrassing element. None the less I am rather sorry that the Opposition have thrown in their lot in favour of the Amendment. I know that they wanted a larger representation on the Committee, but I thought I had convinced them that we could not do more than we had done in the conditions in which we were working. One of the troubles of this whole business has been this—that as soon as any additional Member is added to the Committee, every other group in the House, to say nothing of other places, immediately says, "Now that somebody else has been added from that side, we want an addition to the representation from our side." That has been one of my main difficulties all the way through these negotiations.

I am inclined to think that, with the best will in the world, a good many of my hon. Friends have got away from the realities of the problem this afternoon. They seemed to think that all that was necessary was to accept the fact that on some of these issues the Conservative party is divided and to think of that and nothing else—in other words to have a Committee composed almost entirely of Members of the Conservative party. There may be a good deal to be said for a proposition of that kind, but I wonder what hon. Members opposite would have said if I had followed some of the advice given to me this afternoon. I was faced with the problem of advising the House, not as to the selection of an ideal committee—we should never get an ideal committee about anything—but the best kind of committee to represent the various bodies of opinion in the House as they are to-day. That meant to say that before I proceeded

[Sir S. Hoare.]

even to consider the Conservative representation I had to take into account the Opposition parties and give them their due representation. In this particular case, there has been added this great complexity that, perhaps for the first time in the history of these committees, some Members of the Opposition parties may—at any rate from time to time—support the Government proposals. At the same time, if I had accepted Members of any of the Oppositions as representative of the Conservative opinion that is in favour of the White Paper, I wonder what many of my hon. Friends would have said to me to-day. They would have said: "You and the Government are placing yourselves in the position of being dependent on Opposition votes."

I will be frank with the House. As long as I have any influence in any Government, I am not prepared to see that Government abdicating in any respect its duties. I would make no excuse for that at all. I claim that in a case of this kind it would have been a great injury to the body of Conservative opinion which is in favour of the White Paper, and in any case would have been directly contrary to the procedure of this House over many generations, if we had left that body of opinion which is, on the whole, in favour of the White Paper proposals at the mercy of the idiosyncrasies of any of the Oppositions. I can imagine what my right hon. Friend the Member for Epping (Mr. Churchill) would have said had we been guilty of such a dereliction of duty. He would have said: "Look at these Conservatives in the Government who do not represent Conservative opinion at all." That is part of his case. He would have said "They are depending for very important decisions taken in this Committee, upon Socialist and Liberal votes."

Mr. CHURCHILL: I should never have said anything of the sort.

Sir S. HOARE: Whether the right hon. Gentleman was likely to say anything of the sort or not, I was not going to place myself in that very dangerous position. The House should remember that we have proceeded exactly upon the lines upon which every Select Committee has been formed in the past. The Select Committee set up to deal with the Government of India Act of 1919 was set up by exactly the same method as that which we are proposing to-day. Then as now the main bodies of opinion were represented, and, then as now, the Government have on the whole a majority. We depart by no jot or tittle on this occasion from the procedure always adopted. I am in some difficulty when I come to answer questions that have been raised by various hon. Members as to whether such and such an individual was invited and whether, if he had accepted, a particular body of opinion would have had a stronger representation in the Committee or not. I am in a difficulty for this reason. In a matter of this kind one must have innumerable conversations, many of them of a confidential character, and the last thing in the world I would wish to do, even though it greatly strengthened my own case, would be to disclose any information that emerged from a confidential conversation. But I think I am justified in saying that throughout all these weeks in which we have been considering the names of the Members of the Committee, we have been in the closest touch with the leading representatives and among the leading representatives I include the leaders of the Conservatives who do not agree with me upon this question of personnel.

Originally we hoped that the Committee would be constituted of 24 members, but we found there were so many claims that could not be resisted, that we had to increase the number. I was under the impression that, so long as the number remained at 24, there was, I will not say general agreement—perhaps that would be putting it too high—but there was a general acceptance of our proposals as not unreasonable. I think the right hon. Gentleman the Member for Epping admitted as much in his speech this afternoon. He put the number as being 22 instead of 24, but I think I am not misrepresenting him in taking his statement to be that if the number had remained at 24, our proposals would not have been unfair to the minority. So there is not as much between us as would at first appear. It is merely a question as to how the additional eight members should represent various bodies of opinion in both Houses. I did my best to obtain another representative of the

Right in this House. I approached more than one of my hon. Friends—and this I think answers the Noble Lady the Member for Perth and Kinross (Duchess of Atholl). For instance I did my best to persuade the right hon. Gentleman the Member for Hillhead (Sir R. Horne), who made one of the most acute criticisms of the Government proposals that was made in the course of our Debates, to come on to the Committee. If he had come on to the Committee, that would have been in addition to any representation which there is at present of that group or the groups of the Right.

I must not say anything about the other House. I will only, in a word, indicate that I did make an offer of further representation among, the additional eight, of the Right in the other place as well, but for reasons, good or bad, into which I need not go, it was found that that offer could not be accepted. I mention these facts to show that I did my utmost to see that those groups should be properly represented and I still claim that, whatever may be the numbers—and numbers are not all that count in an expert inquiry of this kind—every point of view will have adequate expression. If my right hon. Friend the Member for Epping is right and the Committee is not an impartial body, the House can judge of that when the Committee makes its report. The report will be a public document. The House will see it and will see the voting, if indeed there is any voting in the Committee, and they can judge how far each of these various opinions has made itself felt or has failed to get itself felt.

I come to the specific questions asked by the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood). He asked would it be possible for evidence to be given from people who were not necessarily members of the Committee. He also asked if it was possible for any issues to be raised, even issues that ran counter to the White Paper proposals. My answer is perfectly clear. As to the first question, the Committee must settle what evidence it is going to take. As far as I am concerned, I would advise the Committee to give every opportunity for serious and responsible evidence to be taken and the more so when that evidence may conflict with the general proposals of the White Paper. As to the further question, whether points could be debated which run counter to the White Paper, my answer without doubt is "yes." The whole field is open. We have specifically said that the terms of reference to the Committee are the Government of India in general, and the White Paper proposals in particular. The Government and I stand by that statement and, just as hon. and right hon. Gentlemen opposite wish, I know, to raise issues that go outside the White Paper, so I am confident some of my hon. Friends wish to raise issues from the other angle. As far as I can see and as far as my advice counts both those sections of thought will have their opportunity.

Finally, I ask the House not to vote upon this issue as if it were a theoretical issue in which we could get some ideal arrangement that would please everybody. Let them dismiss any idea of that kind entirely from their minds. Any proposal that is made will be open to every kind of objection. Every proposal will have to take into account the difficulties that face us in making these proposals, and I say to the House to-night that after weeks of constant talks and negotiations, after considering these issues inside and out from every angle, I do not believe that we can make a better recommendation than we are making to-day, and I am confident that, whatever views may have been expressed in the House this afternoon, the great body of public opinion in the country, particularly the body of public opinion that is not very much interested in party battles, least of all in battles between one section of one party and another, will on the whole say that this is a body composed of weighty and expert opinion, that it gathers around it experience drawn both from India and this country, and, on the whole, is just the kind of body whose opinion it would desire when it comes to make up its mind in due course when the Bill is introduced into this House.

Captain CROOKSHANK: We have been discussing an Amendment for three hours. Does not the right hon. Gentleman intend to say a single word about it, or are we to take it that there is no possible reply from the Government?

Sir S. HOARE: I did not wish in any way to be discourteous to my hon. and gallant Friend. I thought I had included an answer to his Amendment in the general answer that I was making on the whole question. Moreover, I did deal with it—perhaps it was wrong—by anticipation in the speech that I made in opening the Debate. My answer to it must be this, that I do not believe that this work, which is essentially work for experts, can be carried out without representation of the Government on the Committee. I set aside entirely any personal criticism as to whether I or anybody else is suitable to be on the Committee, but I say emphatically that I do not believe that a Committee of this kind can carry on its work without Government representation upon it, and I claim that the members of the Government whom we propose to-day are in every case qualified, not because they are members of the Government, but because of their special experience in Indian affairs.

Sir **CHARLES OMAN:** As the right hon. Gentleman says that the Government must be represented, will he consent that two of the Government's proposed representatives should be taken off, as suggested by one of the Amendments?

Mr. BRACKEN: Will the right hon. Gentleman answer one question, namely, why the Committee of Selection was ignored in nominating the members of this Committee? The Committee of Selection of this House is the appropriate body to nominate members of Select Committees, yet the Government have decided to ignore them altogether.

Sir S. HOARE: The hon. Member is inaccurate in assuming that this is an unusual procedure. It is not. This procedure was adopted in the case of the Government of India Bill in 1919.

Sir C. OMAN: Will the right hon. Gentleman answer the question which I asked him?

Question put, "That the word 'Sixteen' stand part of the Question."

The House divided: Ayes, 209; Noes, 118.

Division No. 132.] AYES. [6.49 p.m.

Aitchison, Rt. Hon. Craigie M.
Allen, William (Stoke-on-Trent)
Anstruther-Gray, W. J.
Aske, Sir Robert William
Atkinson, Cyril
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Beauchamp, Sir Brograve Campbell
Bernays, Robert
Birchall, Major Sir John Dearman
Blindell, James
Borodale, Viscount
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burghley, Lord
Butler, Richard Austen
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Castlereagh, Viscount
Castle Stewart, Earl
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Clarke, Frank
Clayton, Dr. George C.
Collins, Rt. Hon. Sir Godfrey
Conant, R. J. E.
Cooper, A. Duff
Courthope, Colonel Sir George L.
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Doran, Edward
Duggan, Hubert John
Dunglass, Lord
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Evans, Capt. Ernest (Welsh Univ.)
Fermoy, Lord
Foot, Dingle (Dundee)
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Glyn, Major Ralph G. C.
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W).
Grimston, R. V.
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanley, Dennis A.
Harris, Sir Percy
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hope, Capt. Hon. A. O. J. (Aston)
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Lindsay, Noel Ker
Llewellin, Major John J.
Lloyd, Geoffrey
Locker-Lampson, Rt. Hn. G. (Wd. G'n)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
McCorquodale, M. S.
MacDonald, Rt. Hon. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Meller, Richard James
Merriman, Sir F. Boyd

Mills, Major J. D. (New Forest)
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Moreing, Adrian C.
Morgan, Robert H.
Morris, Owen Temple (Cardiff, E.)
Morrison, William Shephard
Moss, Captain H. J.
Muirhead, Major A. J.
Nation, Brigadier-General J. J. H.
Newton, Sir Douglas George C.
Nicholson, Godfrey (Morpeth)
Ormsby-Gore, Rt. Hon. William G. A.
Owen, Major Goronwy
Patrick, Colin M.
Pearson, William G.
Peters, Dr. Sidney John
Peto, Geoffrey K.(W'verh'pt'n,Bilst'n)
Pickford, Hon. Mary Ada
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Percy John
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, William Allan (Derby)
Rentoul Sir Gervais S.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runciman, Rt. Hon. Walter
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Richard John (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, Samuel (W'dsworth, Putney)
Sanderson, Sir Frank Barnard
Savery, Samuel Servington
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Sinclair, Maj. Rt. Hn. Sir A.(C'ithness)
Skelton, Archibald Noel
Smithers, Waldron
Somervell, Donald Bradley
Southby, Commander Archibald R. J.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley Hon. O. F. G. (Westmorland)
Stevenson, James
Storey, Samuel
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Tryon, Rt. Hon. George Clement
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
Whyte, Jardine Bell
Wills, Wilfrid D.
Womersley, Walter James
Wood, Rt. Hon. Sir H. Kingsley
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'oaks)

TELLERS FOR THE AYES.—Sir George Penny and Dr. Morris-Jones.

NOES

Acland-Troyte, Lieut.-Colonel
Adams, D. M. (Poplar, South)
Agnew, Lieut.-Com. P. G.
Allen, Lt.-Col. Sir William (Armagh)
Applin, Lieut.-Col. Reginald V. K.
Atholl, Duchess of
Attlee, Clement Richard
Bailey, Eric Alfred George
Balfour, George (Hampstead)
Beaumont, M. W. (Bucks., Aylesbury)
Benn, Sir Arthur Shirley
Blaker, Sir Reginald
Boothby, Robert John Graham
Bracken, Brendan
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Brig.-Gen.H.C.(Berks.,Newb'y)
Burton, Colonel Henry Walter
Caine, G. R. Hall-
Cape, Thomas
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Chorlton, Alan Ernest Leofric
Churchill, Rt. Hon. Winston Spencer
Clarry, Reginald George
Cobb, Sir Cyril
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Cove, William G.
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dawson, Sir Philip
Dobbie, William
Donner, P. W.
Eastwood, John Francis
Edwards, Charles
Everard, W. Lindsay
Ford, Sir Patrick J.
Fuller, Captain A. G.
Gluckstein, Louis Halle
Goodman, Colonel Albert W.
Greene, William P. C.
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Gritten, W. G. Howard
Groves, Thomas E.
Grundy, Thomas W.
Hall, F. (York, W.R., Normanton)
Hall, George H. (Merthyr Tydvil)
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Hartington, Marquess of
Hirst, George Henry
Jesson, Major Thomas E.
John, William
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Kimball, Lawrence
Kirkwood, David
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lees-Jones, John
Lennox-Boyd, A. T.
Leonard, William
Levy, Thomas
Logan, David Gilbert
Lunn, William
Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
Maclean, Neil (Glasgow, Govan)
Makins, Brigadier-General Ernest
Marsden, Commander Arthur
Maxton, James
Nicholson, Rt. Hn. W. G. (Petersf'ld)
North, Captain Edward T.
Oman, Sir Charles William C.
Parkinson, John Allen
Perkins, Walter R. D.
Peto, Sir Basil E. (Devon, Barnstaple)
Purbrick, R.
Raikes, Henry V. A. M.
Rankin, Robert
Rawson, Sir Cooper
Ray, Sir William
Reid, David D. (County Down)
Remer, John R.
Renwick, Major Gustav A.
Rutherford, John (Edmonton)
Salter, Dr. Alfred
Sandeman, Sir A. N. Stewart
Scone, Lord
Slater, John
Smiles, Lieut.-Col. Sir Walter D.
Smith-Carington, Neville W.
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Stuart, Hon. J. (Moray and Nairn)
Summersby, Charles H.
Tate, Mavis Constance
Thorne, William James
Tinker, John Joseph
Todd, Capt. A. J. K. (B'wick-on-T.)
Wayland, Sir William A.
Wells, Sydney Richard
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Williams, Dr. John H. (Llanelly)
Williams, Thomas (York, Don Valley)
Windsor-Clive, Lieut.-Colonel George
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—Captain Crookshank and Sir J. Ganzoni.

Main Question again proposed.

6.59 p.m.

Colonel GRETTON: May I ask a question on a point that has never been explained to the House? This paragraph introduces Indian representatives for consultation and so forth, but we have never been told what is to be the position of the Indian representatives who will come over to this country to take part in the proceedings of the Committee. Ordinarily, a Joint Select Committee consists of Members of both Houses, and those who attend to give evidence and

[Colonel Gretton.]
for consultation and so forth take no part in the deliberations of the Committee. The point on which I expect information is: What is to be their position? We have been told by the Government that it will be for the Committee to decide. I am afraid that will not do. That is not an answer. These gentlemen from India are to come over for some purpose. They have received invitations. Are they to be present during the proceedings when these are held in camera? Will the Indian gentlemen take part in the final deliberations and assist in drawing up the Report of the Joint Select Committee? We are entering upon new procedure. This point is of great importance, and the House should be informed.

7.2 p.m.

Sir S. HOARE: I gladly respond to my right hon. and gallant Friend's invitation. He is quite right in saying that this is a novel paragraph. It is novel to this extent that, in previous Resolutions of this kind, no such paragraph has been introduced. It is not novel so far as public considerations are concerned, and by that I mean that for something like 10 years a procedure of this kind has always been contemplated. It was announced in some detail in another place by Lord Birkenhead when he was Secretary of State for India, and successive Governments have always accepted this procedure, or something like it, at this stage. It is difficult for me to be very explicit, because I am not quite sure myself. I am not sure also what will be the wishes of the Committee on the subject. The last thing in the world I should wish to do is to attempt to dictate to the Committee how it should carry out this proviso, but my view would be something like this: First of all, I should start with the assumption that the Indians are there for the purpose of consultation, and not there as members of the Committee. That means that the Committee must be master of its own procedure, and it also means that the Indians cannot vote. It will probably mean that the Indians do not take part in the actual drawing up of the report. As to when they should be present, and when they should not be present, I believe it is much better to leave that to the Committee itself. The Committee will find it a great advantage, for all purposes of preliminary discussion, to have the Indians present. I hope they will be present. As to what happens at subsequent stages, I think we must leave the Committee to decide.

Miss RATHBONE: Have the co-operating Indians already been selected, and will the selection be made known to this House? Over and above the Indians chosen to co-operate with the Joint Select Committee, will evidence be received from other Indian witnesses, and what notice will be given so that Indians who wish to give evidence may know in reasonable time and make preparations for coming over?

Sir S. HOARE: The hon. Lady has asked two questions: First, what other invitations have been issued? No invitations of any kind have been issued. That would have been transgressing the prerogative of the Committee. The position is that I have been in close consultation with the Government of India, and Provincial Governments, and I have a list—a very provisional list—of representative Indians whose presence I think would be valuable to the Committee. I will certainly suggest some names to the Committee, but as to whom the Committee selects, and how the invitations will be sent out, I cannot say anything. The hon. Lady then asked me about evidence over and above that of the Indians there for the purposes of consultation. There, again, I can only say what I am going to advise the Committee to do. I am hoping that the Committee, being set up, will have an early meeting to settle its own procedure. At that meeting I propose to suggest to the Committee that it should make some public announcement inviting evidence, and the hon. Lady may rest assured that although, after all, it is a matter for the Committee a public announcement of that kind will be made, and opportunities will be given to Indian witnesses to come over here in due time.

7.9 p.m.

Lieut.-Colonel APPLIN: May I ask the right hon. Gentleman——

Mr. SPEAKER: There must be some limit to these questions after the right hon. Gentleman sits down.

Question put, and agreed to.

Ordered,

"That a Select Committee of 16 members be appointed to join with a Committee to be appointed by the Lords, with power to call into consultation representatives of the Indian States and of British India, to consider the future government of India and, in particular, to examine and report on the proposals contained in Command Paper 4268."

Mr. Attlee nominated a member of the Committee.

Motion made, and Question proposed, "That Mr. Butler be nominated a member of the Committee."

7.11 p.m.

Mr. CHARLES WILLIAMS: I beg to move to leave out the words "Mr. Butler" and to insert instead thereof the words "Mr. Munro."

I need hardly say that in moving this Amendment I shall endeavour to keep as clear as I can of personalities. I have kept absolutely clear of taking up any position regarding Indian topics. It was only when I saw the formation of this Committee that I was absolutely convinced in my own mind that, if this Committee went on with its present composition, it could not have the confidence of the country in any way whatever. I am, therefore, moving to omit several names from the Committee, and to substitute the names of people who, at any rate, are representative Members of Parliament and have some claim to take part in these discussions. I have naturally, no objection whatever to my hon. Friend the Under-Secretary of State for India. He certainly does not qualify for what my right hon. Friend the Member for Epping (Mr. Churchill) described earlier as the "ancient and venerable" category. He is not in that category, but he is none the worse for that. He represents the official point of view on this matter, and he must, from the very nature of things, represent the view of the Indian Civil Service. That is the finest Civil Service in the world. I will give way to no one in my opinion of that Service.

Frankly, I say that in matters of this kind, when the Government are passing legislation, it is not really necessary for the Government to have four members—a quarter of the members of this committee—taken from official quarters, and in actual Government service. It will not in any way handicap the Government if we take out one or two of the members I am proposing to omit. If I may be permitted to say so, my hon. and gallant Friend, others, and myself, in asking these people if we might put their names forward have endeavoured to get people of considerable experience. At the name of Mr. Munro the Government need not be frightened. He is not a diehard, or anything of that sort. There is nothing for the Secretary of State for India to get timid about in regard to this particular name. He need not fear having the committee overweighted against him. Mr. Munro, I believe, voted for the Government on this matter. He has had very considerable experience of affairs in the East. Is it necessary, when you are appointing people to deal with India, that you should adhere so closely to those who are the perpetual flowers of Indian debate. Might we not occasionally have someone with experience outside. We know that the circle of the Indian Debate is very narrow. Here you have an hon. Gentleman with great experience of service in the Sudan, which gives him qualifications for dealing with Eastern counties. I notice the Under-Secretary smiling at the idea of the Sudan.

Mr. BUTLER *indicated dissent.*

Mr. WILLIAMS: I made a slip and said "Eastern counties" instead of Eastern countries. I would like to see Members who have considerable connection with other parts of the East, as well as India, placed on these committees, because you will get a very much wider source of inspiration for drawing up whatever recommendations are contemplated. By placing executive members on this committee you are taking away from the committee as a whole the position which it really should have—the position of judging on these matters—and you are appointing as judges the people who really ought to be advising the committee. For that reason, I ask the House to support the Amendment.

Mr. SPEAKER: I must, before putting the Question, ask the hon. Member for Torquay (Mr. C. Williams) if he has received the consent of the hon. Member whom he has nominated?

Mr. WILLIAMS *indicated assent.*

7.14 p.m.

Lieut.-Colonel WINDSOR-CLIVE: I beg to second the Amendment.

I desire to emphasise what has been said by the hon. Member for Torquay (Mr. C. Williams), that we are not actuated by any hostility to the Under-Secretary of State for India, or any of the other hon. or right hon. Members whose names we are moving to leave out. We think, in view of all the circumstances of this case, that it would be better if they were not members of this Committee. The object of this Committee is to examine the proposals of the Government and to report on them to the House, and it seems to us if the Under-Secretary and the other Members of the Government are on the Committee it will be far too much overweighted with the official point of view. It is not a good thing that so many people who have been largely responsible for the preparation of these proposals should sit on a committee which has to pass judgment on them. I do not want to have the Committee overweighted in either direction, but we must remember that those who are known as out and out opponents of the Government's proposals have a very small numerical representation.

I belong to the third category that was mentioned by the Secretary of State; I am not an out and out supporter or an out and out opponent of the Government's proposals. I am looking for guidance to the report of the Committee, and I do not think that the Committee as it is proposed is such as to command the confidence of the country in general. There is a great deal of disquiet all over the country about this question, and it is particularly important that the Committee shall be one that will carry confidence throughout the country. For that reason we are suggesting that the name of the Under-Secretary be omitted and that the name of the hon. Member for Llandaff and Barry (Mr. Munro) be substituted. In his case, and in the case of the other hon. Members whom we are moving to substitute, they are in no way responsible for their names being put forward, but each of them has consented to it. I think that the hon. Member for Llandaff and Barry is the right type of member for the Committee, for he has had long experience in the Orient and can be trusted to bring a well-balanced judgment on these proposals.

7.17 p.m.

Sir S. CRIPPS: The Opposition are not concerned to support this Amendment. They believe that the Government had better select their own representatives, and as long as we are satisfied with ours, we do not propose to support any Amendment altering the names put down by the Government.

7.18 p.m.

Mr. BOOTHBY: This Amendment raises a question of principle which ought to be examined by the House with a view perhaps to future occasions when a committee of this character is set up. I am also among those Members who have never expressed any view on the subject of India at any time, and I do not know what my final view will be. I think that the same can be said for a large number of Members, who perhaps are in a majority. I have never associated myself with my hon. Friends the right hon. Member for Epping (Mr. Churchill) and the hon. and gallant Member for Bournemouth (Sir H. Croft). I find myself, not for the first time, in complete agreement with what the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) said in the Debate at an earlier stage. Looking at it from an impartial point of view, nobody could say that this Committee was a completely impartial body. I do not think that the right hon. Gentleman the Secretary of State would really claim that he has set up an impartial Committee. It is not even a partial committee; it is a packed committee and it is overwhelmingly in favour of the principles underlying the White Paper. We cannot get away from that. Therefore, from the point of view of altering the principles of the policy which has been put forward by the Government, the Committee is absolutely valueless for no alterations will be accepted. Therefore, I fully sympathise with the attitude taken up by the right hon. Member for Epping in not joining the Committee, holding the views that he does, as I do not think that he could possibly persuade this sort of Committee under any circumstances to change the principles which underlie the White Paper.

The point I want to raise with regard to this question is this, and I think that it is a very serious one. Either the Secretary of State and the Government

accept full responsibility for the proposals or they do not. In the former case I am not sure that it would not have been better for the Government to consult all those eminent persons, governors and ex-viceroys, and all the people whom the hon. Member for Doncaster (Mr. Molson) mentioned in the India Office. Let the Government consult anybody with any experience they like in the India Office, and then produce their own Bill. There seems to me something hypocritical in setting up this so-called impartial Committee of both Houses of Parliament with no fewer than four Members of the Government on it who are pledged completely to the policy of the White Paper, and have been pledged to it for two years past. [An HON. MEMBER: "It is a farce!"] There is some ground for the assumption that this Committee, as an impartial committee of both Houses to examine impartially the Indian question, is a farce. As an advisory body to the Secretary of State, it might prove invaluable, but as an impartial committee it is something of a farce. If an impartial committee is desired—and I think that there are grounds for supposing that it is desired—then I do not think that it can possibly, in the nature of things, be appointed by the Secretary of State for India, nor do I think that it ought to contain no fewer than four Members of the Administration in a comparatively small personnel.

If it had been desired to set up an impartial committee to consider this question upon its merits, that committee, whatever the precedent of 1919 may have been, should really have been chosen not by the Secretary of State, but by the House in any manner that the Government might suggest. That is the point I want to make, and it is a point on which I should be grateful for the considered opinion of the Secretary of State because it is a question of precedent and principle. If we are to have an impartial committee, the Government ought to take the Whips off and let the House select the members. That committee should have power to send for members of the Government, who could give the Committee the benefit of their advice and explain their proposals. If that is not considered desirable, I am still not convinced that it would not have been really a better procedure on the part of the Government to sweep away all this facade and take full responsibility for their proposals, taking every opportunity of consulting the best and most experienced opinion in the India Office in this country and in India.

7.23 p.m.

Duchess of ATHOLL: I hope that the Under-Secretary will acquit me of any discourtesy if I say that I support the appointment of another Member. I have a happy recollection of the work I did with him in the last Parliament and I hope that he will not take my action as discourteous. I feel, however, that the representation of the critics of the Government's policy on the Joint Select Committee is very inadequate, and the only way it can be made more adequate is by replacing the two Junior Ministers and to put on two more critics. Personally I would have preferred to see the Under-Secretary's name replaced by that of the hon. Member for Inverness (Sir M. Macdonald). Although the hon. Member for Llandaff and Barry (Mr. Munro) has had great experience in the East, he made a speech the other day on the White Paper in which he supported its proposals. Therefore, my only reason for asking for the change in the personnel is in order to increase the representation of the critics, and I do not think it carries us very much further to make the change proposed in the Amendment. On the other hand, my hon. Friend the Member for Inverness fully understands what so many of us on the Conservative Benches feel. He has the additional claim that he is a representative of a Scottish constituency. It is rather a curious feature of the personnel of this Committee that there is not a Scottish Member among them, and not a large representation of the Liberal party.

7.25 p.m.

Miss RATHBONE: I find myself neither in full agreement nor in full disagreement with the previous speakers on this Amendment. It seems to me to be perfectly true that this Committee is a packed Committee. I do not see how anyone can consider it otherwise in the sense that it is a Committee the opinion of nearly every one of whose members is known beforehand, not only on the

[Miss Rathbone.]

main issue, but on nearly all the more important points. I feel also that it is inevitable that it should be a packed Committee, and I cannot understand why the Government could not have grasped the nettle a little more firmly, and why they are afraid of being accused of packing their Committee. We had an instance of much the same attitude on the part of the Government a week ago when the right hon. Gentleman the Member for Epping (Mr. Churchill) was speaking. He made the point that the members of the high personnel in the Government of India of recent years had been chosen because of their general sympathy with the policy of the Government. That caused a pause of shocked surprise throughout the House, and then bursts of indignation both in the House and subsequently in the Press. It was treated as though that statement had been a slander on the Indian Civil Service. If it were a slander on anyone, it was a slander on the Secretary of State and on the Government of India, but as a mere outsider in these matters, for the life of me I cannot understand why it was regarded as a slander at all.

Is it not mere common sense, if it be true, that the Government, being committed to a particular policy for India, not of itself only but through its two predecessors having been committed to it, and all three parties in the House committed by a large majority to it, should want to have an administration in India that would be in general sympathy with that policy? The India of to-day must prepare for the India of to-morrow, and would the India of to-day prepare more effectively for the future if its high personnel were composed of people who were sharply in opposition to the changes that are to come?

Mr. SPEAKER: The only issue before the House is the appointment of the hon. Member for Saffron Walden (Mr. Butler).

Miss RATHBONE: I only wanted to make this point because of its analogy to the case of the present committee. It is inevitable that a committee formed to carry out the policy to which the Government have been committed for such a long period should in a sense be a packed committee. We have heard much of what the Conservative party will think, but what would India think if the Government put the reins on the back of the horse and appoint a committee from which the Ministers who have been working in the past at this particular policy were absent? I think that that would have been politically impossible. It would also have been scientifically impossible. It would have produced an extraordinarily inefficient committee because the subject is so difficult and the issues are so immensely complicated and detailed, that a committee of which the majority of Members were new to the subject and had impartial minds could not really be in a position to take a sufficient grasp of the subject and produce a finally satisfactory set of proposals. It had to be a packed committee. But I want to point out that there are disadvantages about the plan as well as inevitabilities. The Government have chosen a majority of Members who have worked together on one or other of the conferences, commissions and committees which have been sitting during the last four or five years, and whose opinions must be completely known to each other. Scarcely a single question can arise which has not been discussed over and over again, and I can imagine that the clever young men at the India Office might almost be able to write down, here and now, the arguments which will be used and the very words which will be employed by most of the members of the committee on most of the points which will come up for discussion.

I think it is regrettable that more new blood could not have been found for the committee, and I regret particularly that the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) is not a member of it. I do not by any means agree with all that he said in that speech which held the House breathless a week ago, but who can deny that it brought something of a fresh breath of ozone into the exhausted atmosphere of an India Debate in which nearly every other argument we heard had been used over and over again? Since that is not to be, and since the committee is composed of those who have made up their minds on nearly every point, I suggest that the only hope for a freshening of the atmosphere is to be found in the very free use of the method which I was glad to hear the Secretary of State say he hoped to induce the committee to use, and that is the plan of hearing evidence from outside, both from those in this

country and from those in India, who have special experience or have made a special study of particular aspects of the question. I would remind the House that although evidence has been heard before the various travelling committees in India, there has been no opportunity given to those in this country who do not belong to that select and privileged panel from which is drawn the membership of the Government's various India committees to express their opinion, and I feel that some of the disadvantages of the method pursued will be offset if evidence can be taken from such persons both in this country and in India; but so far as the witnesses from India are concerned I feel there will be a very great difficulty.

Mr. SPEAKER: The question of witnesses from India surely does not arise on this Amendment.

Miss RATHBONE: I will not pursue that point any further, but the Secretary of State did say in his speech that he intended to recommend to the Committee that they should hear evidence, and I merely wanted to put forward a plea that the great difficulties of time and space in bringing witnesses from India unless adequate notice is given them should be taken into consideration.

Mr. SPEAKER: That point cannot be raised on this Amendment.

7.34 p.m.

Sir S. HOARE: The hon. Lady, true to the traditions of the independent Member, has been impartial in the blame she has showered on the heads of almost all of us.

Miss RATHBONE: And the praise.

Sir S. HOARE: I noted the blame rather than the praise, but I am delighted that she intended it should be fifty-fifty. I do not think I need detain the House at any length with my reply to this Amendment. I did attempt to deal with the general proposition underlying it both in my opening speech and in the speech with which I ended the principal discussion. I do not admit that this is a packed Committee. All my arguments show that it was not. Nor do I admit that any Committee of this kind can work without Government representatives as Members of it. There is no need for me to repeat the arguments I have already made on the subject, but I do not admit the justice of the contention on the other side at all. I believe that if no Members of the Government were on this Committee the first thing the Committee would demand would be that Members of the Government should be added to them. When it comes to this specific proposal to exclude my hon. Friend the Under-Secretary of State for India, I say that it is my own convinced opinion that it is essential that anyone in the position I hold should have an assistant there to help him to explain the tremendous complexities of these constitutional proposals or any constitutional proposals to the Joint Select Committee. In view of these opinions I cannot accept the Amendment.

Major-General Sir ALFRED KNOX: Will the right hon. Gentleman say why, in the case of the last Joint Select Committee, Mr. Secretary Montagu was there alone without any other Member of the Government?

Sir S. HOARE: We were then in the happy days when not many people were showing an interest in Indian questions, and the Committee was a much smaller Committee than we are now proposing.

Mr. BRACKEN: Does not the Minister regard the presence of the Chancellor of the Duchy of Lancaster as adequate?

Question put, "That the words 'Mr. Butler,' stand part of the Question."

The House divided: Ayes, 226; Noes, 49.

Division No. 133.] **AYES.** **[7.37 p.m.**

Adams, D. M. (Poplar, South)	Birchall, Major Sir John Dearman	Campbell-Johnston, Malcolm
Aitchison, Rt. Hon. Craigie M.	Blindell, James	Cape, Thomas
Allen, William (Stoke-on-Trent)	Boulton, W. W.	Caporn, Arthur Cecil
Anstruther-Gray, W. J.	Bowyer, Capt. Sir George E. W.	Carver, Major William H.
Aske, Sir Robert William	Braithwaite, J. G. (Hillsborough)	Castlereagh, Viscount
Atkinson, Cyril	Brocklebank, C. E. R.	Castle Stewart, Earl
Baillie, Sir Adrian W. M.	Brown, Ernest (Leith)	Chapman, Sir Samuel (Edinburgh, S.)
Baldwin, Rt. Hon. Stanley	Buchan-Hepburn, P. G. T.	Clayton, Dr. George C.
Barclay-Harvey, C. M.	Burghley, Lord	Collins, Rt. Hon. Sir Godfrey
Barrie, Sir Charles Coupar	Burton, Colonel Henry Walter	Colville, Lieut.-Colonel J.
Beauchamp, Sir Brograve Campbell	Campbell, Edward Taswell (Bromley)	Cooper, A. Duff
Bernays, Robert	Campbell, Vice-Admiral G. (Burnley)	Courtauld, Major John Sewell

Cove, William G.
Cripps, Sir Stafford
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Daggar, George
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Maj.Geo. F. (Somerset,Yeovil)
Davies, Rhys John (Westhoughton)
Dobbie, William
Doran, Edward
Duggan, Hubert John
Dunglass, Lord
Edwards, Charles
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Evans, Capt. Ernest (Welsh Univ.)
Foot, Dingle (Dundee)
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Goff, Sir Park
Gower, Sir Robert
Graham, D. M. (Lanark, Hamilton)
Grattan-Doyle, Sir Nicholas
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W.
Guinness, Thomas L. E. B.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hall, F. (York, W.R., Normanton)
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir R.W.(Orkney & Z'tl'nd)
Hanbury, Cecil
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Headlam, Lieut.-Col. Cuthbert M.
Henderson, Sir Vivian L. (Chelmsf'd)
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hirst, George Henry
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hope, Capt. Hon. A. O. J. (Aston)
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
John, William
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Leech, Dr. J. W.
Leonard, William
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Loder, Captain J. de Vere
Logan, David Gilbert
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
McCorquodale, M. S.
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Merriman, Sir F. Boyd
Milner, Major James
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Moreing, Adrian C.
Morgan, Robert H.
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Moss, Captain H. J.
Muirhead, Major A. J.
Newton, Sir Douglas George C.
Nicholson, Godfrey (Morpeth)
O'Donovan, Dr. William James
Ormsby-Gore, Rt. Hon. William G. A.
Owen, Major Goronwy
Parkinson, John Allen
Patrick, Colin M.
Pearson, William G.
Penny, Sir George
Peters, Dr. Sidney John
Peto, Geoffrey K.(W'verh'pt'n,Bilston)
Pickford, Hon. Mary Ada
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Percy John
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Rea, Walter Russell
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runciman, Rt. Hon. Walter
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salter, Dr. Alfred
Samuel, Sir Arthur Michael (F'nham)
Sanderson, Sir Frank Barnard
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smith, Sir Jonah W. (Barrow-in-F.)
Smithers, Waldron
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. C. (Westmorland)
Stevenson, James
Storey, Samuel
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorne, William James
Thorp, Linton Theodore
Tinker, John Joseph
Tryon, Rt. Hon. George Clement
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn,Henry James Scrymgeour-
Whiteside, Borras Noel H.
Williams, Dr. John H. (Llanelly)
Williams, Thomas (York, Don Valley)
Wills, Wilfrid D.
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Mr. Womersley and Commander Southby.

NOES.

Acland-Troyte, Lieut.-Colonel
Allen, Lt.-Col. Sir William (Armagh)
Applin, Lieut.-Col. Reginald V. K.
Atholl, Duchess of
Bailey, Eric Alfred George
Balfour, George (Hampstead)
Beaumont, M. W. (Bucks., Aylesbury)
Benn, Sir Arthur Shirley
Bracken, Brendan
Broadbent, Colonel John
Brown,Brig.-Gen.H.C.(Berks.,Newb'y)
Cayzer, Sir Charles (Chester, City)
Clarke, Frank
Conant, R. J. E.
Croft, Brigadier-General Sir H.
Everard, W. Lindsay
Gluckstein, Louis Halle
Greene, William P. C.
Gretton, Colonel Rt. Hon. John
Grilten, W. G. Howard
Haslam, Henry (Horncastle)
Heilgers, Captain F. F. A.
Jesson, Major Thomas E.
Kimball, Lawrence
Knox, Sir Alfred
Leighton, Major B. E. P.
Levy, Thomas
McGovern, John
Makins, Brigadier-General Ernest
Maxton, James
Mills, Major J. D. (New Forest)
Nation, Brigadier-General J. J. H.
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Oman, Sir Charles William C.
Perkins, Walter R. D.
Purbrick, R.
Rankin, Robert
Rawson, Sir Cooper
Reed, Arthur C. (Exeter)
Remer, John R.
Sandeman, Sir A. N. Stewart
Smiles, Lieut.-Col. Sir Walter D.
Smith-Carington, Neville W.
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Todd, Capt. A. J. K. (B'wick-on-T.)
Wells, Sydney Richard
Whyte, Jardine Bell
Williams, Herbert G. (Croydon, S.)

TELLERS FOR THE NOES.—
Mr. Charles Williams and Lieut.-Colonel G. Windsor-Clive.

Mr. Butler nominated a Member of the Committee.

Mr. Cadogan, Sir Austen Chamberlain, Mr. Cocks, and Sir Reginald Craddock nominated Members of the Committee.

Motion made, and Question proposed, "That Mr. Davidson be nominated a Member of the Committee."

7.45 p.m.

Mr. C. WILLIAMS: I beg to move, to leave out the words "Mr. Davidson," and to insert instead thereof the words "Mr. Lunn."

I will not occupy the time of the House very long on this matter. I can assure hon. Members that I have nothing but friendship for the Chancellor of the Duchy of Lancaster. I have always supported him, right through a very long political existence, and I very much regret that I should be asking the House to remove his name on this occasion. His connection with India is that he took part in a very able reform His ability on all these matters is marked, as is well-known to hon. Members, but it would be better not to have upon the Committee one who has necessarily been closely associated with party politics. I would rather have someone from outside, and I have chosen in this case one who has made his impression upon the House for his political ability. He has a very great knowledge of such matters as customs and excise. I would ask whether it would not be better, on the whole, if the Secretary of State for India would meet the point which we are raising. Just now, the Secretary of State for India said that he could not meet us on any of these matters. He has laid it down quite clearly and definitely that he is not going to meet the feeling of the House of Commons which this afternoon has been expressed more strongly against the Government than during the lifetime of this Parliament. Nothing has been done by the Secretary of State, and in the speech which I suppose we shall hear again, nothing will in any way meet the views of those of us who have done our best to stand by the Government on this difficult question. Many of us have been obliged to go and see people in difficult circumstances and to ask them to support the Government. Why in the world cannot we be met on one or two of the cases which we have put up this evening? Why cannot the Government give us one or two representative Members of the ordinary back benchers, men who have knowledge of the world and who have just as much the respect of the House of Commons as some Members of the Government. I simply ask the Government whether they cannot meet us on this occasion, or on one of the other Amendments that I have put down.

Lieut.-Colonel WINDSOR-CLIVE: The arguments in favour of this Amendment are the same as those in favour of the last Amendment. I do not wish to repeat what I then said, so I shall formally second the Amendment.

7.50 p.m.

Sir W. DAVISON: I was not in favour of the last Amendment as I thought that the Secretary of State made a good case that it was desirable that he and his assistants should go to the Joint Select Committee. While I have every respect for the Chancellor of the Duchy of Lancaster in his proper place, I do not see why this Committee should be overloaded by another Member of the Cabinet when, apart from his special inquiry in India, there is no reason to appoint to this Committee. His is a very different position from that of the Secretary of State or of the Under-Secretary of State for India. Having regard to the fact that this Committee is grossly overloaded in that direction, I support the Amendment.

7.51 p.m.

Duchess of ATHOLL: I support this Amendment. Again, I must ask hon. Members to acquit me of any desire to depreciate the value of the presence upon the Committee of the Chancellor of the Duchy of Lancaster, but, for reasons which I have already explained to the House, in this case it is proposed to substitute for his name the name of an hon. Member who has had long experience in the East and who can adequately represent the views of back benchers of whom so little has been heard.

7.52 p.m.

Sir S. HOARE: Like my hon. Friend the Member for Torquay (Mr. C. Williams) I must make the same speech again. I have nothing to add to my answer to the last Amendment. It is of importance to have as a member of the Committee the Chancellor of the Duchy

[Sir S. Hoare.]

of Lancaster, not because he is a Member of the Government, but because he was Chairman of the very important inquiry that was made last year. It is particularly necessary in India to have him, for the reason that the basic question to be considered by the Joint Committee is that of Federation and the accession of the States. That is the fundamental basis of the proposals that we are making. I would certainly have said that the Committee will find it indispensable to have the Chancellor of the Duchy of Lancaster there to answer questions about the position of the States, and particularly about the financial relations between the States who are coming into the Federation and British India. With great reluctance therefore, because I do not like to disagree with my hon. Friends, I cannot accept the Amendment.

Question put, "That the words 'Mr. Davidson' stand part of the Question."

The House divided: Ayes, 217; Noes, 49.

Division No. 134.] AYES. [7.54 p.m.

Adams, D. M. (Poplar, South)
Aitchison, Rt. Hon. Craigie M.
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Anstruther-Gray, W. J.
Aske, Sir Robert William
Atkinson, Cyril
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Beauchamp, Sir Brograve Campbell
Bernays, Robert
Birchall, Major Sir John Dearman
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brocklebank, C. E. R.
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burghley, Lord
Burton, Colonel Henry Walter
Butler, Richard Austen
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Cape, Thomas
Caporn, Arthur Cecil
Carver, Major William H.
Castle Stewart, Earl
Chapman, Sir Samuel (Edinburgh, S.)
Clarke, Frank
Clayton, Dr. George C.
Cobb, Sir Cyril
Colville, Lieut.-Colonel J.
Cooper, A. Duff
Cove, William G.
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Dobbie, William
Doran, Edward
Duggan, Hubert John
Dunglass, Lord
Edwards, Charles
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Evans, Capt. Ernest (Welsh Univ.)
Foot, Dingle (Dundee)
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Goff, Sir Park
Gower, Sir Robert
Graham, D. M. (Lanark, Hamilton)
Grattan-Doyle, Sir Nicholas
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W.
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hall, F. (York, W.R., Normanton)
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir R. W. (Orkney & Zt'nd)
Hanbury, Cecil
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Headlam, Lieut.-Col. Cuthbert M.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hirst, George Henry
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hope, Capt. Hon. A. O. J. (Aston)
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
John, William
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Leech, Dr. J. W.
Leonard, William
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
McCorquodale, M. S.
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mallalieu, Edward Lancelot
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Merriman, Sir F. Boyd
Milner, Major James
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Moreing, Adrian C.
Morgan, Robert H.
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shephard
Moss, Captain H. J.
Muirhead, Major A. J.
Newton, Sir Douglas George C.
Nicholson, Godfrey (Morpeth)
O'Donovan, Dr. William James
Ormsby-Gore, Rt. Hon. William G. A.
Owen, Major Goronwy
Parkinson, John Allen
Patrick, Colin M.
Pearson, William G.
Penny, Sir George
Perkins, Walter R. D.
Peters, Dr. Sidney John
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Percy John
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Rathbone, Eleanor
Rea, Walter Russell
Reid, William Allan (Derby)
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salter, Dr. Alfred
Samuel, Sir Arthur Michael (F'nham)
Sanderson, Sir Frank Barnard
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smithers, Waldron
Southby, Commander Archibald R. J.

Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Stevenson, James
Sueter, Rear-Admiral Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorne, William James
Thorp, Linton Theodore
Tinker, John Joseph
Tryon, Rt. Hon. George Clement
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
Whiteside, Borras Noel H.
Williams, Dr. John H. (Llanelly)
Williams, Thomas (York, Don Valley)
Wills, Wilfrid D.
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Mr. Womersley and Major George Davies.

NOES.

Acland-Troyte, Lieut.-Colonel
Allen, Lt.-Col. Sir William (Armagh)
Applin, Lieut.-Col. Reginald V. K.
Atholl, Duchess of
Bailey, Eric Alfred George
Balfour, George (Hampstead)
Beaumont, M. W. (Bucks., Aylesbury)
Bracken, Brendan
Broadbent, Colonel John
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Cayzer, Sir Charles (Chester, City)
Churchill, Rt. Hon. Winston Spencer
Courtauld, Major John Sewell
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Davison, Sir William Henry
Donner, P. W.
Eastwood, John Francis
Fuller, Captain A. G.
Gluckstein, Louis Halle
Greene, William P. C.
Gretton, Colonel Rt. Hon. John
Gritten, W. G. Howard
Haslam, Henry (Horncastle)
Heilgers, Captain F. F. A.
Jesson, Major Thomas E.
Knox, Sir Alfred
Levy, Thomas
Macdonald, Sir Murdoch (Inverness)
McGovern, John
Makins, Brigadier-General Ernest
Maxton, James
Mills, Major J. D. (New Forest)
Nation, Brigadier-General J. J. H.
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Oman, Sir Charles William C.
Peto, Sir Basil E. (Devon, B'nstaple)
Rawson, Sir Cooper
Reed, Arthur C. (Exeter)
Remer, John R.
Renwick, Major Gustav A.
Sandeman, Sir A. N. Stewart
Smiles, Lieut.-Col. Sir Walter D.
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Tate, Mavis Constance
Todd, Capt. A. J. K. (B'wick-on-T.)
Whyte, Jardine Bell
Williams, Herbert G. (Croydon, S.)

TELLERS FOR THE NOES.—
Mr. Charles Williams and Colonel Windsor-Clive.

Mr. Davidson nominated a member of the committee.

Mr. Isaac Foot nominated a member of the committee.

Motion made, and Question proposed, "That Secretary Sir Samuel Hoare be nominated a member of the committee."

8.0 p.m.

Mr. C. WILLIAMS: I beg to move to leave out the words "Secretary Sir Samuel Hoare," and to insert instead thereof the words "Mr. Annesley Somerville."

It is a little difficult to find any flaw in the right hon. Gentleman the Secretary of State for India, and I can understand a certain amount of astonishment at an ordinary back-bench Member suggesting that anyone who is so very perfect should be taken off the committee. I would like, however, to remind the right hon. Gentleman of some of his speeches. I have a speech here in which somebody not long ago said some very unkind things about his speeches, and, in these circumstances, I am not sure that we ought to have the right hon. Gentleman on this particular committee. This is what was said about one of his speeches:

"They go on during this Parliament making the same speech and maintaining the same course of policy."

That, indeed, is what he said about his own speeches not very long ago in the House of Commons, and he said it again, I believe, a few minutes ago. The real reason, however, why some of us wish for this Amendment is that the right hon. Gentleman, after all, is, or should be, the person who is laying down and making this policy, and he should come before the committee as the person who submits the policy which the Government desire carried out. It is putting the committee in an utterly impossible position before the eyes of practically the whole country to assume that one right hon. Gentleman, however perfect he may be in this world, can vote, act as judge, and also be a witness in a case of this kind.

I would like to see the Committee absolutely cleared of all these Ministers, so that its members should have a real chance of giving judgment, and I hope that perhaps the right hon. Gentleman's modesty may allow him to withdraw on this particular occasion in favour of an hon. Member who does not suffer from some of his disabilities. After all, my hon. Friend whom I would rather see on this Committee has had a very distinguished career, and has not, I believe, had the misfortune to get connected with Harrow. Such disabilities are never got over unless it be by following the course which has been followed by some other people. I would venture to express the hope that the House will accept the name

[Mr. C. Williams.]

of my hon. Friend rather than that of one of the Government nominee, however able he may be and undoubtedly is. I give the right hon. Gentleman every credit for the fact that he has restored order in India. That is one of the finest things that has ever been done, when you consider the absolutely half-witted nature of the policy of his predecessor. On the other hand, however, that is no reason why we should overburden him in this matter; me must be careful of these extraordinary finds when we get them. I wish to relieve him of all unnecessary work in this matter; I do not wish to put too many burdens on his shoulders, when I know that there is someone who is perfectly capable of taking on the work. Therefore, I would ask the House to spare the right hon. Gentleman the work which he has told us is so very hard, and let him go on keeping order in India, which he is doing so successfully.

Lieut.-Colonel WINDSOR-CLIVE: I beg to second the Amendment.

8.7 p.m.

Mr. ANNESLEY SOMERVILLE: I rise for the purpose of asking my hon. Friends not to press this matter to a Division. May I say, in the first place, that, when I consented to allow my name to be put forward, I did so as a protest, not only on my own behalf, but on behalf of my constituency, which is opposed to the scheme of the Government. At a meeting in the constituency at the beginning of last week a unanimous resolution was passed. We are afraid that the Government are going too fast and too far. I had not the least desire to serve on the Committee, but I felt on Friday, when some of my hon. Friends were discussing the question of its appointment, and when no other name was available, that I could not resist putting mine forward. At the meeting to which I have referred, a constituent asked me: "Are the Government going to pack the Committee?" My answer was that the issues were too large and the Secretary of State too fair-minded to pack the Committee. Now I shall have some difficulty in replying when next I meet my constituents. I wish that the Secretary of State were not on the Committee. I only hope that he will not be remembered as the successor of the Morleys and the Montagus who went to India, took a bird's-eye view of that sub-continent, and came back and presented a scheme to this House involving the good government of 350,000,000 fellow-subjects of our King-Emperor, a scheme which, I devoutly hope, may not be a long step in the severance of India from the Empire.

8.9 p.m.

Mr. BRACKEN: I hope that my hon. Friend will not press his Amendment to a Division. I think it would be rather peculiar if the Secretary of State were not a member of the Committee. His predecessor was a member of the Joint Committee of a similar character which considered the Montagu-Chelmsford reforms, and I think that the presence of the Secretary of State on the Committee is necessary. I do not think that anyone else can understand the complexities of the question better than he does, and, although we are very much opposed to the scheme politically, I think he will at any rate have this advantage on the Committee that he has more or less hand-picked it. He has made some very bad choices, and I feel that the presence of the Secretary of State may give some form to their deliberations. I hope, therefore, that the Amendment will not be pressed to a Division.

8.10 p.m.

Sir S. HOARE: Perhaps I ought to make observation, and that is that I have very great sympathy with this Amendment, because, in the first place, it would dispense me from a heavy task, and, secondly, because I have very great sympathy with those hon. Members who, although they have been polite enough not to say so, think that the Committee would be much better without me. My only hesitation in expressing agreement with the observations of the hon. Member for Torquay (Mr. C. Williams) is that it might suggest a surrender on the part of the distinguished school from which I came to a much less distinguished place of education. I am grateful in any case to those hon. Members who, having made their views clear, have said that, out of deference to the position that I hold—not to myself—they are prepared not to press the issue to a Division.

Mr. WILLIAMS: With the permission of the House, after the speech of my hon. Friend the Member for Windsor (Mr. A. Somerville) I would like to withdraw the Amendment.

Amendment, by leave, withdrawn.

Secretary Sir Samuel Hoare nominated a member of the Committee.

Mr. Morgan Jones, Sir Joseph Nall, Lord Eustace Percy, Miss Pickford, Secretary Sir John Simon, Sir John Wardlaw-Milne, and Earl Winterton, nominated members of the Committee.

Ordered,

"That the Committee have power to send for persons, papers, and records, and to sit notwithstanding any Adjournment of the House."

Motion made, and Question proposed, "That Five be the Quorum."

8.13 p.m.

Mr. CHURCHILL: I beg to move, to leave out the word "Five," and to insert instead thereof the word "Eight."

I trust that the Government will accept this Amendment. According to the precedent of the first Joint Committee, out of seven Members of the House of Commons, the quorum was four, or rather more than half—that is to say, eight out of 14 in the Joint Committee. Now the Government propose that the quorum should be five out of 16 Members of the House of Commons, or less than one-third, and a similar proportion in the case of the whole Committee; that is to say, 22 Members could be absent from the Committee at one time, and the work could be carried on by only 10. This question has to be considered in relation to the undoubted packing of the Committee, to which the House has testified so powerfully to-day. This is one of those cases in which the Government have so large a majority that they can afford to contend with the Opposition in relays. Something of this kind was done, I think, by the recent Conservative Government, which had so large a majority that only one-third of their Members need be on duty at the same time. This matter, however, is one of very great importance. We have been told that these gentlemen who have been selected have special knowledge, and are capable of giving expert attention to the subject. If only 10 out of 32 need be there at a time listening to the evidence and attending to the discussions, undoubtedly what would happen would be that, when a clash arose, the Government would send out their signals down would march their troop of Ministers and immediate personal retainers, and the position would be re-established. Meanwhile the Committee is to be left to chatter as long as it likes so long as no menace to the policy that the Government have in view is to be envisaged. My right hon. Friend has a chance to rid himself of such an imputation by accepting my Amendment. I am certain it is a perfectly reasonable principle to say that at least half the Members have to be there if the Committee is to do business. That is all that I am asking for this House, and the other House will probably imitate our procedure in the matter.

8.15 p.m.

Sir W. DAVISON: I hope the Government will accept a matter of this vital importance. Considering, putting it at the lowest, that in the opinion of a very large number of their supporters this is a packed committee, the least we can expect is that there shall be half the members who have been appointed present.

8.16 p.m.

Sir S. HOARE: I am greatly impressed by the appeals that have been made to me by some of my hon. Friends at any rate to give way somewhere. The hon. Member for Torquay (Mr. Williams) made a very eloquent appeal just now. I am glad to be able to inform him that, being a very reasonable person anxious to meet in every possible way my hon. and right hon. Friends, I am quite ready to accept the Amendment. The Government put down the number five, not because they contemplated the military and melodramatic incidents that my right hon. Friend the Member for Epping (Mr. Churchill) had in his mind, but simply because it is the invariable procedure.

Amendment agreed to.

Main Question, as amended, put, and agreed to.

Ordered,

"That eight be the Quorum."

ORDERS OF THE DAY.

HOUSING (FINANCIAL PROVISIONS) (SCOTLAND) BILL.

As amended, in the Standing Committee, considered.

CLAUSE 1.—(*Reduction of subsidies under 14 and 15 Geo. V. c. 35 in respect of houses.*)

8.20 p.m.

Major Sir ARCHIBALD SINCLAIR: I beg to move, in page 2, line 3, after the word "houses," to insert the words "not in a rural area."

I hope I shall not be out of order if I express my very great regret at being called upon to discuss a Bill of this importance, raising issues of such serious controversy, at this hour of the night. The Bill is as important to Scotland as the English Housing Bill was to England and Wales. I wonder if even now the Government could not make some arrangement of their business so that we might have an adequate discussion of what for Scotland is a very important matter. I know that a number of friends of mine who were very anxious to be here on Wednesday and made their plans to be here could not alter them so as to be here to-day. It was certainly understood that we should have only an hour or two taken off our time by the Indian Debate and that we should have a full opportunity for a thorough discussion of the proposals of the Bill. I very much regret that that has not turned out to be the case.

The effect of my Amendment would be this. Under the provisions of the Bill the subsidy that was given to housing under the 1924 Act is to be reduced from £9 in the case of houses built in other than rural areas to £3, and the subsidy of £12 10s. for houses in rural areas is also to be reduced to £3. If my Amendment was carried, it would not affect the provisions of the Bill in respect to the £9 subsidy—that is dealt with in a later Amendment—but it would leave the £12 10s. subsidy in operation in the rural areas. There is a real need of houses in rural Scotland at present. The Scottish Housing Commission reported in 1917 that there was a dearth of houses in rural areas and it was of the utmost importance as a matter of public policy to build houses. They declared that the absence of houses was not one of the results but one of the causes of rural depopulation, and the situation since then has not very greatly improved.

I was informed by the Secretary of State, in answer to a question a week or two ago, that the number of houses required in county areas to replace uninhabitable houses was no less than 8,690. That is according to returns which local authorities have made to the Department of Health under the provisions of the 1930 Act. When the National Government was formed, the seriousness of this situation occupied the attention of the Secretary of State. At that time we were economising in every direction and were cutting expenditure ruthlessly, and necessarily. In spite of that fact, so serious was the position that we decided to put into partial operation the Housing Rural Workers Act, 1931, which at that time was not in operation at all, and to build 500 houses in rural areas. There were applications actually for 1,700 but, in view of the serious position of the national finances at the time, it was remarkable that we managed to find the money for these 500, and it would not have been done if the need had not been clearly urgent.

In order to get these houses built, the Committee which was set up under the provisions of the Act to advise the Department of Health as to the amount of the subsidy necessary to induce local authorities in poor rural areas to build houses found itself bound to advise a very large subsidy indeed. In reply to a question two or three weeks ago, I was informed that, including the Wheatley subsidy of £12 10s., the highest subsidy given was no less than £24 10s. and the lowest in the rural areas was £14 15s. That will show clearly that the idea of being able to build houses with a subsidy of £3, or the idea that building societies merely with the Government guarantee will be able to build houses in the rural areas, is the merest moonshine. We shall be deluding ourselves if we think that any housing will be done in the rural areas of Scotland under the provisions of this Bill. It is just possible that a little housing may be done, even in rural areas, under the provisions of the Slum Clearance Act, 1930, but its provisions have not yet been found easy

to work, and I doubt very much if it will be found to apply on any large scale in the rural areas. It certainly has not been so applied yet. The Under-Secretary of State for Scotland, when he comes to reply will say that he is not only relying upon that but upon the Housing (Rural Workers) Act, 1926. I have asked the Secretary of State some questions about the operation of that Act in the rural areas of Scotland, and I find that out of 33 counties in Scotland, no fewer than 11, one-third of the whole, have only modified schemes under that Act in operation. Four counties in Scotland have suspended their schemes altogether under the Act, and a fifth county has suspended except for urgent cases.

If hon. Members will look at the answer which I received to two questions which I asked on the subject on 13th March, they will see that the tendency is for counties to do less; that in every case the tendency is gradually to contract their schemes and to modify them in a backward direction and to do less and less as time passes. Obviously the reason why they are doing less is that they cannot afford to do more. Consequently, it is not surprising to find that it is exactly in the poorest counties, where the need for housing in the rural areas is greatest, that the tendency to do less and less is most marked. Where the need is greatest the least work is being done. The number of houses built under this Act during each of the last three quarters for which information is available, that is, up to the end of December, 1932, shows a gradual decline—771 houses, 735, and, in the last quarter, only 667. Therefore, the House will see that less and less is being done, and that least is being done where the need is greatest.

I submit that this is no time to take away any advantage which has always been given, and, by general agreement, rightly given, to housing authorities in rural areas as compared with burghal areas. Hon. Members representing burghal constituencies always agree that the relatively small advantage of £12 10s., as compared with £9 given under the Wheatley Act, does not, in fact, fully equalise the difference in conditions between the burghal and the country areas. The advantage, far from being too great, is really inadequate. Therefore I ask the right hon. Gentleman and the House to agree that, at any rate, some substantial advantage should be retained for the county areas. The figures which I have quoted of the subsidies paid under the 1931 Act show so clearly how difficult it is to get houses built in the rural areas in Scotland that they would very nearly destroy my case because they are almost too strong for my case.

It may be said that if you could only build houses with a £14 10s. subsidy, if that were the smallest subsidy with which you could get houses built in the rural areas last year, what is the use of asking even for a £12 10s. subsidy? My answer to that is that it is, in fact, true, as Government spokesmen have emphasised repeatedly in the Debates which we have had upon this Measure, that there has been a fall in building costs. I think that it is true to say that this fall in building costs probably has made it possible for houses to be built in the rural areas in Scotland at the present time, providing a really substantial subsidy is given. But if, indeed, rural authorities are driven back upon the Housing (Rural Workers) Act, or upon a £3 subsidy under the present Bill, then, indeed, the outlook for housing in rural areas in Scotland will be black. I, therefore, beg of the House and of the Government to accept the Amendment which I have moved.

8.32 p.m.

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): The first observation I would make about the Amendment of my right hon. and gallant Friend is a technical one, that it would have exactly the opposite effect to what he hoped to achieve. If you exclude, as he excludes, rural houses from Subsection (1) of Clause 1, the effect of Clause 2 would be to deprive them of any subsidy at all, whereas the House well knows that we propose that urban and rural areas shall, where houses are uninhabitable and overcrowded, even have the £3 subsidy.

Sir A. SINCLAIR: I did not suppose that the Government would accept the Amendment exactly in the form in which it was moved, but if my hon. Friend will indicate that the Government are prepared to accept the principle of the Amendment, I will very gladly accept any consequential Amendments which may be necessary.

Mr. SKELTON: I am afraid that I am not prepared to accept the Amendment in any form. In any case, it would need most elaborate drafting arrangements which could not possibly be carried at the moment. On the merits of the Amendment, my right hon. Friend laid great emphasis upon the fact that the rural areas in their return for 1930 showed that there was a need of 8,000 houses, and he said that those 8,000 houses were required to replace houses which were uninhabitable. Very well, in that case those houses will get the slum clearance grant—the 1930 Act grant—which remains intact. All Scottish Members of the House very well know that the 1930 Act has been largely made use of in Scotland for replacing individual uninhabitable houses as well as for going in for the major provision of the Act, namely, either clearance or improvement schemes. The replacement of the 8,000 houses required will not in the least be affected by the provisions of the present Bill. It is not mere chance which makes rural authorities concentrate upon uninhabitable houses. It is one of the features of the rural districts in England and Scotland that the rural population is not increasing but declining. Therefore, the major problem in Scotland, particularly in the rural districts is the replacement of uninhabitable houses. The solution of that problem remains quite unaffected by the provisions of this Bill.

Let me complete the picture so far as the provision of new houses is concerned by saying that the £3 subsidy of the 1933 Bill which will be available to rural authorities in cases where low-wage earners in over-crowded conditions desire better accommodation, will be at least the equivalent of the £12 10s. subsidy, that is to say, the rural subsidy, when it was granted in 1924. Therefore, I do not think that it is open to my right hon. Friend to say that the £3 subsidy will not carry out its functions. The main problem with which rural authorities and the authorities of small towns in the centre of rural districts are faced is the problem of the uninhabitable houses. Let me take, for instance, two small burghs which my right hon. Friend knows very well, the Burghs of Thurso and Wick.

Sir A. SINCLAIR: They would not be affected by the Amendment.

Mr. SKELTON: I think that is true, but it is none the less relevant to show that what is true of the actual rural areas is equally true of the small burghs in their midst. Even there in those small burghs their 1930 estimate was only based upon uninhabitable houses and not at all on an increase of population. It is in these circumstances that I ask the Committee not to accept the Amendment, because if there is one department of which we can say in particular that the new situation which will follow will absolutely meet the problems with which we are faced, it is in the rural areas, because there the question is the uninhabitable house, and that is dealt with by the Act of 1930. If the houses and the cottages are not uninhabitable, if they are still in a habitable state but need repair, then there comes into the play the Rural Workers Act, which was passed originally by the Conservative Government and prolonged by the Labour Government. Its function, speaking broadly, is to bring up to modern requirements rural cottages, the general structure of which is perfectly sound but which may be defective either in water supply, drainage, or very often in regard to the number of rooms, according to modern standards. If we look at the rural problem as a whole it is clear that it is largely covered by the combination of the slum clearance subsidy of £2 10s. per unit displaced, the rural workers' housing operations, with the valuable work which has been done for country cottages, and then the £3 subsidy.

One word about the functioning of the 1926 and 1931 Acts. My right hon. Friend said the trouble was that certain counties have for the moment suspended the operation of the 1926 Act, but he ought also to have stated that the work done under that Act in Scotland has been of the very largest size. Actually more houses, more cottages, have been reconditioned in the country parts of Scotland under that Act than in England, not in proportion but actually more. I have not with me at the moment the number of cottages where operations are going on just now, but at the end of last year the number completed was very nearly 12,000, and I know that a very substantial number are at present being reconstructed. Therefore, although it is true that certain counties, after the great amount of work that they have done in the past—Berwickshire was one; it was pre-eminent in its activities

under the 1926 Act—have suspended the Act for the moment, it by no means follows that they will not renew the operations under this Act as need requires. I would ask my right hon. and gallant Friend if he cannot see his way to withdraw the Amendment, because it is no improvement of the situation, and in its present form it would have exactly the opposite effect from that which he desires.

8.41 p.m.

Sir ROBERT HAMILTON: I do not wish to say anything about the drafting of the Amendment, but I should like to say a few words about the merits of the question, and particularly in regard to the 8,000 houses which the Under-Secretary said could be dealt with under the Slum Clearance Act. The amount of money available under that Act depends upon the numbers in any family that have to be moved. In that case if it was a small family the amount available for dealing with any house would be very small. The amount of subsidy would be so small that I am afraid it would not be sufficient to enable the Under-Secretary to give a definite guarantee that that work could be carried out under the Act. I should like an assurance that he is definitely satisfied that the 8,000 houses can be dealt with under the existing Slum Clearance Act.

8.43 p.m.

Mr. DUNCAN GRAHAM: The Under-Secretary would seem to suggest that the housing problem only affects the agricultural counties, but I would point out that a very large proportion of the Scottish population lives in industrial areas, where the housing conditions are exceptionally bad. The acceptance of the Amendment, or some understanding in regard to the point raised, would go a long way towards removing one of the biggest blots on Scottish housing. The houses in rural areas are in many ways unspeakable, not only in counties in the north and the south of Scotland but also in what are regarded as industrial areas, mostly in the county of Lanark. You will see there some horrible spectacles of houses in which people are living and nothing can be done to recondition them. They are diseased houses, and it is absolutely impossible to preserve anything like health in them. New houses are required, but the local authorities, particularly in the south-west of Scotland, cannot find the money from their rates to enable them to provide the necessary accommodation, to enable houses to be built which provide for the separation of the sexes and for the other amenities required in any house to give modern sanitary conditions. I should like the Under-Secretary to endeavour to meet the point raised by my right hon. Friend opposite, and to make the subsidy cover a bigger area. I hope it will be possible for the Government to meet the point raised by the right hon. and gallant Member.

8.45 p.m.

Mr. SKELTON: With the permission of the House I will answer the direct question put to me. We are all aware of the large number of houses in industrial districts which are uninhabitable, and also the large number which are rapidly becoming uninhabitable, but I think the provisions of the 1930 Act adequately meet that situation. And for this reason. That Act provides a subsidy of £2 10s. per person displaced; and that means that where you have a family of five persons you get a subsidy of £12 10s. The average subsidy has worked out at about £12 10s. In the class of house and district which the hon. Member for Hamilton (Mr. D. Graham) has in mind the families tend to be large and very often the subsidy is more than £12 10s. The satisfactory nature of the subsidy is further made manifest by the number of cases in which it has been possible to allow the rate contribution to be definitely less than the £4 10s. allowed for in the 1930 Act. The fact is that there is a large and growing list of burghs and other local authorities in Scotland where the rate contribution is far below the £4 10s. sanctioned. If you take into account the progressive decline in the cost of houses, which is so marked that since the beginning of this year the average decline is about £7 per house, and even more in individual cases, and also the fact that in the truly rural areas families tend to be large, you will find that in practice the subsidy of £2 10s. per person displaced will be adequate for the work of replacing uninhabitable houses, and that no local authority is likely to be overburdened with expenditure in this matter.

Mr. MACLEAN: Can the Under-Secretary do anything to urge local authorities and county authorities in Scotland to make more decisive attempts at overcoming the overcrowding and to overtake the large number of houses, the 8,000, which are required to be replaced in county areas?

Mr. SKELTON: The House will forgive me for rising the third time, and perhaps it would be more convenient if hon. Members put their points before I replied. Without forestalling observations which really are not relevant to this Amendment may I say that the work under slum clearance is constantly increasing. The activity of Scottish local authorities in slum clearance in the use of the 1930 Act shows a most rapid and satisfactory increase which is by no means confined to urban districts. Let me give the House three figures of houses completed under the 1930 Act at the end of 1930, 1931 and 1932. In 1930 there were only 518, at the end of 1932 1,170, and in 1933 2,150. That is to say, in two years there has been an increase from 500 to 2,000; and in order to complete the picture may I add that in the first three months of this year the number of new applications approved under the 1930 Act has amounted to a total of 1,418. I beg hon. Members' pardon. The figures for the first three months of the last three years are, in 1931 518, in 1932 1,170, and for the first three months of 1933 1,400.

Every indication shows that local authorities are more and more concentrating upon the use of the 1930 Act. I cannot give details as to how far county authorities are making use of it, but my impression is that they are also making adequate use of the Act. Indeed, they have every inducement to do so. May I say now that the work of local authorities as a whole in Scotland, in using the first 50 per cent. grant under the old Act and now the subsidy under the 1930 Act for the purpose of replacing uninhabitable houses and slum clearance, is really worthy of high praise.

Mr. McGOVERN: The Under-Secretary has given the figure for the first three months of 1932—2,103.

Mr. SKELTON: That is for the first three months of this year, January, February and March, 1933——

Mr. McGOVERN: He gave us the figure of 1,418——

Mr. SKELTON: I apologise to hon. Members——

Mr. McGOVERN: I want to get this clear. He said that the number was 2,103 in 1932. Is that completed or approved houses?

Mr. SKELTON: I must apologise to the House. I should have left these figures to a more convenient moment. I intended to compare the first three months of the last three years, and I should have confined them to the 1930 Act. I have the figures showing the total slum clearance work done under the old 50 per cent. grant. Let me give the figures finally and, I hope, clearly. The increased activity in the use of the 1930 Act can best be judged by comparing the first three months of this year with the first three months of the last two years. In the first three months of 1931 there were 518 applications, in the first three months of 1932 there were 1,107, and in the first three months of this year there were 1,413. If I were to add the houses under the old 50 per cent. grant I should get a figure even more striking for the present year.

8.56 p.m.

Sir A. SINCLAIR: There are only three points I wish to make. It is very good of the Under-Secretary to give us those figures, and we are grateful to him for the information. As to the housing situation in the rural areas I can only say that I do not know where this Act is being used. It is certainly not being used in the parts that I know. The Under-Secretary stated that the £3 subsidy is now equal to the £12 10s. subsidy when Mr. Wheatley first introduced his Act. Although that was considered a generous subsidy, it was quite inadequate for the purposes of housing in rural areas, and in fact hardly any houses were built under it. It is only because costs have now fallen that that subsidy is now a good one for the rural areas. When the Under-Secretary said that the average subsidy is worked out at £12 10s. under the Slum Clearance Act of 1930, of course he forgot to explain that naturally local authorities in their slum clearance schemes provide first for the big families, because they get a subsidy

of £2 10s. per person, and they generally leave over the small families of a single individual or a married couple, or a married couple and child, hoping that these will find alternative accommodation on their own initiative. Therefore it is only natural to find that in the early stages of the operation of the Slum Clearance Act local authorities earn the higher rate of subsidy. But it is very far from being the case that that would be the average over the whole of Scotland.

8.58 p.m.

Mr. McKIE: What the Under-Secretary said has gone a long way to reassure those of us who represent rural areas as to what the position will be under the new conditions about to be set up. Perhaps my Liberal friends will see their way now not to press their Amendment to a Division. We have been reminded that the question of housing is an acute problem not only in the rural areas, but in the industrial and urban districts as well. The condition of housing in every area is a matter of serious concern to every Scottish Member, and to every Member of this House. On this Amendment we have been considering once again the question of the subsidy, or a subsidy, and it shows how wise the Government were in introducing two separate Measures for housing, one for England and one for Scotland, thereby showing that they fully realise the totally different conditions that apply to rural areas and industrial areas in Scotland and in England. My hon. Friends regret the reduction of the subsidy. They fear that local authorities will not be able to do all that the Under-Secretary has suggested that they will do. There are some people in the country who regret that a subsidy is to be maintained at all. I am certainly not one of them——

Mr. DEPUTY-SPEAKER (Captain Bourne): I must remind the hon. Member that we are confined strictly to the question of the continuance of the subsidy in Scotland in rural areas only.

Mr. McKIE: This Bill is part of the Government's general scheme, and as such as accept it. I think what the Under-Secretary has said, as to what local authorities have done in the past, will reassure us as to how those authorities will proceed in the future. Housing in the agricultural areas is a very serious problem indeed. Even now, in a period of agricultural depression, there is a housing shortage, and the question naturally arises as to what is to happen when we have, as we are almost certain to have, an increased demand for housing owing to a revival in agriculture. I notice that the hon. Member for Bridgeton (Mr. Maxton) laughs. Such a revival is about to come. I hope that the Government will take time by the forelock and carry on the good work that they have been doing hitherto.

Question put, "That those words be there inserted in the Bill."

The House divided: Ayes, 47; Noes, 200.

Division No. 135.] **AYES.** **[9.2 p.m.**

Adams, D. M. (Poplar, South)	Hall, F. (York, W.R., Normanton)	Mallalieu, Edward Lancelot
Attlee, Clement Richard	Hall, George H. (Merthyr Tydvil)	Mander, Geoffrey le M.
Batey, Joseph	Hamilton, Sir R. W. (Orkney & Zetl'nd)	Mason, David M. (Edinburgh, E.)
Bernays, Robert	Hirst, George Henry	Maxton, James
Cocks, Frederick Seymour	Hunter, Dr. Joseph (Dumfries)	Milner, Major James
Cove, William G.	John, William	Owen, Major Goronwy
Cripps, Sir Stafford	Jones, Henry Haydn (Merioneth)	Parkinson, John Allen
Daggar, George	Jones, Morgan (Caerphilly)	Salter, Dr. Alfred
Davies, David L. (Pontypridd)	Kirkwood, David	Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Davies, Rhys John (Westhoughton)	Lansbury, Rt. Hon. George	Thorne, William James
Dobbie, William	Lawson, John James	Tinker, John Joseph
Edwards, Charles	Leonard, William	Williams, Dr. John H. (Llanelly)
Graham, D. M. (Lanark, Hamilton)	Llewellyn-Jones, Frederick	Williams, Thomas (York, Don Valley)
Greenwood, Rt. Hon. Arthur	Lunn, William	
Grenfell, David Rees (Glamorgan)	McEntee, Valentine L.	TELLERS FOR THE AYES.—
Griffith, F. Kingsley (Middlesbro', W.)	McGovern, John	Mr. Maclay and Mr. Dingle Foot.
Grundy, Thomas W.	Maclean, Neil (Glasgow, Govan)	

NOES.

Acland-Troyte, Lieut.-Colonel	Anstruther-Gray, W. J.	Baillie, Sir Adrian W. M.
Agnew, Lieut.-Com. P. G.	Applin, Lieut.-Col. Reginald V. K.	Baldwin, Rt. Hon. Stanley
Aitchison, Rt. Hon. Craigie M.	Aske, Sir Robert William	Barclay-Harvey, C. M.
Allen, William (Stoke-on-Trent)	Atholl, Duchess of	Birchall, Major Sir John Dearman
Allen, Lt.-Col. Sir William (Armagh)	Atkinson, Cyril	Blaker, Sir Reginald
Amery, Rt. Hon. Leopold C. M. S.	Bailey, Eric Alfred George	Blindell, James

Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Broadbent, Colonel John
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan-Hepburn, P. G. T.
Burnett, John George
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Castle Stewart, Earl
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Clarke, Frank
Clarry, Reginald George
Clayton Dr. George C.
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Cooper, A. Duff
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Craven-Ellis, William
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davies, Maj. Geo. F. (Somerset, Yeovil)
Duggan, Hubert John
Dunglass, Lord
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Ford, Sir Patrick J.
Fraser, Captain Ian
Fuller, Captain A. G.
Ganzoni, Sir John
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Goff, Sir Park
Goldie, Noel B.
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grenfell, E. C. (City of London)
Grimston, R. V.
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Capt. S. (Abbey Division)
Hills, Major Rt. Hon. John Waller
Hope, Capt. Hon. A. O. J. (Aston)
Hope, Sydney (Chester, Stalybridge)
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jesson, Major Thomas E.
Jones, Sir G. W. H. (Stoke New'gton)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Knebworth, Viscount
Law, Richard K. (Hull, S.W.)
Leech, Dr. J. W.
Levy, Thomas
Liddall, Walter S.
Lindsay, Noel Ker
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Mabane, William
MacDonald, Rt. Hon. J. R. (Seaham)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Merriman, Sr F. Boyd
Mills, Major J. D. (New Forest)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Moreing, Adrian C.
Morrison, William Shephard
Moss, Captain H. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
North, Captain Edward T.
Nunn, William
O'Donovan, Dr. William James
Ormsby-Gore, Rt. Hon. William G. A.
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Peters, Dr. Sidney John
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Ralkes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Rawson, Sir Cooper
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, William Allan (Derby)
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Samuel, Samuel (W'dsworth, Putney)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith-Carington, Neville W.
Smithers, Waldron
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Southby, Commander Archibald R. J.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Stevenson, James
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Luke
Thorp, Linton Theodore
Todd, Capt. A. J. K. (B'wick-on-T.)
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wells, Sydney Richard
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Womersley, Walter James
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE NOES.—Sir Frederick Thomson and Dr. Morris-Jones.

9.12 p.m.

Sir A. SINCLAIR: I beg to move in page 2, line 11, to leave out the words, "three pounds," and to insert instead thereof the words,

"not more than nine or less than three pounds as the Department may determine."

The object of the Amendment is to prevent in one case too much money being given—perhaps more money than is necessary—and in another case to see that adequate subsidy is paid to enable houses to be let to lowly paid wage-earners at rents which must necessarily be uneconomic. If we expect local authorities to build houses to be let at uneconomic rents, we must pay adequate subsidies. One hon. Member in the Scottish Grand Committee said that he would vote against our Amendment if he were assured that houses could be provided on the basis of a £ subsidy. It is clear from correspondence which I and other hon. Members have had, that houses cannot possibly be provided in many areas of Scotland, by local authorities or by private enterprise, on the basis of a £3 subsidy, to be let, as the Government according to a later Amendment intend, at rents of not more than 6s. or in ex-

ceptional cases 6s. 6d. a week. My hon. Friends and I are assured that in many districts in Scotland the finance of such a scheme is fantastic, and that it will be impossible to get houses built on the basis of those figures. Indeed, I think it is clear from statements in the Scottish Grand Committee. The Under-Secretary said that if the local authorities were to build houses with a £3 subsidy, they would themselves have to shoulder more than the burden of the £4 10s., which was laid upon them under the Wheatley Act of 1924. The hon. Gentleman said:

"Surely it is not too much to ask that, if necessary, the local authorities, in building £3 subsidy houses, should be prepared to spend rather more than the £4 10s. If there is going to be variation of subsidy why should not the local subsidy vary instead of the State subsidy?"—[OFFICIAL REPORT (*Standing Committee on Scottish Bills*), 7th March, 1933; col. 55.]

But where are those houses wanted? They are mainly wanted, especially for the lowly-paid wage-earner, and the unemployed man with a family, in the most distressed areas of Scotland, where already the burdens upon the local authorities threaten to break those authorities. One of the great problems facing this House is how to enable such local authorities to continue to carry their existing responsibilities let alone building houses to be let at substantially lower rents than they have hitherto received with only one-third of the subsidy which has hitherto been payable. It could not have been very easy for the Egyptians to make bricks without straw, but it will be quite impossible for the local authorities of Scotland, especially in the distressed areas, to make houses to let at 6s. a week with a subsidy of only £3. Again, the Under-Secretary of State, on the same day and in the course of the same Debate, said that local authorities would work in their operations under Clause 1 with their operations under the Slum Clearance Act of 1930, and he said:

"If you can show that in a large number of cases the contribution is less than £4 10s."—

that is, the contribution under the slum clearance schemes——

"surely, as a make-weight, it is not unreasonable, in the case of a local authority working out a slum clearance plan, rebuilding uninhabitable houses and combining it with the provision of houses for low-paid wage earners with a £3 subsidy, to ask the Committee to take into account the fact that slum clearance is done at a rate less than Parliament anticipated. . . . It is not an unsound proposition that you may have to put on a local authority in certain conditions, a greater subsidy than you put upon the State, especially when you recollect that up to date exactly the opposite has been the case."—[OFFICIAL REPORT (*Standing Committee on Scottish Bills*), 7th March, 1933; col. 58.]

But I say that at this date, when local authorities are faced with the enormous financial problem with which they are confronted now, when the housing conditions are worse, this is not the time when you can call upon them to shoulder this extra burden in respect of housing. Indeed, it is only in the minority of cases that the local authorities can get their slum clearance done at a lower rate than £4 10s. The Minister in that same speech showed that out of 6,000 houses, which were the figures that he had at that date, no fewer than 4,000 either received the full subsidy or more, and only 2,000 received less than the full subsidy. My first point, therefore, is that we are putting too much upon the local authorities, if we allow the Bill to be passed in its present form, and expect them to build houses for low-paid wage earners to be let at 6s. with only a £3 subsidy.

This point is strengthened if we have regard to this further point, that out of 6,553 houses erected last year, most of them with a subsidy of £9 but some with a subsidy of £12 10s., only 978 were let at a rent of less than £17. It is true that the local authorities under the provisions of this Bill will have greater latitude in fixing the rents—that has been provided for by the latter part of Clause 1, which cuts out the relations between the rents of new houses and the rents of houses built under the Wheatley Act—but it is impossible to bridge that gap. The local authorities receive £9 and yet only let 978 out of 6,553 houses at a rent of less than £17, and if they are now to be asked to let at a rent of £15 12s., it will require a greater subsidy than £3.

There is another point. I do not believe the houses will be built for this £3 subsidy. The Under-Secretary of State reminded us, quite rightly, in Committee that a statutory obligation will rest upon local authorities to provide houses for the working classes in their areas, but the question is, How quickly will they provide them; how boldly will they face up to their responsibility? They are moving faster now than they

[Sir A. Sinclair.]

have moved for some years past, but whereas they furnished returns under the 1930 Act in which they said that 56,000 houses would be required in three years, in the first two years they have built only about 20,000 houses; and if they are now going to receive only £3 instead of £9 as a subsidy, the inevitable deduction from those facts is that they will move more slowly still. Indeed, I am assured that when the local authorities met the Under-Secretary of State a few weeks ago he left this impression upon them—and I would ask him, if he is able to remove it to-day, to do so—that provided they work under the 1930 Act for slum clearance, no pressure will be exercised upon them to build houses under the £3 subsidy. I do not ask the hon. Gentleman to reply to that at once, but I can assure him that I am most credibly informed, from a source which it is impossible to disregard, that that was the impression left upon the local authorities by his speech, and I hope he will take the opportunity of this Debate to remove it, if in fact the Government are serious about intending houses to be built for the low-paid wage earners with the aid of this £3 subsidy.

A great deal depends, in the Government's admission, on the falling of prices. The Government have said time after time that a £3 subsidy now is better for the local authorities than a £9 subsidy was in 1924, when Mr. Wheatley's Act was first passed, but in fact that £9 subsidy under Mr. Wheatley's Act was not sufficient to enable houses to be built for those who needed them most, the poorer wage earners. It was not sufficient for that task to which the Government rightly attach so much importance at the present time. It is only as housing costs have fallen that it has become possible more and more to build for the lower-paid wage earners, and it will be impossible now to build at the rents which the Government are expecting the local authorities to charge unless a higher rate of subsidy is given. Further than that, the Government tell us frequently that it is their policy to bring about a rise in prices. Let not the Government be too defeatist. They may be successful. They have not very often been successful, but they may yet be successful in achieving the object of their policy. We may get a rise in prices, and if we do, then indeed the £3 subsidy will be still more hopelessly inadequate.

Then there is the fact that no provision is made in this Bill for a man who is earning between 40s. and 60s. a week. The Under-Secretary of State in his speech on Second Reading referred to the report of the Consultative Council on Local Administration and General Questions on the problem of proper rent to be charged to men who were earning different rates of wages, and he rather rebuked my hon. Friends opposite for what he considered their ignorance of this very important report. If one refers to Appendix I of that report, one finds that the Council considered that a man and his wife, with an income of £3 per week should be entitled to receive a subsidy house at a rent of not more than £25. That means that they came to the conclusion that one-fifth is a fair proportion of a man's income to spend on rent. They worked out a scale and, working up the scale to the highest point one finds that, where a man with a number of children is earning £6 a week, they consider if he has sufficient dependants that he is entitled to a subsidy house at £25 or less, thus preserving their principle that for a man and his wife without dependants one-fifth is the proper proportion of income to be spent on rent. The Government have adopted that principle, and they are reserving their low-rented houses, which enjoy the advantage of this subsidy, for the man with 40s. a week.

We find, however, that, according to the calculations of the Government, the building society houses would be let at a rent of about £30. Adding 4s. in the pound for rates, that means £36, which would be suitable for a man with no dependants earning £3 15s. a week. Suppose he has dependants, then he ought to have a cheaper house, but there is no provision for the man earning £3 15s. a week with dependants, and no provision for any man earning between £2 and £3 15s. a week. This is a vitally important question. It is not merely a question of a man having to economise and not spending so much on cinemas and entertainments. Scientific research has shown that a man would be better off by remaining with his family in an insanitary house in a slum, if he can get

that house at a low rent, than by moving into a fine airy house and having to pay a higher proportion of his wage in rent than he ought to pay. A very careful investigation has recently been carried out by the medical officer of health in Stockton-on-Tees. There 710 people were moved from an insanitary area and put in a beautiful new slum clearance estate at a place called Mount Pleasant. They were watched for five years, and at the end of that period it was found that, far from being healthier as a result, their health was not so good and the rate of sickness had largely increased. They had an investigation to find out why it was. They looked into the drains, sewerage and sanitation——

Mr. KIRKWOOD: They should have looked into the stomachs.

Sir A. SINCLAIR: But, as my hon. Friend says, not into the stomachs. They found that was the difficulty, and that the people were spending such a high proportion of their wages on rent for these new houses that they were worse off there than in the old slum. It will be useless to provide new building society houses for people who cannot afford to pay or who, if they manage to pinch and scrape to pay the rent, deny themselves and their families the essentials for a healthy life. If the Government will agree to give us this valuable subsidy, it can be varied. It will be possible in areas where the £3 subsidy is sufficient to pay no more than £3. I agree that there are some areas where £3 is ample, and there may be some where it is too much. I am not perfectly convinced that there are areas where they can do it without any subsidy at all, but I am not convinced to the contrary. There are, however, a great many areas, where the housing conditions are worse and where there is the greatest need for housing activities, where houses cannot be built on the basis of the £3 subsidy. There you will be flinging the man earning over 40s. a week back upon the building societies and upon such houses as those societies will be able to provide and at such rents as they may choose to charge. I would therefore urge the Government to arm themselves with this additional power, which I am sure the House would be willing to grant. It can be left either to the uncontrolled discretion of the Department of Health or it can be dealt with by setting up a body like the committee which was constituted under the provisions of the Housing (Rural Workers) Act, 1931, to advise the Government on the allocation of these valuable subsidies according to the needs of each area. That committee worked admirably, and I have heard of no heart-burning over their decisions in awarding different subsidies in different parts of the country. I therefore urge upon the Government the importance of taking this power so as to enable, on the one hand, due economy to be observed in the payment of subsidies, and, on the other hand, to give where it is necessary adequate subsidies to ensure that houses can be let at economic rents to those men who need them.

9.35 p.m.

Mr. SKELTON: We have had an interesting speech from my right hon. and gallant Friend the Member for Caithness and Sutherland (Sir A. Sinclair) which has covered a good deal of ground. I should like, in replying to him, to concentrate my attention on the actual Amendment. My right hon. and gallant Friend presupposes that if the Amendment were accepted there would be, as it were, a pool from which the Department of Health would bring out whatever subsidy they thought proper for the needs of any particular locality. I venture on that point to repeat what I said in Committee, that that would mean that in each housing proposal for which a subsidy was available there would be endless discussions as to the exact amount that each area ought to get. The precedent of the 1931 Rural Housing Act, on which my right hon. and gallant Friend relied, is not on all fours, because that was strictly limited both in scope and in time. Its object was to give special subsidy assistance to the more out of the way districts of Scotland where building was more expensive. Only 500 houses were provided, and there was one operation to decide how the houses should be allocated. As my right hon. and gallant Friend says, the decision was finally in the hands of the Government, and I am not surprised to find that he hears no complaints, because out of the total of 500, the number allocated to Caithness was 100. I do not think that that is a

[Mr. Skelton.]
precedent that ought to be followed by this House, and I do not recommend its adoption.

Sir A. SINCLAIR: The Under-Secretary should mention that they were allocated by a committee.

Mr. SKELTON: It is not on the allocation of that 500 houses that I base my opposition to this Amendment. It is because it will put upon the Department of Health a duty which would involve endless and difficult discussions, and in my judgment useless and otiose discussions, with every local authority asking for a subsidy. It is not the first time that the question has been raised as to whether it was not possible to localise subsidies to a greater extent than is done in the main Housing Acts, and in each case, with the exception of the special 1931 Act, Governments of all shades of opinion and the House have rejected the view that the amount of the subsidy should be localised in each case. So much for the administrative side of the proposal of my right hon. Friend.

He turned to the question of whether, if we leave the £3 subsidy in its present form, it will serve the purpose which we intend, that is to say, the provision of houses to be let at not more than 6s. or in exceptional cases 6s. 6d. to low wage earners in overcrowded districts. My right hon. Friend is not really up-to-date in his particulars with regard to the cost of housing. I will give the House one or two figures with regard to the actual cost of houses. They will be the net cost in each case excluding land, roads, etc. In some districts such as Glasgow, £50 or £60 has to be added to the net cost for that purpose, but in the smaller towns a very much smaller figure would suffice. These figures were not in my possession on the Second Reading of the Bill on the 9th February. In Glasgow, for a three-apartment tenement, the net cost is now down to as low as £231, varying between £231 and £274. A four-apartment tenement is down to from £258 to £271. In Edinburgh the figures are even more striking. A three-apartment tenement, again exclusive of land, is down to £243 net. In another case it is £254, and the average price of a block of three and four-apartment tenements is £257.

Mr. KIRKWOOD: Are these blocks two or three stories high?

Mr. SKELTON: I am afraid that I have not that information, but they are certainly not more than three stories. I will let the hon. Member know later. Let me turn to the small towns. At Kinghorn the cost of a three-apartment flat is £249 net; at Kirriemuir, £251; at Bathgate, £264; at Buckhaven, £250, and at Markinch another Fife burgh, £264. These are the latest available figures and show how the progressive decline in the cost of housing construction is going on. They show that the figures I gave even on Second Reading are to some extent out-of-date. It is in view of figures of that sort and the response that is being made to the pressure for lower figures, that I feel that I am entitled to say that in our view the £3 subsidy in a great majority of cases will be amply sufficient to provide the houses required without any contribution from the local authorities larger than £4 10s.

Mr. MACLEAN: Can the hon. Gentleman inform the House what the rents of those houses are?

Mr. SKELTON: I do not propose to give that because I am dealing with the cost of houses. The question of rent does not arise here because we know that the rent under this subsidy is to be fixed at 6s. or 6s. 6d. The rent charged by the local authorities for the houses I have quoted is a matter for themselves and does not concern my argument.

Mr. LEONARD: I did not gather who compiled the figures which the Under-Secretary gave for Glasgow.

Mr. SKELTON: I cannot say at this moment how the figures were compiled.

Mr. LEONARD: May I for the purpose of comparison give figures for the 10th January of this year, which were drawn up by responsible officials under Glasgow Corporation, of the cost of building alone in Glasgow of flatted houses four in a block? They are: three-apartment £275 and four-apartment £309; for three-apartment tenements, £274, and four-apartment tenements, £289.

Mr. SKELTON: I understand now that the figures which I gave are actual tender prices for schemes submitted this year. If there is any further point which the

hon. Member desires to raise, we might discuss it in private. My right hon. Friend made considerable play—and I am not criticising him—with the view that the 1924 subsidy, although it is more than sufficient in many cases now, was less than sufficient in the early days to enable the local authorities to get off with the original contribution of only £4 10s. contemplated in the Wheatley Act. I have not got the figures for Scotland as a whole and I would not attempt to give them to the House; but this is the significant figure: that in Glasgow, taking the whole of the 1924 houses erected from the beginning until now, the average rate contribution has been only £3 12s. My right hon. Friend should recollect the very considerable advantage that the local authority gets by an increase of occupiers' rates in the houses built under these subsidies, and then he will see I think that the fears which he entertains are to a large extent groundless and to some extent imaginary.

Sir A. SINCLAIR: That really does not meet my point, nor, indeed, the interruption from the hon. Member opposite as to the rent. The whole point is that most of these houses are let at rents which are beyond the means of the low wage-earners. If they were let at anything approaching the rent which the Government now propose of 6s. a week, the cost to the local authorities would be so much the more.

Mr. SKELTON: I was attempting to deal with one point at a time. The point with which I was dealing was that it was a useless argument to say that the 1924 subsidy is now more than sufficient because for so long it was less than sufficient.

Sir A. SINCLAIR: At the rent—that was the point.

Mr. SKELTON: I am afraid that I cannot go into every point of my right hon. and gallant Friend's argument. Let me now deal with the matter when a 6s. rent is charged, and that will complete what I have to say with regard to my right hon. and gallant Friend's speech. Where a house costs, all in, £300——

Mr. NEIL MACLEAN: Including the land?

Mr. SKELTON: Yes, I said, "all in." Where a house costs, all in, £300, and the rate of interest is 4 per cent., the rate contribution on a 6s. rent which it will be necessary for the local authority to make will be £2 19s. 9d., that is assuming the owners' rate is 4s. in the £, which is a very fair average for Scotland. With a rent of 6s. 6d. the rate contribution will be £1 16s. Where the all in cost of the house is £325—an ample figure, I think, in view of those which I have already given—and the rate of interest is 4 per cent., and the owners' rate is 4s. in the £, the local authority's rate contribution on a rent of 6s. will be £4 4s. 11d. and on a rent of 6s. 6d. £3 1s. 2d. None of these rate contributions is so high as the rate contribution contemplated by the Wheatley Act. All of them are under £4 10s.; and in the case of the £300 house the contribution is much below £4 10s.

If one take interest at 3½ per cent. instead of 4 per cent. with the other factors remaining the same, the rate contribution on the £300 house with a 6s. rent is £1 13s. 9d. and on a 6s. 6d. rent is the paltry sum of 19s. 1d. In the case of the £325 house with a 6s. rent the rate contribution is £2 16s. 7d., and with a rent of 6s. 6d. it is £1 12s. 10d. I will not attempt to inquire what the effect of a higher owners' rate would be upon these figures, for I think the House will agree that a calculation based upon an owners' rate of 4s. in the £ is a fair calculation speaking for Scotland as a whole; and when the rate contribution is so small as I have stated, that obvously allows a very considerable margin, in case the owners' rate grows to a higher level, before the figure of £4 10s. is reached. I would like to say that I appreciate most fully the interest of my right hon. Friend in the matter of satisfying himself that the £3 subsidy is really to be of value. I also appreciate most fully the great interest he took in housing in Scotland, and, if I may add a personal note, the great pleasure that I had in working with him for a time as his Under-Secretary, but I do venture to say to him that it is possible to be unduly pessimistic in this matter. I am satisfied that even now the fall in housing costs is by no means at an end, and that the great majority of local authorities will be able to make use of the £3 subsidy and not themselves be liable for a rate contribution of more than £4 10s. In these circumstances, and with that prospect ahead of us, I urge the House not to change the system entirely by putting all

[Mr. Skelton.]
the subsidies into a pool and entrusting the Department of Health or any other Department with the duty of deciding in each particular instance what the appropriate contribution out of the pool should be, because I think that system would be bad administratively and unnecessary from the point of view of making use of the £3 subsidy, speaking of Scotland as a whole.

9.53 p.m.

Mr. MACLEAN: I would like to show that in my opinion, at any rate, there ought to be some variation of the subsidy, and to say that the observations of the Under-Secretary have provided an argument in favour of it. In the first figures which he gave us relating to the cost of building houses he said the cost was the cost apart from the land, which in Glasgow would be higher than in most other parts of the country, particularly rural areas. He said a figure of £50 or £60 would have to be added for the land in the case of Glasgow.

Mr. SKELTON: And roads, etc.

Mr. MACLEAN: My point is that if in large cities like Glasgow, Edinburgh, Aberdeen or Dundee we pay higher prices for land than elsewhere, the probabilities are that we may require higher all-in costs for the house itself. If he compares the figures he gave later for the smaller boroughs, like Buckhaven and Kinghorne, with the figures for Glasgow, without the cost of the land being added, he will find that the cost of building houses in Kinghorne, Buckhaven and the other small boroughs is not far short of the cost he has mentioned for Glasgow and Edinburgh, without the cost of the land being added there—all-in prices, I mean.

Mr. SKELTON: I said that all the figures which I was going to give—and I gave a long list—were net prices, exclusive of land, road charges, etc., so that we might be able to compare like with like.

9.55 p.m.

Mr. MACLEAN: And the all-in cost with regard to the Glasgow houses he mentioned. If land purchased for building purposes is cheaper in those smaller areas, there will not be the necessity for the same kind of subsidy; that justifies, in a manner, the Amendment moved by the right hon. Gentleman. It is not a matter of a pool, of getting all the subsidy granted by the Treasury placed in a pool, to be set aside to be paid out to Scottish shipbuilding areas, and of saying that so much is to be taken out in accordance with the needs of the particular district, over the £3 mentioned. I cannot for the life of me understand why the Under-Secretary of State for Scotland mentioned a pool. I should rather have thought that the cities could tell from their own experience what it costs them to finance the erection of houses. He could fix with almost exact approximation the amount that would have to be set aside, in the variation of subsidy, for various towns in Scotland.

As it stands, the Bill when passed, if it is passed, will place upon the localities in Scotland, as localities, the burden of bearing out of their rates the amount of the subsidy which the Government ought to pay. The Scottish Health Department will be placing upon localities in Scotland the burden of bearing housing expenditure, in the same manner that other Departments have placed upon the localities burdens which ought to be borne by the nation. We will vote in favour of the Amendment, because we believe that, with the reduction provided for in the Bill, it would be fairer to the districts in Scotland, and much more equitable in the administration of the subsidy, if the Government were to make the subsidy variable as requisite, and would agree to insert the Amendment as it has been moved by the right hon. Gentleman.

9.58 p.m.

Mr. McGOVERN: I desire to associate myself with the Amendment moved by the right hon. and gallant Gentleman the Member for Caithness (Sir A. Sinclair), and I hope that he can give some assurance to the House that he intends to carry this Amendment to a Division, because I can assure him that my Socialist throat is getting tired of supporting Liberal Amendments and of forcing Liberal Members into the Lobby against their will.

Sir A. SINCLAIR: If the hon. Member charges his memory aright—and I have the Committee reports here to assist him—I do not think that he will be able to name a single case in which we have not divided upon our Amendments.

Mr. McGOVERN: I am not accusing the right hon. and gallant Gentleman and his friends of refusing to divide; I am only accusing them of my having to use my voice to compel them to do so. The voices of the right hon. Gentleman and his friends are more faint in calling for a Division than they are against protecting against a reduction in subsidy. We are willing to concede that this is a very reasonable Amendment. We think, in view of the failure of the Government to concede the whole amount of the housing subsidy, that it is a modest request on the part of the Liberal Members to ask the Government for a variation of subsidy in the localities throughout Scotland. The Under-Secretary of State for Scotland made out a very fine case for a variation of subsidy in many areas. He gave us prices in connection with the cost of building, and he found that there was a considerable difference in many areas in Scotland. We may take it that that difference is not so much in wages as in the cost of transport and materials and various other things. Houses in the north of Scotland might be as costly to build as in Glasgow, with its cheaper transport and its dearer land.

The Government are largely gambling in the cost of house-building in the future. If we are to take the assurances of the Government that they desire an increase in cost, and we take also Lord Beaverbrook's drive for an increase in wages, we may say that the cost of house-building, if the Government and Lord Beaverbrook are to be equally successful, will be considerably increased during the coming years. I ask the Government to reconsider this question of the variation of subsidy. The right hon. and gallant Gentleman the Member for Caithness stated that the Government had not had many successes. I do not intend to discuss, and I shall not be at liberty to discuss, their successes, but I think that they have been peculiarly successful in the things they have attempted in the way of economy. This is one more of the successes, in which the right hon. and gallant Gentleman has backed them all through. There have been much meaner reductions than this, and the right hon. and gallant Gentleman has been into the Division Lobby to support the Government on reductions in other fields than housing. We are, however, perfectly willing always to have the right hon. and gallant Gentleman's support in anything progressive which will improve the conditions of the people of Scotland. When I heard him speaking to-night, making that very fine appeal to the Government, both denunciatory and by way of impassioned appeal, I thought that we might expect to have him taking the market places and the soap box, in order to appeal to the multitude and against the Government.

This is a particularly modest request. Having received the assurances of the right hon. and gallant Gentleman that he intends to carry this to a Division—it becomes rather tiresome to sit here if there is no intention to divide, and we do not approve of hon. Members airing their thoughts without carrying them into the Division Lobby—we can add what small numbers we possess to the larger numbers of the Liberal party, in the hope that, with the addition of the still larger Labour opposition, we may be able to smash the designs of the Government to reduce the housing subsidy.

10.4 p.m.

Mr. DINGLE FOOT: The Under-Secretary of State for Scotland accused my right hon. and gallant Friend the Member for Caithness (Sir A. Sinclair) of undue pessimism. That pessimism is not confined to my right hon. and gallant Friend or to the Members of this House. On 3rd March last the annual meeting of the Scottish National Housing and Town Planning Committee was held. If my information be correct, the delegates at that meeting were of the opinion that it would not be possible to build houses with a £3 subsidy, to let at 6s. or 6s. 6d. a week. We suggest, therefore, that the apprehensions which have been brushed aside are not confined to these benches or to hon. Members. That apprehension is very general throughout Scotland. Even the arguments that have been advanced in resisting this Amendment do not entirely bear on the point at issue. It was not disputed by the Under-Secretary, in his reply, that there is still a great deal of variation in the all-in cost of house-building as between one district and another. He gave us an average figure of 4s. for owner's rates, but owner's rates may vary quite substantially as between one district and another; while I do not think anyone will dispute the fact

[Mr. Foot.]

that rates of wages are not uniform, but tend to be substantially higher in the big cities than in the smaller towns and in the rural areas. In spite of what the Minister has said, I think that, if I may take the example of Dundee, we shall have very great difficulty there in building three-apartment houses at less than £330, or, at the lowest, £320, even at present prices. I listened with great interest to the estimate which the Under-Secretary put forward regarding the contribution that would have to be made by the local authorities. There is a considerable disparity between the estimate that he put forward and the estimate that I have received from local sources in Dundee.

Miss HORSBRUGH: May I ask my hon. Friend if he got that estimate from the local authority, or from the local housing association? Is it an official estimate from the local association?

Mr. FOOT: It is not an official estimate, but it is the best information that I have been able to procure. I shall be glad to give my hon. Friend the information privately.

Miss HORSBRUGH: I have seen it.

Mr. FOOT: My hon. Friend has probably seen it, but the best information that I have been able to procure puts the local contribution under this scheme at something in the neighbourhood of £7 10s. If that were so, or if it were anything like that amount, we should have very great difficulty in persuading our local authority to meet the housing needs of the area. Where is the economy going to be found—if economy is to be taken as one of the aims of this Bill—if you are merely going to transfer the burden from the national to the local exchequer? I think it has been generally admitted in recent years by members of all parties, either expressly or by implication, that it is far better that burdens should be borne by the national Exchequer, when they are borne equitably over the whole country, than that they should be placed upon the local exchequer. That was the whole principle behind the De-rating Act of a few years ago. I cannot see where the economy will come in if, as I believe will happen, the burden is merely transferred from national to local shoulders.

There was one point in the speech of my right hon. Friend which was not cleared up in the answer of the Under-Secretary. My right hon. Friend pointed out that the impression has come to prevail in Scotland that the Government will look to the local authorities simply to concentrate upon slum clearance, and that the local authorities will not be pressed to carry out their duties in other respects. I do not think the Under-Secretary dealt with that point, and, as that impression has gained, we believe, very general currency, we should be grateful if he would deal with it.

10.10 p.m.

Mr. SKELTON: I am sorry that I did not deal with that point, but the reason was simply that there was no meeting between myself and the local authorities in connection with housing. I think the meeting referred to was a meeting which I had with the National Housing and Town Planning Committee. It was not a meeting with the local authorities, but was a private meeting, of which no reports appeared in the Press, and the statement that particular impressions were gained at a private meeting between myself and representatives of that body involves a charge which, of course, it is extremely difficult to counter.

Sir A. SINCLAIR: I had not the slightest intention of making a charge when I mentioned the matter. On the contrary, I felt sure that the hon. Gentleman and the Government wanted the local authorities to make full use of their powers to provide houses for low-paid wage-earners under this £3 subsidy, and I thought I was helping the Government by bringing the point back to their attention and giving them the opportunity of making a statement.

Mr. SKELTON: I am sorry if I have failed to take advantage of the right hon. Gentleman's offer of assistance, but I did not know whether the hand was clenched, or whether it was spread in helpful gesture. Certainly, there was no desire in my mind, at the meeting to which I have referred, to give any such impression, and, looking over the Departmental notes of the meeting, I cannot see any ground for any such impression. Without making too much of the matter, I might perhaps suggest that second-hand evidence as to what Minis-

ters, or even Under-Secretaries, say at private meetings, is not very helpful to the House in a Debate on a Housing Bill, but, if it was intended to be helpful, I am delighted to hear it. I can assure my right hon. Friend, however, and any Members of the deputation who may have gained that impression, that both were entirely wrong.

Question put, "That the words proposed to be left out stand part of the Bill."

The House divided: Ayes, 203; Noes, 49.

Division No. 136.] **AYES.** **[10.12 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Aitchison, Rt. Hon. Craigie M.
Allen, William (Stoke-on-Trent)
Allen, Lt.-Col. Sir William (Armagh)
Amery, Rt. Hon. Leopold C. M. S.
Anstruther-Gray, W. J.
Apsley, Lord
Aske, Sir Robert William
Atholl, Duchess of
Atkinson, Cyril
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Birchall, Major Sir John Dearman
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Broadbent, Colonel John
Brown, Ernest (Leith)
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Buchan-Hepburn, P. G. T.
Burgin, Dr. Edward Leslie
Burnett, John George
Butt, Sir Alfred
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Castle Stewart, Earl
Clarry, Reginald George
Clayton, Dr. George C.
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cooper, A. Duff
Craddock, Sir Reginald Henry
Craven-Ellis, William
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davies, Maj. Geo. F. (Somerset, Yeovil)
Duggan, Hubert John
Dunglass, Lord
Eastwood, John Francis
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Ford, Sir Patrick J.
Fox, Sir Gifford
Fraser, Captain Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Goff, Sir Park
Goldie, Noel B.
Goodman, Colonel Albert W.
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grimston, R. V.
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Hope, Capt. Hon. A. O. J. (Aston)
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hume, Sir George Hopwood
Jackson, Sir Henry (Wandsworth, C.)
Jesson, Major Thomas E.
Jones, Sir G. W. H. (Stoke New'gton)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Knebworth, Viscount
Law, Richard K. (Hull, S.W.)
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Little, Graham-, Sir Ernest
Lloyd, Geoffrey
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Mabane, William
MacDonald, Rt. Hon. J. R. (Seaham)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mayhew, Lieut.-Colonel John
Merriman, Sir F. Boyd
Mills, Major J. D. (New Forest)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Moreing, Adrian C.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Moss, Captain H. J.
Munro, Patrick
Nall, Sir Joseph
Nall-Cain, Hon. Ronald
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
North, Captain Edward T.
Nunn, William
O'Donovan, Dr. William James
Pearson, William G.
Penny, Sir George
Perkins, Walter R. D.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickford, Hon. Mary Ada
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Reid, William Allan (Derby)
Remer, John R.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Samuel (W'dsworth, Putney)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith-Carington, Neville W
Somerville, Annesley A (Windsor)
Somerville, D. G. (Willesden, East)
Southby, Commander Archibald R. J.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Stevenson, James
Stourton, Hon. John J.
Strauss, Edward A.
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Luke
Thorp, Linton Theodore
Todd, Capt. A. J. K. (B'wick-on-T.)
Tryon, Rt. Hon. George Clement
Wallace, John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wells, Sydney Richard
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Womersley, Walter James
Worthington, Dr. John V.

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Lord Erskine.

NOES.

Adams, D. M. (Poplar, South)	Grundy, Thomas W.	McGovern, John
Attlee, Clement Richard	Hall, F. (York, W.R., Normanton)	Maclean, Neil (Glasgow, Govan)
Banfield, John William	Hall, George H. (Merthyr Tydvil)	Mallalieu, Edward Lancelot
Batey, Joseph	Hamilton, Sir R. W.(Orkney & Zetl'nd)	Mander, Geoffrey le M.
Bernays, Robert	Hirst, George Henry	Mason, David M. (Edinburgh, E.)
Cocks, Frederick Seymour	Holdsworth, Herbert	Maxton, James
Cripps, Sir Stafford	John, William	Milner, Major James
Daggar, George	Jones, Henry Haydn (Merioneth)	Owen, Major Goronwy
Davies, David L. (Pontypridd)	Jones, Morgan (Caerphilly)	Parkinson, John Allen
Davies, Rhys John (Westhoughton)	Kirkwood, David	Rathbone, Eleanor
Dobbie, William	Lansbury, Rt. Hon. George	Rea, Walter Russell
Edwards, Charles	Lawson, John James	Salter, Dr. Alfred
Evans, R. T. (Carmarthen)	Leonard, William	Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Graham, D. M. (Lanark, Hamilton)	Llewellyn-Jones, Frederick	Tinker, John Joseph
Greenwood, Rt. Hon. Arthur	Logan, David Gilbert	Williams, Thomas (York, Don Valley)
Grenfell, David Rees (Glamorgan)	Lunn, William	
Griffith, F. Kingsley (Middlesbro', W.)	McEntee, Valentine L.	

TELLERS FOR THE NOES.—Mr. Maclay and Mr. Dingle Foot.

10.20 p.m.

Mr. SKELTON: I beg to move, in page 2, line 24, to leave out from the word "That," to the end of the paragraph, and to insert instead thereof the words:

"the rent charged for any of the houses shall not, except with the consent of the Department, exceed six shillings a week, and shall in no case exceed six shillings and sixpence a week."

Those who were Members of the Scottish Standing Committee are very familiar with the fact that in the course of the proceedings on the Bill, the Committee decided that, instead of leaving the rent for the houses which are to get the £3 subsidy to be determined by the Department of Health, it should be fixed in the Bill itself at a figure of 6s. in a normal case, or, in exceptional cases, up to 6s. 6d. In view of that being the general desire of the Committee, and, I think, really meeting the opinion of the House as a whole, I will not say more on the subject.

Amendment agreed to.

CLAUSE 3.—(*Power of Department to reimburse part of losses sustained under guarantees to building and other societies.*)

Mr. SKELTON: I beg to move, in page 3, line 24, to leave out the word "its," and to insert instead thereof the word "their."

This is purely a question of grammar.

Amendment agreed to.

10.21 p.m.

Sir A. SINCLAIR: I beg to move, in page 3, line 26, to leave out the word "intended."

The object of the Amendment is to ensure that the houses which are to be built by building societies with the help of the Government guarantee shall, in fact, be let, and continue to be let, and not sold. We had a discussion upon the matter in the Committee upstairs when the Under-Secretary of State for Scotland declared that he would give no concession, and, in fact, said that no housing society or housing company building with the help of a building society under the Bill would ever think of selling a house, because if it did the loan which it received from the building society would have to be paid off. That was an argument which many of us found completely unconvincing. On the contrary, from our knowledge and experience, and from that which we have since exchanged with other people, we are convinced that in fact there will be the strongest temptation to the building corporations, or whoever may be obtaining the money from the building societies, to sell the houses and turn over their money as quickly as possible. They will receive 90 per cent. from the building corporation and have to find the other 10 per cent. themselves, and there will be the strongest inducement to them to sell the houses as quickly as possible to get rid of the 10 per cent. loan, and to make a profit. I think that the conditions will probably be very good for making a profit.

The houses to be built by the building societies will be out of the reach of the means of a great many of the working class, and it may well be possible that, instead of being provided for to a large extent, as they are at present, by the local authorities, in future only the man earning less than 40s. a week will be provided for by the local authorities. Therefore, for people earning more than 40s. a week the market will, in fact, be

a sellers' market. In these circumstances, it will be possible for the builders, not only to turn over their money quickly, which is what they want to do, but to make a profit in the course of that operation. That, therefore, is my first point. If we are to ensure that there will be an adequate supply of houses to let for the low-paid wage earners and for other members of the working class, the need of which has been stressed by every commission and committee that has inquired into the subject, including the Marley Commission on rent restriction, whose report the Government have adopted, and upon which they have based the Bill which we are at the present time passing through the House of Commons, we must ensure that the houses for which a special guarantee are given will, in fact, be let and not sold.

My second point is, that as the Bill is framed the builder can sell the house at once. There is no need for him to keep the man in occupation for a year or two years. He can sell the house at once, and there is nothing that the Government can do under this Bill to prevent that from being done. If this is really a Bill for getting houses built by building societies to be let, it is absolutely necessary to strike out the word "intended." In his argument against our proposal the Under-Secretary said that at the end of 40 years, even after the guarantee had expired, the builder would be unable to sell the houses. I am not much concerned about what happens at the end of 40 years. If the Under-Secretary can suggest the form of words to get round the difficulty I am willing to accept it. I want to make certain, and the House wants to make certain that during the period of the Government guarantee the houses shall not be sold but shall remain to be let. In the Second Reading Debate I asked the Secretary of State a question on this very point. I asked him what guarantee he had that the houses to be built with the assistance of the State guarantee were to be built to be let and would not in fact be sold. The Secretary of State replied specifically. He said:

"My right hon. and gallant Friend the Member for Caithness and Sutherland was good enough to send me beforehand a statement of certain questions that he proposed to put to me. I will answer those questions specifically. He asked me, first, about the houses which are to be financed by the building societies. The guarantee is only to apply to houses to let."—[OFFICIAL REPORT, 9th February, 1933; col. 489, Vol. 274.]

That was the assurance which the Secretary of State gave to the House. I hope the Under-Secretary will make it quite clear that that assurance will be implemented to the letter, that these houses will be built only to let and that during the currency of the State guarantee they will not be sold. We attach great importance to this provision, because we believe that it will be disastrous if a number of these houses are sold. We do not want to see labour in Scotland anchored to particular districts and unable to move. We hope that as the depression lifts and as industry revives there will be here and there in Scotland opportunities for employment for men who, if they are free, will be able to take them, but if they are anchored to their houses they will not be able to go to the places where they can find employment. Commission after commission, inquiry after inquiry, committee after committee have emphasised the importance of the principle of the mobility of labour, and it is because we attach such great importance to that principle, and for the other reasons that I have given, that I hope the Government and the House will accept the Amendment.

10.30 p.m.

Mr. SKELTON: This Amendment was discussed in the Scottish Grand Committee, which voted upon it, and rejected it. The Liberal party, led by the right hon. and gallant Gentleman, did not vote on that occasion.

Sir A. SINCLAIR: I left that point out in my speech, because the Under-Secretary gave us an undertaking in Committee that he would consider this point with a view of devising an Amendment on Report stage; and it was on that account only that we withdrew our Amendment and refused to vote for the other proposal. We refused to do so because we received an undertaking that the Under-Secretary would consider this matter; he was obviously much impressed by the arguments which we put forward.

Mr. SKELTON: I only said that the Scottish Committee had rejected this proposal and that the Liberal party did not vote for it. I said that I would look into this matter in consultation with the building societies, although, clearly, the decision of the Committee afterwards

[Mr. Skelton.]

would make it unnecessary to carry out that undertaking. As the right hon. and gallant Member and his friends did not vote I thought it only right to say that I would make further inquiries, but I gave no undertaking that I would frame any Amendment of the kind suggested. I said that in my opinion the proposal was impracticable. But I have made further inquiries, with the result that, speaking on general considerations, I have ascertained that not only Scottish building societies but certain English building societies come into the work of providing loans for houses under construction. The English building societies in their operations under the English Bill will operate under the words "intended to be let." I suggest that it would be extremely unsound to make English building societies lending money for English houses operate under one arrangement and the same building societies lending money for Scotch houses to be obliged to operate under another arrangement. That is one of the results of my discussions with building societies.

Another practical point emerges. Suppose that the borrower of money for the building of a house, a builder or a building corporation, were to go bankrupt before the loan was repaid, the only recourse the building society would have would be to foreclose and take the house into their own possession. The natural sequel would be not that the building society would hold the house themselves but would sell it. If they have to sell houses under the proviso that in no circumstances are the houses to be anything but let they will not have a free but a restricted and limited market for the sale. The building societies point out that that would be an extremely undesirable position for them to be put in, in Scotland alone. The contention of my right hon. Friend comes to this: The State and the local authorities are going to guarantee a part of the loan, and that therefore we ought to insist that the houses in all circumstances can only be let. My right hon. Friend thinks it is important that the houses should not be sold during the continuance of the guarantee, and that so long as the State and the local authorities have this liability the houses should be for letting purposes only. My answer is that I cannot figure a case where the sale could take place without the guarantee being fully met by the loan being repaid. If one were in the position of the borrower and owner of a house which one holds, and then one sells the house, one would be left with a liability to repay and with no assets. The dictates of common sense would ensure that the first thing one would do with the purchase price would be to repay the building society's bill.

My right hon. Friend has urged that almost inevitably a large number of these houses will be sold at an early date. What are the facts with regard to private enterprise houses under the existing Act? I am told that in Glasgow alone there are some 4,000 houses which have been built with the old subsidy by private builders for letting purposes. So far as I know no appreciable number of those houses has been sold; the great bulk have been retained for letting purposes. If that could be done in the past, we hope and believe that, with the reduced cost of building, houses will be built for the working classes, who do not desire to buy but to let them, and that there will be far less inducement than in the case of the 4,000 I have mentioned for selling to take place. For these reasons, I hope that my right hon. Friend will not press his Amendment to a Division.

10.39 p.m.

Mr. MACLEAN: I am afraid that while the Under-Secretary may have kept his pledge he has not fulfilled the hope of the Mover of the Amendment. If the word "intended" remains in the Clause the position will be that the houses can be sold under certain conditions. We do not desire that in the conditions existing in Scotland houses in the hands of a building society shall be saleable. We know what the hon. Gentleman may say. The intentions of the Government may be the best in the world, but the old proverb has it that "the road to hell is paved with good intentions." I hope the House is not going to set itself up as a paving contractor to the nether regions. I had hoped that the Government would delete the word "intended" and allow the Clause to provide that the houses were to be built or acquired for the purpose of letting particularly to the working class. Since, in the provisions of the Bill, the rents to be charged for the

houses are set out, one would imagine that all the houses coming under the guarantee were to be for letting purposes only.

I need not describe the housing problem in Scotland to the Under-Secretary for Scotland or any of his colleagues now on the Front Bench—with the possible exception of the Under-Secretary for the Home Department and we hope to make him a Scotsman before the end of this Debate. But the Under Secretary for Scotland and his colleagues know what Scottish housing conditions are to-day, and in bringing this Bill before the House they are under the impression that they are doing something to increase the number of healthy dwellings available for the working-class in Scotland. I agree with the Mover of the Amendment that the retention of this word "intended" will affect that purpose—whether to a greater or a lesser degree only time can tell. Its deletion would make it impossible for these houses to be sold and would remove a feature which I am sure the Under Secretary himself would be the last to wish to have in this Bill. I hope that even at this late stage he will consult his Scottish colleagues with a view to ensuring that this Bill shall be what we expected it to be, a Bill for the erection or acquiring of houses for letting and not for sale.

10.44 p.m.

Mr. JOHN WALLACE: The Under-Secretary will remember the discussion which took place on this subject in Committee when he gave a definite undertaking that he would inquire into the matter before the Report stage, an undertaking which he has carried out, so far. We know that the dominant need in Scotland is for houses to let, and not for houses to be sold, and I am puzzled to know why in the terms of this Bill the Government have not seen their way to carry out their own avowed intention of providing houses to be let. I do not know what difficulties stand in the way. The Under-Secretary has spoken about the building societies. I had hoped, in view of the undertaking which he gave, backed by my right hon. Friend the Secretary of State, that their united ability would have got over the difficulties which the building societies evidently have raised I think we have sufficient ability in the Law Officers of the Crown in Scotland and the Secretary of State for Scotland to carry out what is obviously the intention of this Bill, and that is to provide houses in sufficient numbers to let, not to sell. We all know exactly what will take place if the Bill passes in its present form, and even at this late hour I appeal to the Government to make up their minds to carry out the obvious intention of the Bill. I shall be very sorry and disappointed if that intention is not carried into effect.

Amendment negatived.

10.47 p.m.

Mr. KIRKWOOD: I beg to move, in page 4, line 10, at the end, to insert the words:

"and

(c) make provision for securing that in the case of houses to be built a fair-wage clause, which complies with the requirements of any resolution of the House of Commons applicable to contracts of Government Departments and for the time being in force, is inserted in all contracts or agreements for advances between the society and its members and in all contracts for the construction of the houses."

This is a very serious position as far as the trade union movement is concerned. We are not asking for something new; we are asking for something which is inserted in every Government contract given out in this country, and not only in every Government contract, but in contracts given out by town councils, county councils, and every local authority. They all have a fair wage clause in their contracts, and why the National Government in its wisdom should bring in a Housing Bill omitting this very valuable clause is beyond me. If ever there was a time when it was essential that we should have a clause in the Bill safeguarding the interests, not only of the operatives in the building industry, but also of the employers of labour, it is now, because up till now, since the War, private enterprise has gone out of house building. Economic circumstances were of such a character that it did not pay private enterprise to build houses. Houses were required, and the Government had to step in and give power to the local authorities to go on with building them.

Now the National Government consider the time is opportune for again bringing

[Mr. Kirkwood.]

private enterprise back into housebuilding. In order to do that, they are placing it in a favoured position. Those who are financing the building of houses are to be guaranteed by the Government, 5 per cent. interest on their money. Those building societies are posing before all Britain as philanthropic institutions—nice, kind Christian gentlemen who are going to save the situation by building houses. We Socialists know perfectly well that they are no philanthropic institutions at all. They are going into the building of houses because there is profit in it, and for nothing else. It is because it is a good paying concern, far better than lending money on which they get only 3 per cent. Not only that but this disreputable Government is going one worse. "Disreputable" is a very mild term when you consider what they are doing. They are not only guaranteeing these smug philanthropic individuals 5 per cent. on their money for exploiting the needs of the poorer sections of the community and exploiting the conditions appertaining in Scotland. Those conditions have been admitted by the Lord President of the Council, who, when he visited Scotland, said he had no idea that the housing conditions there were of such a terrible character, and he gave us a pound extra——

Mr. SPEAKER: The Amendment which the hon. Member is proposing has to do with guaranteeing wages. He is not referring to that now.

Mr. KIRKWOOD: With all due respect, I am going to show the reasons why they have done such and such a thing and I am trying to connect it with reasons why they should not have done such and such a thing, exactly as I did in Committee, when it was in perfect order.

Mr. SPEAKER: Then the hon. Member must cut short his preamble to his Amendment.

Mr. KIRKWOOD: Not only are they to get this guarantee of 5 per cent. but there is no Clause in this Bill to protect the builder of the houses, either employer or employé. There is no fair wages Clause. Not only are they to get 5 per cent. on their money, but the worker and the builder of the houses is to be left to the most disreputable employer of labour that may come along. The Secretary of State for Scotland carried the Committee with him, and why? I moved this new paragraph in Committee, but it was left to the hon. Member for Banffshire (Sir M. Mckenzie Wood) to draw the Committee's attention to the fact that we were going to get something in a Scottish Bill that the English had not managed to get into their Bill, and that if we got this in it would make it very awkward for the right hon. Gentleman in the Cabinet. So the Liberals rush to his assistance and turn us down. The House ought to know the tricks that they play on us—those gigantic powerful fellows they call the Liberals. The hon. Member for Perth (Lord Scone) said in the Standing Committee:

> "The only explanation came not from the right hon. Gentleman but from the hon. and gallant Member for Banff (Sir M. Wood). We wish to know whether that explanation is the cause of the Government's refusal to accept this Amendment. There are plenty of us on this side who believe ourselves to be good employers and who do endeavour to pay the best possible wages. We are not able nowadays to pay the wages we would like; we are obliged most unwillingly to reduce them."—[OFFICIAL REPORT (*Standing Committee on Scottish Bills*); 23rd March, 1933, Col. 198.]

He went on to say that they did not want to let the bad employer get an opportunity of reducing all good employers to the level of the bad employers. The Secretary of State for Scotland on the same date said:

> "I am anxious, however, to secure the object which the hon. Member has in view, and we have been considering how best to do so. I find that in September, 1924, after the Housing Measure of that year became law the Department of Health for Scotland issued a circular directing the attention of local authorities to the Fair Wages Clause and pressing it upon their consideration. I intend to follow the same practice and to issue a circular directly the Bill becomes law, directing the attention of local authorities to this all-important question and inviting them to consider it on its merits. I hope that with that assurance, the hon. Member—having been met by us on some other occasions—will be satisfied in this case."—[OFFICIAL REPORT (*Standing Committee on Scottish Bills*); 23rd March, 1933, Col. 190.]

Again the Secretary of State said:

> "The hon. Member for Dumbarton Burghs (Mr. Kirkwood) reminded me of the case of certain building operatives whose wages had not been paid although the contractor in that case had received the subsidy. Let me tell the hon. Member that since he raised that matter on the Floor of the House I have made inquiries into the case, and

although I am unable to give him a definite undertaking that these men, whose interests he raised, will receive their wages, I am hopeful that the wages which these men have earned, and should have been paid, will be paid."—[OFFICIAL REPORT (*Standing Committee on Scottish Bills*); 23rd March, 1933, Col. 195.]

My point is that that last statement proves conclusively that the circular of the Secretary of State is not worth the paper on which it was written. I have given absolute proof that here it is being defied in a very serious fashion. Here are individuals, who will be brought into the building of houses, who are prepared to cut prices so low that they are paying no wages at all. I brought a case to the right hon. Gentleman's notice and he admitted that such employers were in the position to get the subsidy and then pay the workers no wages at all. We desire to safeguard the position and to ensure that all employers will be placed on an equal footing, so that no unscrupulous employer will be able to come in and undercut his fellows.

In our opinion in Scotland this is a direct attack on the trade union movement, and we will resist it with all the power at our disposal. The Secretary of State for Scotland can rest assured of that. To-night I have gone to the trouble of cutting out these extracts from his own speeches and have laid all the evidence before him to show what a very serious matter this is, and I hope the House will not be carried away, as the Committee was carried away, by the hon. and gallant Member for Banff, and vote us in Scotland down because this provision is not in the English Bill. I want the House to deal with this question on its merits: Is it right to support trade union wages and conditions? Up to now the House has considered that trade union rates of wages and conditions were not exorbitant, but right and just. It is not only the horny-handed sons of toil who will be affected, but every individual who earns an honest penny working for his livelihood. This National Government, with their generous cuts, have brought all individuals who render useful service to society down to that level The Prime Minister said that if there were to be cuts there would be cuts all round, but they are not carrying that policy to its logical conclusion. We Socialists see in this the thin end of the wedge against trade unionism. All these facts having been laid before the Secretary of State, I hope he will have the wisdom in his day and generation to accept this Amendment.

11.4 p.m.

Mr. LEONARD: I beg to second the Amendment. I wish to add one or two words to what has been said by my hon. Friend the Member for Dumbarton Burghs (Mr. Kirkwood). I notice that in the Memorandum issued with the initial draft of this Bill we were informed that by virtue of paragraph (*b*) of Sub-section (1) of Section 75 of the Housing (Scotland) Act, 1925, local authorities had power, subject to certain conditions, to make payments to societies, but under that law there was no liability on the part of the Exchequer to any repayments. Under the proposal in the Bill now before the House, however, there is a provision whereby the Government may, with certain reservations, make payments to those societies. In view of the possibility of an Exchequer contribution, we are entitled to ask that there should be added, to the restrictions placed upon the issue of such sums, the restrictions referred to in the Amendment. The total power to reimburse part of the loss guaranteed to the building and other societies, should be accompanied by that restriction. I do not contemplate that there will be much antagonism to the proposal. The Government have displayed some desire to see industry organised, and they have made promises that protection would be given if there were organisation.

We put forward in this proposal a form of words which would give protection to an industry that has organised itself in a great measure. Its importance is, furthermore, related to national economy. Sir Arthur Salter has laid it down that the building trade is always the key point in the economic structure and that any improvement there would quickly radiate. We suggest that the conditions that have been negotiated under the National Joint Industrial Council of the building trade, in so far as wages are concerned, should be protected, as the hon. Member for Dumbarton Burghs (Mr. Kirkwood) has stated. Anyone who is not prepared to act up to those conditions or endeavours to escape from them, should

[Mr. Leonard.]
be excluded from performing any work that may in future be subject to State subsidy. It is all the more important to bear in mind that this industry, for every £100 expended in it, £80 is spent, according to the memorandum which has been prepared by an impartial committee, in remuneration. Payments made in wages should conform to those which have been brought about by negotiations between employers and employés in the industry.

I want to refer to the Memorandum presented to every hon. Member, with regard to organisation in this industry. It states:

"The building industry is now so organised as to be able to produce in the most efficient manner, and in consequence at lower costs, than at any time since the War. . . . The National Joint Council for the Building Industry has made full use of new inventions; it has instituted methods of standardisation; and it is doing notable pioneer work in the direction of planned co-ordination of all the manifold activities associated with the industry."

I do not think that can be challenged. Here is an industry that is conforming to the express desire of the Government to organise itself, and is making full use of efficient methods to co-ordinate the interests of the employers and employés. In view of the fact that they have done the pioneer work, we suggest that we should recognise that. No State subsidies should be given to any work permitted by this Bill unless the conditions conform to the fair wages stipulation.

11.10 p.m.

Sir R. HAMILTON: As my hon and gallant Friend the Member for Banff (Sir M. Wood) is not able to be here tonight, and, as he was referred to as "the villain of the piece" by the hon. Member for Dumbarton Burghs (Mr. Kirkwood), I should like to remind the hon. Member that the part which my hon. and gallant Friend took in the Debate in Committee was based on the fact that he took the view, which we also take, that this Clause would be ineffective. He went on to say that he hoped the Secretary of State would take the offer of the hon. Member for Govan (Mr. N. Maclean), and would go into the question again and see whether he could not do something more to ensure, in respect of all the houses built, that there should be more effectual control on the question of the wages paid to the men engaged in the building of them. The reason given by the Secretary of State is, I think, really unanswerable. This Bill is to guarantee a building society, and, however much we may desire, as we all do, that fair wages should be paid in the case of all contracts where the Government have any control, or any other contracts, I fail to see how it would be effective to put a Clause of this sort into a Bill of this nature, the purpose of which is to guarantee a building society. Therefore, I am afraid that we shall be unable to support the Amendment.

11.12 p.m.

Mr. McGOVERN: I suggest to the Government that, to any reasonable-minded person, a case has been made out, both in Committee and in the House, that a fair wages clause ought to apply to the production of houses in relation to the building industry in our cities and counties. The Secretary of State, in Committee, did state fairly that he thought that the fair wages clause ought to apply, but he suggested a different method of approach from that suggested in connection with the Amendment moved by Members of the Opposition and supported by ourselves. I cannot conceive why there should be a refusal to insert a definite provision in the Bill to guarantee fair wages to those who are engaged in the industry. We stated in Committee, and I desire to state again in the House, that certain standards have been guaranteed to certain sections engaged in the production of houses—the giving of land, or the sale of land, and the sale of money for the production of houses—and I cannot understand how the Government can refuse to incorporate in this Bill, in language that will be easily understood, an instruction to those concerned throughout the country to pay the rate of wages obtaining in the industry in the area in which the houses are being constructed.

We have had a certain amount of trouble in connectiion with the interpretation of what might be termed the rights of the fair wages clause in various areas. In the city of Glasgow, we have had numerous disputes in connection with housing schemes undertaken by the corporation and by private enterprise builders who have received a subsidy. We

may have an employer who takes advantage of the fact that there is a large number of employés in the market, and, desiring to obtain cheap labour, offers a lower wage than that paid by employers who are bound by agreements in the building trade. The majority of employers in the building trade play a fair and straight game with the employés as regards the conditions that have been agreed upon by both sides in conference, but we always have that small minority of employers who desire to overcome the agreements that have been made, and who refuse to carry out the fair wages clause. The local authorities sometimes step in, as Glasgow has frequently done, and attempt to secure for the employés the guarantee of a fair wage, but evasion takes place, and sometimes the authority themselves say that they have not sufficient power to compel these people to put the fair wages clause into operation. I plead with the Government, if they are fair-minded in connection with these bargains come to between employers and employés, to remember that it is not only acting against the employés, but it is penalising the good employers who desire to keep to their bargain. We ought to penalise that small body of crafty employers who desire to evade their responsibilities. There is no reason why we should not penalise the bad employer by compelling him to face up to his responsibilities and prevent these disputes from taking place. We say, as representing the working classes, and I say as one who has been a member of the building trade from 13 years of age until 2½ years ago, that we are entitled to expect that you will pay respect to the desires of the working class and will give some assurance that you will incorporate in the Bill that desire of the Opposition and ourselves to secure for the working classes the fair wages that they are entitled to.

11.17 p.m.

Mr. SKELTON: My right hon. Friend and I have considered to the best of our ability this question since it was raised in Committee, and I should like, in informing the House that it is not possible to accept the Amendment, to add one or two other considerations to the reasons already given by my right hon. Friend in Committee. Let me first deal with a word that fell from the hon. Member opposite, who drew a lurid picture of the activities of the building societies and said the Government propose to guarantee them 5 per cent. The arrangement is that they are going to lend at 1 per cent. below the usual rate, 90 per cent. of the advance for the purpose of building houses intended to be let. That percentage works out not to 5 but to 4 per cent. I think the House will agree that that is a very valuable financial reinforcement and that the great resources of the building societies should be available, with the assistance of the Government guarantee, at 1 per cent. below the usual rate. My right hon. Friend pointed out in Committee the undesirability of including in the particular circumstances of this Clause an Amendment with regard to the fair wages clause. The Minister of Health said a better method would be the issue of a circular calling the attention of local authorities to the matter. Let me add these considerations. The activities of the building societies are connected almost exclusively with the lending of money for the erection of houses. It is not sound legislation in one department of the building societies' activities to put in a provision with regard to the fair wages clause and to leave what must always be by far the greater area of their activities unaffected by that provision.

Anyone understanding the meaning of the series of Acts of Parliament must feel that the imposing of this particular provision with regard to the building societies, if it is to be done at all, should be done with regard to the whole and not to the small proportion of the financial activities which will only be partially covered by the State in a local guarantee. I suggest that that is not the right way to deal with the terms under which building societies may loan money for house building. That, one may take it, is the view of the House and of Parliament, because in the Housing Consolidation Act of 1925 this provision, not so wide in its application, was introduced, as it had been previously in the Act of 1923. Neither in the Act of 1923 nor in the Act of 1925, when loans by building societies were made part of the building law, did Parliament think fit to put into the relevant Sections this particular provision with regard to building societies' loans. Parliament was right then, and I maintain that if you make this provision with regard to building

[Mr. Skelton.]

societies' activities, it will not be a sufficient excuse for limiting it to one part of their activities to say that you limit it to the part where there is a local and State guarantee.

Building societies are an important and most valuable part of the social structure. They have received the particular attention of Parliament. Over a period of years a code with regard to their conduct has been built up. If you wish to alter the law with regard to building societies the proper way to do it is through the building society laws and not the housing laws. That is the consideration which I put before the House in addition to those that have already been introduced. On the whole matter, I would urge that, having in view the number of cases in which there will be no contract at all into which such a provision can be put, the builder himself would be the borrower from the building society, and from the considerations I have urged with regard to the general position of building societies, the position will best be maintained by the circular which my right hon. Friend proposes to address to local authorities if and when the Bill passes. He asks me to say—and I do so with all the emphasis at my command—that should difficulties arise in particular cases his good offices or my good offices, and the good offices of the Department, will be fully at the service of those who may require them.

My hon. Friend the Member for Dumbarton Burghs (Mr. Kirkwood) referred to the Glasgow case, where a sub-contractor went into bankruptcy and the men he had employed in connection with a building scheme were not paid their wages. I fear that no provision with regard to a fair wages clause could ensure any wages at all to men whose employer became bankrupt. Since he referred in further detail to the case, the present situation is that the main contractor handed over a sum of money which, I understand, was sufficient to pay the wages of the men, but that sum of money was immediately earmarked by proceedings in bankruptcy and did not reach the men. We are at present negotiating in order that not only the Unemployment and Health Insurance contributions of the men may be paid, but that their wages may be paid.

It is rather a severe request on the main contractor that he should have to pay two sums of money representing the wages which should also be paid by the sub-contractor. I can assure the hon. Member that we are still actively pursuing the best mehods by which the interests of the men concerned can be served. I hope that the Amendment will not be pressed to a Division.

11.26 p.m.

Mr. D. GRAHAM: I doubt whether the issuing of a circular to the local authorities will be as good to the workmen in the building industry as the insertion of our Amendment in the Bill. I was pleased to hear the Under-Secretary explaining these matters, but he has not convinced us. The circular is to be sent to the local authorities. Does that mean that they will have control over the contractors?

Mr. SKELTON: The hon. Member will recollect that the local authority has scrupulously to consider each proposal before it gives the guarantee. When it gives the guarantee the central authority then shares half the guarantee.

Mr. GRAHAM: My point is that the responsibility of seeing that the contract is carried out rests with the local authority.

Mr. SKELTON: This is rather a technical matter. When I said that the local authority were responsible I said they were responsible for their share of the guarantee. That is where they come in. I did not say that after the guarantee has been given the local authority is responsible for the carrying out of every detail of the contract.

Mr. GRAHAM: I do not expect that we shall be able to induce the Government to accept the Amendment, but I am not satisfied with what has been stated. For more than a generation the State has laid it down that the Fair Wage Clause should apply in all contracts on which it is interested. No one can argue that the State is not interested in the payment of this subsidy. We are all agreed that the State has a very considerable part to play in the whole of the housing question. What we are asking is that when the employers and the workmen, meet frequently to discuss conditions of labour and wages and come to an agreement, then whatever agreement

they make applies to everyone engaged in the industry, whether employer or workman. It is agreed that there are bad workmen and bad employers. The law is an agreement between the State and the citizen, and anyone who refuses to carry out the law is subject to punishments of one sort or another. In the same way an agreement entered into by employers and workmen to cover the industry as a whole in regard to wages and other conditions should have the force of law in the industry. Up to the present time the Government have recognised this and a fair wage clause has been in operation for more than a generation.

I am sorry that the Government have taken up the position that the fair wage clause is unimportant. If when trade begins to revive and houses begin to be built the employers refuse to carry out an agreement which has been entered into, it will result in stoppages of work, and I believe that the men are always right when they are fighting for the preservation of their own rights. You do not make progress along that line. The only way to make progress is by reaching an agreement between employers and workmen and see that that agreement is carried out. If the employers refuse then they should be treated in exactly the same way as an ordinary criminal. The Government have provided for a fixed bath; that is a condition so far as the quality of the house is concerned; and there is no reason why a condition should not be laid down as regards wages and other conditions.

Question put, "That those words be there inserted in the Bill."

The House divided: Ayes, 34; Noes, 190.

Division No. 137.] **AYES.** **[11.33 p.m.**

Adams, D. M. (Poplar, South)	Greenwood, Rt. Hon. Arthur	McEntee, Valentine L.
Attlee, Clement Richard	Grenfell, David Rees (Glamorgan)	McGovern, John
Banfield, John William	Groves, Thomas E.	Maclean, Neil (Glasgow, Govan)
Batey, Joseph	Grundy, Thomas W.	Maxton, James
Cocks, Frederick Seymour	Hall, F. (York, W.R., Normanton)	Milner, Major James
Cripps, Sir Stafford	Hall, George H. (Merthyr Tydvil)	Parkinson, John Allen
Daggar, George	Hirst, George Henry	Rathbone, Eleanor
Davies, David L. (Pontypridd)	Kirkwood, David	Tinker, John Joseph
Davies, Rhys John (Westhoughton)	Lansbury, Rt. Hon. George	Wallace, John (Dunfermline)
Dobbie, William	Leonard, William	Williams, Thomas (York, Don Valley)
Edwards, Charles	Logan, David Gilbert	
Evans, R. T. (Carmarthen)	Lunn, William	

TELLERS FOR THE AYES.—Mr. John and Mr. D. Graham.

NOES.

Acland-Troyte, Lieut.-Colonel	Conant, R. J. E.	Greene, William P. C.
Agnew, Lieut.-Com. P. G.	Cooper, A. Duff	Grimston, R. V.
Aitchison, Rt. Hon. Craigie M.	Courthope, Colonel Sir George L.	Guinness, Thomas L. E. B.
Anstruther-Gray, W. J.	Crooke, J. Smedley	Gunston, Captain D. W.
Apsley, Lord	Crookshank, Capt. H. C. (Gainsb'ro)	Guy, J. C. Morrison
Aske, Sir Robert William	Cruddas, Lieut-Colonel Bernard	Hacking, Rt. Hon. Douglas H.
Atholl, Duchess of	Culverwell, Cyril Tom	Hales, Harold K.
Bailey, Eric Alfred George	Curry, A. C.	Hamilton, Sir R. W. (Orkney & Zetl'nd)
Barclay-Harvey, C. M.	Davies, Maj. Geo. F. (Somerset, Yeovil)	Hanley, Dennis A.
Beaumont, M. W. (Bucks., Aylesbury)	Duggan, Hubert John	Hannon, Patrick Joseph Henry
Birchall, Major Sir John Dearman	Dunglass, Lord	Hartington, Marquess of
Blindell, James	Eastwood, John Francis	Haslam, Henry (Horncastle)
Boothby, Robert John Graham	Elliot, Major Rt. Hon. Walter E.	Headlam, Lieut.-Col. Cuthbert M.
Boulton, W. W.	Ellis, Sir R. Geoffrey	Heilgers, Captain F. F. A.
Bowyer, Capt. Sir George E. W.	Elliston, Captain George Sampson	Hope, Capt. Hon. A. O. J. (Aston)
Braithwaite, J. G. (Hillsborough)	Emrys-Evans, P. V.	Horne, Rt. Hon. Sir Robert S.
Broadbent, Colonel John	Entwistle, Cyril Fullard	Horsbrugh, Florence
Brown, Ernest (Leith)	Erskine, Lord (Weston-super-Mare)	Howard, Tom Forrest
Buchan-Hepburn, P. G. T.	Erskine-Bolst, Capt. C. C. (Blackpool)	Howitt, Dr. Alfred B.
Burgin, Dr. Edward Leslie	Essenhigh, Reginald Clare	Hudson, Capt. A. U. M. (Hackney, N.)
Burnett, John George	Fermoy, Lord	Hume, Sir George Hopwood
Campbell, Edward Taswell (Bromley)	Foot, Dingle (Dundee)	Hunter, Dr. Joseph (Dumfries)
Campbell, Vice-Admiral G. (Burnley)	Ford, Sir Patrick J.	Inskip, Rt. Hon. Sir Thomas W. H.
Campbell-Johnston, Malcolm	Fox, Sir Gifford	Jesson, Major Thomas E.
Caporn, Arthur Cecil	Fraser, Captain Ian	Ker, J. Campbell
Carver, Major William H.	Fremantle, Sir Francis	Kerr, Lieut.-Col. Charles (Montrose)
Castle Stewart, Earl	Gault, Lieut.-Col. A. Hamilton	Knebworth, Viscount
Gazalet, Thelma (Islington, E.)	Gilmour, Lt.-Col. Rt. Hon. Sir John	Lamb, Sir Joseph Quinton
Churchill, Rt. Hon. Winston Spencer	Glossop, C. W. H.	Law, Richard K. (Hull, S.W.)
Clayton, Dr. George C.	Gluckstein, Louis Halle	Leckie, J. A.
Cochrane, Commander Hon. A. D.	Goff, Sir Park	Leech, Dr. J. W.
Collins, Rt. Hon. Sir Godfrey	Goldie, Noel B.	Leighton, Major B. E. P.
Colville, Lieut.-Colonel J.	Goodman, Colonel Albert W.	Liddall, Walter S.

Lindsay, Noel Ker
Llewellin, Major John J.
Lloyd, Geoffrey
Loder, Captain J. de Vere
Mabane, William
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mayhew, Lieut.-Colonel John
Merriman, Sir F. Boyd
Mills, Major J. D. (New Forest)
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Moreing, Adrian C.
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Muirhead, Major A. J.
Munro, Patrick
Nall-Cain, Hon. Ronald
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
North, Captain Edward T.
Nunn, William
O'Donovan, Dr. William James
Pearson, William G.
Penny, Sir George
Pickford, Hon. Mary Ada
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Procter, Major Henry Adam
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, William Allan (Derby)
Remer, John R.
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Samuel (W'dsworth, Putney)
Sandeman, Sir A. N. Stewart
Scone, Lord
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Skelton, Archibald Noel
Smith, Sir Jonah W. (Barrow-in-F.)
Smith-Carington, Neville W.
Somerville, D. G. (Willesden, East)
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Stevenson, James
Stourton, Hon. John J.
Strauss, Edward A.
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Todd, Capt. A. J. K. (B'wick-on-T.)
Wallace, Captain D. E. (Hornsey)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wells, Sydney Richard
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Womersley, Walter James

TELLERS FOR THE NOES.—
Lieut.-Colonel Sir A. Lambert Ward and Commander Southby.

Motion made, and Question put, "That the Bill be now read the Third time."

The House divided: Ayes, 185; Noes, 37.

Division No. 138.] AYES. [11.43 p.m.

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Aitchison, Rt. Hon. Craigie M.
Anstruther-Gray, W. J.
Apsley, Lord
Aske, Sir Robert William
Atholl, Duchess of
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Barclay-Harvey, C. M.
Beaumont, M. W. (Bucks., Aylesbury)
Birchall, Major Sir John Dearman
Blindell, James
Boothby, Robert John Graham
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Bracken, Brendan
Braithwaite, J. G. (Hillsborough)
Broadbent, Colonel John
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burgin, Dr. Edward Leslie
Burnett, John George
Campbell, Edward Taswell (Bromley)
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Castle Stewart, Earl
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Churchill, Rt. Hon. Winston Spencer
Clayton, Dr. George C.
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cooper, A. Duff
Courthope, Colonel Sir George L.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davies, Maj.Geo. F. (Somerset,Yeovil)
Duggan, Hubert John
Dunglass, Lord
Eastwood, John Francis
Elliot, Major Rt. Hon. Walter E.
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine, Lord (Weston-super-Mare)
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Fermoy, Lord
Ford, Sir Patrick J.
Fox, Sir Gifford
Fraser, Captain Ian
Fremantle, Sir Francis
Gault, Lieut.-Col. A. Hamilton
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Goff, Sir Park
Goldie, Noel B.
Goodman, Colonel Albert W.
Greene, William P. C.
Grimston, R. V.
Guinness, Thomas L. E. B.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hales, Harold K.
Hanley, Dennis A.
Hannon, Patrick Joseph Henry
Hartington, Marquess of
Headlam, Lieut.-Col. Cuthbert M.
Heligers, Captain F. F. A.
Hope, Capt. Hon. A. O. J. (Aston)
Horne, Rt. Hon. Sir Robert S.
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Capt. A. U. M. (Hackney, N.)
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jesson, Major Thomas E.
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Lamb, Sir Joseph Quinton
Law, Richard K. (Hull, S.W.)
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Lindsay, Noel Ker
Llewellin, Major John J.
Lloyd, Geoffrey
Loder, Captain J. de Vere
Mabane, William
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mayhew, Lieut.-Colonel John
Merriman, Sir F. Boyd
Mills, Major J. D. (New Forest)
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Moreing, Adrian C.
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Muirhead, Major A. J.
Munro, Patrick
Nall-Cain, Hon. Ronald
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
North, Captain Edward T.
Nunn, William
O'Donovan, Dr. William James
Pearson, William G.
Penny, Sir George
Pickford, Hon. Mary Ada
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Procter, Major Henry Adam
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, William Allan (Derby)

Remer, John R.
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rosbotham, Sir Samuel
Ross Taylor, Walter (Woodbridge)
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Russell, Richard John (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Samuel (W'dsworth, Putney)
Sandeman, Sir A. N. Stewart
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Skelton, Archibald Noel
Smith, Sir Jonah W. (Barrow-in-F.)
Smith-Carington, Neville W.
Somerville, D. G. (Willesden, East)
Southby, Commander Archibald R. J.
Spencer, Captain Richard A.
Stanley, Lord (Lancaster, Fylde)
Stanley, Hon. O. F. G. (Westmorland)
Stevenson, James
Stourton, Hon. John J.
Strauss, Edward A.
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Luke
Thorp, Linton Theodore
Todd, Capt. A. J. K. (B'wick-on-T.)
Wallace, Captain D. E. (Hornsey)
Wallace, John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wells, Sydney Richard
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Womersley, Walter James

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Lieut.-Colonel Sir A. Lambert Ward.

NOES.

Adams, D. M. (Poplar, South)
Attlee, Clement Richard
Banfield, John William
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Dobbie, William
Edwards, Charles
Evans, R. T. (Carmarthen)
Foot, Dingle (Dundee)
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Groves, Thomas E.
Grundy, Thomas W.
Hall, F. (York, W.R., Normanton)
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir R.W. (Orkney & Z'tl'nd)
Hirst, George Henry
Holdsworth, Herbert
Kirkwood, David
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mallalieu, Edward Lancelot
Maxton, James
Milner, Major James
Parkinson, John Allen
Rathbone, Eleanor
Rea, Walter Russell
Tinker, John Joseph
Williams, Thomas (York, Don Valley)

TELLERS FOR THE NOES.—
Mr. John and Mr. D. Graham.

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[For Continuation of Proceedings, see Official Report for Tuesday, 11th April 1933.]

HOUSE OF LORDS.

[*From Minutes of March* 30.]

MALDENS AND COOMBE URBAN DISTRICT COUNCIL.

Petition of the Maldens and Coombe Urban District Council praying for leave to introduce a Bill to authorise the acquisition and management by the Urban District Council of The Maldens and Coombe of certain lands now used as golf courses; to make special provision with regard to the repair of certain private roads and the recovery of an improvement rate from the occupiers of buildings in the neighbourhood; to confer further powers on the Council in relation to the improvement health and local government of their district; and for other purposes; together with a copy of the proposed Bill annexed thereto: Read, and referred to the Examiners.

WIGAN CORPORATION BILL. [H.L.]

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn: Read, and ordered to lie on the Table: The Orders made yesterday discharged, and Bill committed.

RHONDDA PASSENGER TRANSPORT BILL. [H.L.]
BARKING CORPORATION BILL. [H.L.]
CANTERBURY EXTENSION BILL. [H.L.]

Report from the Committee of Selection, That the Viscount Burnham and the Lord Stanley of Alderley be proposed to the House as members of the Select Committee on the said Bills in the place of the Lord Abinger and the Lord Rankeillour; and that the Viscount Burnham be Chairman of the said Committee: Read, and agreed to.

LONDON OVERGROUND WIRES, &c. BILL. [H.L.]

King's Consent and Consent of the Prince of Wales signified; and Bill reported, with Amendments.

LYME REGIS DISTRICT WATER BILL. [H.L.]

Reported, with Amendments.

HOUSE OF LORDS.

Tuesday, 4th April, 1933.

The House met at half past three of the clock, The LORD CHANCELLOR on the Woolsack.

ARMY AND AIR FORCE (ANNUAL) BILL.

Brought from the Commons; read 1ª, and to be printed.

CITY OF LONDON (VARIOUS POWERS) BILL.

Brought from the Commons; read 1ª, and to be printed.

GREAT WESTERN RAILWAY BILL.

Brought from the Commons; read 1ª, and to be printed.

LONDON MIDLAND AND SCOTTISH RAILWAY BILL.

Brought from the Commons; read 1ª, and to be printed.

STAFFORDSHIRE AND WORCESTERSHIRE CANAL BILL.

Brought from the Commons; read 1ª, and to be printed.

DONCASTER AREA DRAINAGE BILL.

Read 3ª (according to Order), and passed.

INDIA.

Order of the Day read for the consideration of the Commons Message of Thursday last.

THE LORD CHANCELLOR (VISCOUNT SANKEY) rose to move, That this House do concur in the Resolution communicated by the Commons, namely: "That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed

to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

The noble and learned Viscount said: My Lords, I beg to move the Resolution standing in my name, and in so doing to address your Lordships on three topics: first, and quite briefly, on the history leading up to the Round-Table Conferences; secondly, on the proceedings at these Conferences, and thirdly, on the proposals contained in the White Paper. First, as to the history leading up to the Round-Table Conferences. For upwards of seventy years Indians have been admitted to take some part in the Government of the country. England has taught them, rightly or wrongly, the value and desirability of representative institutions. By the Indian Councils Act, 1861, seats were given to them on the Legislative Council: by the Act of 1892, limited provision was made for the use of the method of election in filling up some of the seats, and a still greater step forward was taken by the Morley-Minto reforms of 1909. The Great War marked a change from era to era. Profound as were its results in England, they were still more profound in India. Indians gave proofs of magnificent loyalty, not only on the material side of finance, but in the higher and nobler qualities of skill, courage, and devotion. Whatever anybody may think of the Government of India Act of 1919, the claims of India for further recognition were irresistible.

Upon the 20th August, 1917, Mr. Montagu, who was then the Secretary of State for India, laid down four principles for future guidance. Later a Report was issued which contained proposals for reform recommended by the Viceroy and himself. My Lords, England and India are united to-day in mourning for that Viceroy, Viscount Chelmsford, and for a great Ruler, the Prince Ranjitsinhji, both of whom rendered to the Empire service which will long be remembered. The Report was referred to a Select Committee of both Houses of Parliament, which held 42 meetings under the Chairmanship of Lord Selborne. After their deliberations a Bill was introduced which eventually became the Government of India Act of 1919. There may be some of our fellow-countrymen who do not agree with the policy recommended by Mr. Montagu, or with the preamble and provisions of the Act. Regrets, if they do exist, are useless. The matter is beyond recall. By Section 84A of the Act it was provided that at the expiration of ten years a Statutory Commission should be set up to Report as to whether, and to what extent, it might be desirable to establish the principle of responsible government, or to extend, modify or restrict, the degree of responsible government then existing.

The Statutory Commission subsequently set up was presided over by Sir John Simon. No Royal Commission ever rendered greater services to their country. They experienced difficulties and dicouragement, but the debt due to them has not been sufficiently recognised. Many of their suggestions were followed by the "Round-Table Conferences," and where we have gone beyond them we have only ventured where we think that they, too, would have ventured under the changed circumstances. The report of the Commission is, and will remain, one of the great State Documents of English political history. The system of dyarchy in the Provinces introduced by the 1919 Act did not commend itself to the Commissioners. They recommended many changes, the most controversial being the one with regard to the problem of law and order. The reservation of law and order was one of the main features of dyarchy, and as the Commissioners were resolved that dyarchy must go, they came to the conclusion that the responsible Government of the Province should have full responsibility for the Police.

Another striking suggestion was one which they thought could not be realised for many a long year. On page 13 of the Second Volume of the Report they quote with approval the statement made on the 19th December, 1929, by His Highness the Maharajah of Bikaner to the Legislative Assembly of his State in the following words:

> "I look forward to the day when a united India will be enjoying Dominion *status* under the *ægis* of the King-Emperor, and the Princes and States will be in the fullest enjoyment of what is their due as a solid federal body in a position of absolute equality with the Federal Provinces of British India."

The Commission proceed to add:

> "However distant that day may be, we desire in our proposals to do nothing to hinder, and everything to help its arrival, for already there are emerging problems

that can only be settled satisfactorily by co-operation between British India and the States."

Further they recommended that a Round-Table Conference should be held in London to discuss propositions for the future. The Government agreed with the Commission, accepted their recommendation and the first Round-Table Conference met upon the 12th November, 1930.

I now pass to my second topic, the proceedings of the Round-Table Conferences. The first was memorable for the dramatic declaration by the Princes in favour of an All-India Federation. The vision which the Statutory Commissioners had only seen through a glass darkly became nearer and clearer, and the solution which they had suggested entered at once into the domain of practical politics. A new ideal was wanted and had to be found. Those who saw the enthusiasm and the good will which the declaration of the Princes excited felt their doubts dissolve. My Lords, we "must take the current when it serves or lose our ventures." There have been three Round-Table Conferences, and the most frequent criticism of their labours is that they have not come to unanimous decisions. [illegible] of the word "decision" in this [illegible] unfortunate. The Round- [illegible]nce was never meant to be, [illegible]never was, a constituent [illegible] was meant to be and [illegible]n a consultative body. [illegible] the future constitution [illegible]he British Parliament.

[illegible]as[illegible]ion of the first Confer- [illegible]19th January, 1931, the [illegible] speaking on behalf of [illegible] said:

[illegible]His Majesty's Government [illegible]bili[illegible]ty for the Government [illegible] be placed upon the Legis- [illegible]and Provincial, with such [illegible]as be necessary to guarantee [illegible]riod of transition the ob- [illegible]gations and to meet [illegible]stances, and also with [illegible]are required by minori- [illegible]eir political liberty and

[illegible]ler existing conditions [illegible]efence and external [illegible] reserved to the [illegible] that as regards [illegible] financial responsi- [illegible]be subject to such [illegible]nsure the fulfil-

ment of the obligations incurred under the authority of the Secretary of State, and the maintenance unimpaired of the financial stability and credit of India.

The Second Round-Table Conference was summoned and began its deliberations upon September 7, 1931. It met with two great difficulties. First, a General Election was imminent in England and actually took place during the sittings of the Conference, so that many of the British delegates were not able to give the time and thought to it that they would otherwise have done. The second difficulty was that in spite of the great efforts of the Prime Minister which were more nearly successful than is generally known, no agreement was reached between the representatives of the Hindus and the Moslems upon what is known as the "communal question." On December 1, 1931, at the conclusion of the Second Conference, the Prime Minister made a statement on behalf of the Government. He said:

"My colleagues in His Majesty's present Government"—

that is, this present National Government—

"fully accept that statement of January last as representing their own policy. In particular, they desire to reaffirm their belief in an All-India Federation as offering the only hopeful solution of India's constitutional problem."

Finally he declared the Government's intention to send three Committees to India to examine questions connected with the franchise, federal finance, and specific financial problems arising in connection with certain individual States. The three Committees proceeded to India, and in due time presented their Reports. That of the noble Marquess, Lord Lothian, on the franchise, was, thanks to his tact, unanimous, and made valuable suggestions on this difficult subject. As was generally anticipated, the Hindus and Moslems were not able to agree upon the communal question, and that difference was settled by the award of the Government in August of last year.

Such was the state of things when the Third Round-Table Conference assembled upon November 1 last. That Conference was smaller in numbers and not so public as its predecessors, which made it much more suitable for the discussion of details. No one who was present at

it can forbear to pay a tribute to my right honourable friend, Sir Samuel Hoare, the Secretary of State for India, to whose incessant work, great patience and unfailing courtesy the success which was attained is mainly due. I regret, both on personal and public grounds, that we did not have the assistance of any of my old friends and colleagues of the Labour Party. In the light of all this experience and all these opinions, and after consultation with the Government of India, His Majesty's Government promulgated the White Paper which is now before your Lordships. Pausing there for a moment, my Lords, these facts and these pronouncements are woven into the fabric of men's minds in India. After all that has been said and all that has been done during the last five and twenty years, is it not our duty to do our best—no man can do more than his best—to develop responsible government in India? What is our best? That there must be some change is a principle upon which we are all agreed; the only difference of opinion is as to the extent of the change.

I now pass to my third topic—the proposals contained in the White Paper. At the present moment your Lordships are not being asked to commit yourselves to anything except to the appointment of a Joint Select Committee. Allow me then to draw your attention to the main proposals put forward by the Government, but before doing so to deal with some criticisms. It is said quite truly that this scheme for an All-India Federation is unprecedented: that there exists no other such form of Government. The same remark is often made about our English Constitution. And yet it moves. It is suggested that the matter has been unduly hurried. This charge cannot be substantiated. There has been the Statutory Commission. The Round-Table Conference, which was recommended by the Commission, and its Committees held 160 meetings, spread over a period of more than two years. During this period the Government of India and the India Office were giving daily consideration to the subject. The proposals were canvassed in many debates in both Houses of Parliament, in many discussions outside Parliament, and frequently in the Press.

This is not the time for a minute examination of the details of the White Paper, or for prolonged arguments to support it. An opportunity will be given for such a course not only before the Joint Select Committee, but also when the matter comes back to this House for your Lordships' final determination. Rather would I invite your consideration of several of the main proposals of the Government which are of chief interest to this House. It will be convenient to set them in the form of questions, and then endeavour to answer them. First: Why is it necessary to go beyond the recommendations of the Simon Report? In one sense we are not doing so. We are only attempting what the Commission itself envisaged as the proper solution—namely, an All-India Federation, although the Commission in the state of their then information considered it to be a distant ideal. Since the Report, the march of events has been rapid. There has been a declaration of policy by the Princes. There have been two declarations of policy by the head of the British Government. The author of the Report is himself a member of the Government which supports the present scheme. Many Englishmen are prepared to grant a measure of provincial autonomy only. To others that seems dangerous. In the Provinces we shall not have the co-operation of [illegible] and we shall lose that [illegible] stability. Finally, a [illegible] vincial autonomy is diffic[illegible] Indian opinion is conc[illegible] politicians say they w[illegible] They reckon ill who [illegible] Rightly or wrongly, m[illegible] tell you that you are [illegible] husk and keeping the [illegible]

Next: If responsibility is to be granted, what guards? This is the most all the questions, and ou[illegible] a summed up in three sentenc[illegible] on (*a*) The powers of t[illegible] General and Governors; (*b*) and (*c*) The Public Servic[illegible] of the Governor-General in three different ways. to certain reserved sub[illegible] Army, defence, exter[illegible] tical affairs—he will administration witho[illegible] from his Ministers. Governor-General in the cl[illegible]oset cont[illegible]

but the decision with regard to them will be his, subject to the control of the Secretary of State, and, through him, of Parliament. This is unquestionably a very heavy responsibility to place upon any single individual, and in order to assist him it has been thought fit to give him the help of three counsellors, who will be appointed by him and whom he will be able to consult at all times.

Secondly, a special responsibility will be placed upon the Governor-General in relation to certain specific matters. Will your Lordships be good enough to look at paragraph 18 of the Proposals? These matters are:

"(*a*) The prevention of any grave menace to the peace or tranquillity of India, or any part thereof;

(*b*) the safeguarding of the financial stability and credit of the Federation;

(*c*) the safeguarding of the legitimate interests of minorities;

(*d*) The securing to the members of the Public Services of any rights provided for them by the Constitution Act, and the safeguarding of their legitimate interests;

(*e*) the prevention of commercial discrimination;

(*f*) the protection of the rights of any Indian State;

(*g*) any matter which affects the administration of any Department under the direction and control of the Governor-General."

Upon all these the Ministers will have the right of advising the Governor-General, but he will not be bound to take their advice if it appears to him, after considering it, that the due discharge of his responsibility requires that he should himself take action. Thirdly, on all matters not indicated in these categories, he will have to follow the advice of his Ministers, subject to this—that he is not bound to accept that advice if, in his judgment, it would be inconsistent with any special responsibility imposed upon him by the Act. There is a fourth matter altogether outside these three categories, in which the Governor-General will have discretionary powers; for example, a power to dissolve, prorogue and summon the Legislature, to assent to, or withhold assent from, Acts, or to reserve Acts for the signification of His Majesty's pleasure.

The Instrument of Instructions to the Governor-General will be a document of the first importance. It must be noted that the Instrument is to be laid before both Houses of Parliament, and an opportunity will be given for each House to make to His Majesty any representation it may desire for any amendment of or addition to, or omission from the Instruction. Pausing there for a moment, it may be asserted that the position of the Governor-General will be fortified by the fact that he is acting (1) under the direct provisions of the Act of Parliament; or (2) under his Instructions (which can be revised by Parliament); and (3) under the control of the Secretary of State, who is responsible to Parliament. Although he will be standing alone, he will have the help and support of the three counsellors and a financial adviser appointed by him. If anything more can be suggested, let it be put before the Select Committee. It may be said that we are placing too much responsibility upon an individual, but looking back over our past history, we have never yet failed to find the man we want. We need not despair for the future. If any noble Lord doubts this, my reply is one word—*circumspice*.

So far for a broad outline of the position of the Governor-General. But some one will say: "You have given him all these powers, how will he be able to enforce them?" This raises the question of defence. The Proposals lay down that the Governor-General will have full discretion to use the powers conferred upon him by the Act, and it is provided that if he is satisfied that a situation has arisen which renders it impossible for the Government of the Federation to be carried on, he will be empowered by Proclamation to assume to himself the powers of any federal authority. The Proclamation will have the same force and effect as an Act of Parliament, but it will have to be communicated forthwith to the Secretary of State and laid before the British Parliament. To enable him to keep his finger on the pulse of public opinion and to have up-to-date information, he has the right to preside at any meeting of his Council of Ministers, and to have transmitted to himself and to his counsellors in the Reserved Departments and to his financial adviser such information as they may require. The executive authority of the Federation, including the supreme command of the military, naval and air forces in India, will be exercis-

able on the King's behalf by the Governor-General, but His Majesty will appoint a Commander-in-Chief to exercise such functions as may be assigned to him.

Again pausing for a moment to sum up, the Governor-General will not only have the right but the power, in the last resort, to put the Army in motion, and take over the Government. In a situation less formidable various powers are conferred upon him to disallow Acts passed by the Legislature or to reserve them, or, for the purpose of enabling him to discharge his duties, to make Ordinances and to pass or cause the passing of Acts known as "Governor's Acts." This does not mean that the safeguards will be required for daily use. The people of India are not all extremists. There are millions there who are our friends. The safeguards will be able rather in power than in use. Another main safeguard will be in the fact that we shall have the Public Services in India. They will be recruited by the Secretary of State. This fact at once distinguishes the Indian case from the Irish case. In India too defence is to be a reserved subject and the Army will remain under the control of the British Parliament.

Permit me here to place on record the immense debt which the country owes to the members of the Indian Civil Service. Life for them is no summer holiday, but an ever-increasing burden of duties and responsibilities. They work far from home—sometimes under the most dangerous political conditions—with a single eye for the good of India and of England. When the history of our Empire is written, no body of men and no individuals will receive greater praise than those who have given their lives to the most wonderful Service the world has yet seen. We are bound in honour to discharge our obligations to protect them, and the paragraphs applicable will be found in Part VI of the Proposals. In addition to the powers of the Governor-General, of the Army and of the Services, a great number of Englishmen are resident in India as traders, missionaries and private persons. They confer benefits on the country. Should the Federation be formed, you will also have the stability which arises from the presence of the Princes. With provincial autonomy only that will be lacking. It may be argued that too much stress is being laid on safeguards. But, my Lords, safeguards are just as necessary for India as they are for England. Great constitutional changes, if they are to succeed, if they are to last, cannot be made rapidly.

Next: "What will be the powers of the Federal and Provincial Legislatures?" It will be outside the competence of the Federal and the Provincial Legislatures to make any law affecting the Sovereign or the Royal Family, the sovereignty or dominion of the Crown over any part of British India, the law of British nationality, the Army Act, the Air Force Act, and the Naval Discipline Act. The Federal Legislature will have an exclusive power to make laws for the peace and good government of the Federation with respect to the matters ceded to their jurisdiction and set out in List I of Appendix VI. In this list there are 64 subjects. Provincial Legislatures will have a similar power in respect of the matters set out in List II. In this list there are 77 subjects. It is true there are many safeguards. It is also true that there are many subjects ceded to the jurisdiction of the proposed Federation. Problems will arise which will exercise all the patience and all the statesmanship of Indian Ministers. It will be for them to set their hands to the plough and their faces to the future.

Next as to law and order. Hitherto this has been a reserved subject. The Simon Commission were forced by arguments and circumstances to come to the conclusion that if you are to have provincial autonomy—and there is not any responsible statesman who would not go as far as that—you must allow law and order to be administered by the Provinces. I confess this proposal fills me with anxiety, but there is, it seems, no escape from this conclusion. This is not the moment to argue its propriety. The opportunity to do so will arise later. The powers given to the Governor of each province are *mutatis mutandis* the same as those given to the Governor-General. There are some small differences, but, as in the case of the Governor-General, so in the case of the Governors of individual provinces, there will be the express enactments of the Act of Parliament, and there will be the Instru-

The Lord Chancellor.

ment of Instructions, which must be approved by Parliament.

Next as to finance. Your Lordships will remember that the Governor-General has a special responsibility for safeguarding the financial stability and the credit of the Federation. He will be empowered at his discretion, but after consultation with his Ministers, to appoint a financial adviser to assist him. The appropriation of revenues relating to certain heads of expenditure will not be submitted to the vote of either Chamber of the Legislature, but, with some small exceptions, will be open to discussion in both Chambers. The important ones to which it is necessary to draw attention are: firstly, expenditure required for the interest, sinking fund charges and other expenditure relating to the raising and service of loans, salaries and pensions of people who are, or have been, in the service of the Crown; secondly—not votable but discussable—expenditure required for the purposes of defence, external or ecclesiastical affairs.

Let me now pass to credit and currency. It is a fundamental condition of the new Constitution that no room shall be left for doubts as to the ability of India to maintain her financial stability and credit both at home and abroad. With a view to ensuring confidence in the management of Indian credit and currency, there will be established on sure foundations and free from any political influence as early as may be found possible a Reserve Bank which will be entrusted with the management of the currency and exchange. Before such a bank can start operations with a reasonable chance of successfully establishing itself, the Indian budgetary position should be assured and the existing short-time debt both in London and in India should be substantially reduced. Adequate reserves should have been accumulated and India's normal export surplus restored.

Next as to commercial discrimination. This is a matter which has caused great anxiety to the trading community both at home and in India. Discrimination may be exercised either legislatively or administratively. The basic proposal is that the avoidance of discrimination would best be achieved by specific provisions in the Constitution. Time forbids me to go into the subject, important though it is, at greater length, but the Governor-General—and, the Governor of each Province—has a special responsibility given charging him with the prevention of commercial discrimination. The Legislatures will have no power to make laws of a discriminating character against any British subject, including in that term companies, partnerships or associations constituted by, or under, any Federal or Provincial law.

Next, with regard to the Federal and Provincial Legislatures. First of all, as to the Cabinet. In his Instrument of Instructions the Governor-General will be enjoined to use his best endeavours to select his Ministers in this manner—namely, to commit to the person who, in his judgment, is likely to command the largest following in the Legislature the selection of Ministers for the Governor-General's appointment, including as far as possible members of important minority communities and representatives of the States Members of the Federation. At the Centre it is proposed to have two Chambers: a Council of State which will last for seven years, and a House of Assembly, which will continue for five. The Chambers will be of equal power, and Bills—other than Money Bills, which must be initiated in the Assembly—may be introduced in either Chamber. There are provisions for an Oath to be taken by members, for the election of a Speaker and the determination of a quorum, for qualifications and disqualifications of membership, and for freedom of speech. Further, there are provisions as to what is to happen in the case of a disagreement between the two Houses. At the moment the numbers of each Chamber and the proportions to be assigned to British India and the States are not determined. With regard to the Provinces, Bengal, the United Provinces and Bihar prefer a bicameral, the others a unicameral Legislature, but here again, *mutatis mutandis*, the procedure of the Chambers, and the powers of the Government follow those laid down in respect of the Centre. This is not the occasion to define in detail the competence of the Legislatures in terms of subjects, and their rights in respect of revenue. Some subjects will be exclusively assigned to the Federal and Provincial Legislatures respectively, while in others both Federal and Provincial Legislatures will exercise a concurrent jurisdiction with appropriate provisions for relieving conflicts of law.

With regard to the franchise and communal award. Having regard to the large number of adults in India, to the great amount of illiteracy, and to the position of women, we are met with difficulty in every direction. The expense of elections and the huge area of the constituencies prohibit adult suffrage. Again, the methods of direct and indirect election have to be considered. Over and above that, the claims of the Moslem community for separate electorates, to which effect has always been given, and the impossibility which the various parties in India found in coming to an agreement, complicates the problem. In the result a compromise had to be effected which was carried out by the award of the Government in August last year on the communal question. The position now stands as follows: Since British Indian seats in the Upper Chamber of the Federal Legislature will be filled by indirect election by the Provincial Legislatures, no question of franchise qualification arises, but certain specific property and other qualifications will be required in members. The franchise for the Lower Chamber of the Legislature will, for practical purposes, be the existing franchise for the present Provincial Legislature.

The existing franchise in all provinces is essentially based on property. In adopting it, with certain modifications, as the franchise for the Lower Chamber of the Federal Legislature, it is proposed to supplement the property qualification by an educational qualification common to men and women, and, where necessary, by differential franchise such as to produce an electorate of approximately 2 per cent. of the Depressed Classes. Provision will be made for an electorate for the seats to be provided for commerce, labour and other special interests in the Federal Lower Chamber. The effect will be to enfranchise between 2 and 3 per cent. of the total population of British India. The gross total electorate will amount to between seven and eight millions. The Provincial franchise will be based essentially on property, supplemented by an educational qualification common to men and women alike; also by a qualification for women in respect of property held by their husbands, and by a provision directed to secure an electorate of 10 per cent. of the Depressed Classes. If these proposals are accepted, taking Bengal as a typical case, seven and a-half millions would be enfranchised out of a total population of fifty millions, and probably—it is only an estimate—the general effect over British India would be to enfranchise some 27 per cent. of the adult population. Your Lordships will see that these totals do not materially differ from the recommendations of the Commission. It is to be hoped that the admission of women into the political life of India will proceed rapidly.

Next with regard to the States, the date and conditions for the inauguration of the Federation depend upon their accession to it. The process of negotiating with the States individually cannot be undertaken until the Act, which is the basis of the Princes' agreement, has been passed, for until that time arrives the States will not be in a position of final and complete knowledge of the character and powers of the Federation to which they are asked to accede. The condition to be satisfied before the Federal Constitution is brought into operation is that the Rulers of the States representing not less than half the aggregation of the Indian States and entitled to not less than half the seats to be allotted to the States in the Federal Legislature, shall have executed their Instruments of Accession. The Federation will be brought into being by Royal Proclamation, but the Proclamation will not be issued until both Houses of Parliament have presented an Address to the Crown with a prayer for its promulgation.

With regard to the Federal Court, there will be a Federal Court with original and appellate jurisdiction in regard to federal matters. Care is taken to ensure the independence and tenure of the judges. The provincial High Courts, usually known as the Chartered Courts, will be maintained. From all these Courts it will be possible to appeal; sometimes as of right, and sometimes by leave, to the Privy Council. There is a further provision enabling the Federal Legislature to establish a Supreme Court of Appeal for British India, should it so desire.

With regard to the control of Parliament, it follows that by the operation of the Act and of the Instrument of Instructions, there will be control of the situation, either by the Governors of the Provinces with supervision by the

Governor-General, by the Governor-General with supervision by the Secretary of State, and by the Secretary of State with the supervision of Parliament, in whom will rest the ultimate control. The Council of India as at present constituted will cease to exist and the Secretary will have an advisory committee to assist him. Whatever opinions may be held as to the contents of the White Paper, we must all agree that we are indebted to the civil servants for their work early and late during the last three months which has made the completion of the draft so soon possible.

With regard to the constitution of the Joint Select Committee, the Government will ensure that all parties and all main bodies of opinion are represented. Indians will be taken into consultation by the Committee. They cannot be members of it as they are not members of Parliament. It will be for the Committee itself to decide in what way their experience may best be used. Such are the proposals which we desire to place before a Joint Select Committee. Give me leave to sum up the situation in which we find ourselves. It is not difficult to criticise any type of government or to make a case against any suggested reform, but first, last, and all the time, we must take care not to undermine the foundations of a policy which our forefathers have done so much to build up. But, my Lords, you cannot stand still; you cannot do little or nothing. What are we to see? Are we to see an India companioned by content, an India making her contribution to the peace and progress of all her many peoples, or are we to see an India, torn assunder by dissension, seething with sedition, no use to herself, no use to England, no use to the world?

Whatever course we pursue, we shall find ourselves confronted with some risk. To grant complete independence is a risk: to do little or nothing is a risk; to accept these proposals is a risk. But it is with empires as with individuals. Those who will not risk cannot win. They even may lose what they have. The scheme upon which we desire the opinion of the Joint Select Committee, and for which with any modifications made by the Committee we hope ultimately to obtain your approval, is not only a scheme which can be worked, but one which will be worked. At first possibly by only a section of the Indian people, but eventually by all of them. We have done our best. It is a scheme which, whatever people say, will prove to the world that England is not unmindful of, and has fulfilled, her promises. It is a scheme which, if you accept it now, may, and probably will, give you a breathing space for years. If you reject it, we may soon have to go farther and fare worse.

During this controversy we have heard, and shall continue to hear, extreme views put forward in extreme language. That method, let those contrive who will, and when they will, but, as for you, my Lords, when you have considered all the circumstances, when you have weighed all the difficulties, and when you have compared all the alternatives, we do not doubt that you will reach the conclusion that these are wise and practical proposals. They give a maximum of opportunity to India with a minimum of risk to England. A great Indian religious leader and a great Greek political philosopher taught their disciples that in human affairs the wisest course is to follow the middle way. It is because this scheme is, as we think, a middle way between those who ask too much and those who offer too little that we commend it to your Lordships' careful consideration. Our hope is, our belief is, that it provides a path which will lead us to peace at the last.

Moved, That this House do concur in the Resolution communicated by the Commons, namely: "That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."—(*The Lord Chancellor.*)

LORD SNELL: My Lords, the House is under a very great obligation to the noble and learned Viscount for his lucid and most informing exposition of the scope of the problem which is before your Lordships, and I should like, for my own part, to acknowledge in the fullest way the great courtesy and the unfailing patience which, in his capacity as presiding officer of the Round-Table Confer-

ence, the noble and learned Viscount kept that Conference united in the common purpose of promoting the good of India and of our own country. The only critical comment I would venture to make upon the noble and learned Viscount's speech is that he has placed undue emphasis, not on what is to be given to India, but on what is to be withheld from her. I agree with him, however, in the well merited tribute that he paid to the Civil Service for their help in the matter which is before your Lordship's House.

I would like to say that this is in no sense a Party question, and I shall approach it upon the assumption and with the belief that everybody in your Lordships' House is just as anxious as I am to secure the greatest good that is possible to India and to our own country. I also feel that no past declaration should bind us rigidly to a particular set of words or opinions, for we stand in our own place with the problems of our own day before us. The Labour Party, for which I have the honour to speak to-day, desires first of all to reaffirm its point of view in this debate—a point of view which it would be foolish for me to hide, or for your Lordships to ignore. The Labour Party is quite as patriotic as the Epping Party although it may not rise to the same heights of self-esteem, but there are certain principles to which we, as a Party, are bound and to which I should like to draw your Lordships' attention. One is that of co-operation between the British Government and the leaders of Indian opinion. We believe that their co-operation should be always sought and never lost sight of, that we should seek to win them at every stage to such constitutional changes as are to be made with regard to their country.

The question as to whether the Labour Party should take part in the Joint Committee which it is proposed to set up was not unanimously approved. Many of our colleagues were unwilling to submit any of their colleagues to the experience that it was feared they might have to meet upon that Committee where their votes and not their views would be respected, where it might happen that they would be isolated and ignored as colleagues and their proposals automatically rejected. They also felt that there was a difficult question regarding the release of such political prisoners in India as have not been guilty of acts of moral turpitude.

Lord Snell.

It was felt that we ought perhaps to decline to appoint this Committee until they had been liberated, and I venture to hope that before this Committee actually begins its work His Majesty's Government may make a gesture of good will to India by releasing at least a great part of those prisoners. Nevertheless, the Labour Party as a whole felt it to be their duty to share the responsibilities of Parliament in the great and grave matter which is now before its attention.

They desire me, however, to ask your Lordships to be permitted to read in your House the declaration of principle that was made in another place:

> "The Labour Party stands by the declaration made at their Blackpool Conference in 1927 to the effect that:
>
> > "We reaffirm the right of the Indian peoples to full self-government and self-determination, and therefore the policy of the British Government should be one of continuous co-operation with the Indian people, with the object of establishing India, at the earliest possible moment and by her consent, as an equal partner with the other members of the British Commonwealth of nations."
>
> "The Labour Party believe that, as stated by the Statutory Commission, the new Constitution should contain within itself provision for its own development. We think that the new Constitution should contain the principle laid down in the Irwin-Gandhi Pact that such safeguards as are necessary should be in the interests of India and agreed on in co-operation with the leaders of Indian opinion. The new Constitution should adopt the principle laid down by the Labour Government at the First Round-Table Conference, and repeated as their policy by the National Government at the Second Round-Table Conference, that the Reserved Powers should not be such as to prejudice the advance of India through the new Constitution to full responsibility for her own government. The policy of the Labour Party, reinforced by these declarations, is therefore clear and unequivocal, and the Party will, in an endeavour to further that policy, nominate its representatives to serve on the Committee."

The noble and learned Viscount, in his opening speech, said that this was not the occasion when detailed criticism of the White Paper would be appropriate.

I entirely agree with that idea, but there are one or two questions that I should like to ask which are of some importance. What, for example, is to be the exact position of the Indian representatives on this Joint Select Committee? Will they have full rights as participating members in everything except votes and the preparation of the Report? Will they be able, for example, to submit their own suggestions and to move modifications at all stages in the proceedings? It is important that that should be made clear. The late Earl Birkenhead, in your Lordships' House on November 24, 1927, said the representatives of India

"are most formally and specially invited to come and sit with the General Committee in Parliament and to develop any criticisms or objections that they feel . . ."

Then there is the question of the British representatives on the Committee. Will they be permitted to have their secretaries or advisers with them, as was the case at the Round-Table Conferences? The strain to which they will be submitted will be both severe and prolonged. It would seem that such help would be serviceable both to the nation and to themselves. I hope that the noble Lord, Lord Irwin—who I sincerely trust will be well enough to attend later—will be able to give some satisfaction in answering those questions.

I pass, my Lords, to larger and more important matters. The first difficulty that we feel is in regard as to what is called Dominion *status*. The Imperial Relations Committee of the Imperial Conference in 1926 said of the group of self-governing communities composed of Great Britain and the Dominions that each of them as regarded all vital matters had reached a full development. The Committee went on to define their position and mutual relationship as follow:

"They are autonomous communities within the British Empire, equal in *status*, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations."

At a later period the Prime Minister, speaking in July, 1928, said:

"I hope that, within a period of months rather than years, there will be a new Dominion added to the Commonwealth of our nations, a Dominion of another race, a Dominion that will find self-respect as an equal within this Commonwealth. I refer to India."

And in his speech as Prime Minister at the closing session of the first Round-Table Conference on January 19, 1931, Mr. Ramsay MacDonald said:

"Finally, I hope, and I trust, and I pray that by our labours together India will come to possess the only thing which she now lacks to give her the *status* of a Dominion amongst the British Commonwealth of Nations—what she now lacks for that—the responsibilities and the cares, the burdens and the difficulties, but the pride and the honour of responsible self-government."

So that the promises to the Indian people have been explicit and solemn and should be binding, and our criticism of the White Paper as it stands is that it appears that these solemn pledges have not been honoured.

Not only is Dominion *status* not granted, but there is no promise that it ever will be granted. The wisdom of granting Dominion *status* to India is open to question, but that we should keep our pledged word is open to no question, and we may have to hear angered Indian representatives say that they have been misled, if not betrayed. No experienced statesman would say that Dominion *status* could be conferred at once. Our complaint is that it appears to be ignored even as a goal of endeavour, and that omission will give aid and comfort to the extremists in India and will make more difficult the task of the enlightened and moderate statesmen of India who want to arrive at a statesmanlike conclusion. Further, it would seem that there is no assurance that this scheme will ever be carried out. No date for its coming into operation is fixed and the people of India know that there exists in this country a powerful political group of ex-administrators who have the avowed intention of impeding it at all stages and, if possible, destroying it. Then consider the impediments in the way of its realisation.

Not until the Constitution Act has been passed by Parliament will the Princes be asked to come in at all and, even so, we shall have to wait until the Instruments of Accession have been prepared. Secondly, the Federal Constitution will not come into operation until the Rulers of States representing not less than one-half of the aggregate population have executed these Instruments of Accession. Thirdly, Parliament is then to address the Crown praying it to issue a Royal

Proclamation in order to make the scheme effective. Can anybody be sure of the type of government that is going to exist at the time that these pledges have to be fulfilled? Suppose that a Government were to come into power dominated by those who object to anything being done in India—is it to be thought for a moment that this scheme would then go through as we wish it to go through at the present time?

Again, in regard to the period of transition no time is mentioned. It has always been understood, of course, that there would be a period of transition during which approved safeguards would be enforced. The Prime Minister, in the White Paper to which I have drawn attention, held out as an objective that responsible government, qualified during the period of transition by limitation in certain directions, would be granted. In the Act of 1919 a period of ten years was fixed when the subject might be reviewed, but here any question of time has been avoided. The whole idea of Dominion *status* would appear to have gone. The idea of progressive advance towards self-government disappears and in regard to machinery, such as the powers of the Governor-General, the Indian Army and finance, there is an assumption of finality which cannot do other than intensify the problem. I thought that if anything had been agreed to in regard to this problem it was that dyarchy in India had not worked well, but here we not only do not destroy dyarchy, but we transfer it as it were from the Provinces to the Centre with a possibility of evil there which causes the Party with which I am associated the gravest anxiety.

We should also have liked more liberal conditions to have been given in regard to the women of India. The proposed representation for them appears to us to be quite inadequate. The greatest need in India at present is that of an educated womanhood, and the problem there of wise judgment in matters affecting women's life demands the assistance of the wisest women that India has. Such matters as to the age of consent, child marriage and maternal mortality require the assistance of wise and courageous women. As I see the matter, looking forward, under this Constitution or any other, the men of India will be enormously preoccupied during the first years of its operation, with the danger that those things which affect women's lives may be overlooked, or at least ignored, because of these other things that have to be done. The effect of these proposals seems to diminish substantially the proportion of women voters that was proposed in the Lothian Franchise Committee. No one can have worked with, watched and admired the wise capacity of Indian women like Mrs. Naidu, Mrs. Subbarayan or the Begum Shah Nawaz at the Round-Table Conference without feeling that India would be richer if women of a more representative character were permitted to take part in the very important work that is before them.

I would like to say one or two words about the question of safeguards. This is a question of great difficulty and no one will wish to raise objections to safeguards, in so far as they are necessary, because they have always been understood. The Prime Minister made it clear that it would be responsible government qualified during a period of transition by limitations in certain directions. But we nevertheless approach this question of safeguards with considerable anxiety. Let me recall to your Lordships the declaration of principle that I read for my Party. We think that the new Constitution should contain the principle laid down in the Irwin-Gandhi Pact, that such safeguards as are necessary should be in the interests of India and agreed on in co-operation with leaders of Indian opinion. We should like to believe that these safeguards had been arrived at with this end in view. They appear, on the other hand, to be designed mainly for the interests of Great Britain, the interests of India, of course, not being entirely overlooked. Our complaint about these safeguards is that they are not merely absolute but final; that they do not allow for growth; that they take from the principle of self-government its very spirit and meaning. India is to have freedom as a bird within a cage has freedom, but no more.

It would appear that this matter touches the very core of the problem. Why cannot we be perfectly frank about this matter? Let us try to convince the Indian people that these safeguards are necessary. It is mere adroitness to say

we are giving self-government when the very spirit of self-government is being withheld. We shall be accused by the English people of a parade of generosity in small things, with a miser's caution in the things which affect a nation's self respect. So our judgment upon this question of safeguards is that it leaves the soul of India affronted. We are gambling on the chance that an enforced discipline will produce the acquiescence that is required. My Lords, mere obedience is the least commendable of virtues. A necessary condition of creative co-operation is freedom for independent self direction. So absolute do these safeguards appear that the *Morning Post*, the solitary and delighted exponent of class war in this country, is almost lyrical in its praise:

"The Governor-General and the Governors are safeguarded at every turn . . . . They are empowered to override Ministers, to initiate and prescribe legislation, to provide their own finance, to carry out their own policy . . . . There is a safeguard . . . in every page of this White Paper."

Then there is a word of warning from a Tory paper, the *Evening Standard*, which says:

"If the new system of government is intended to be a reality they (the safeguards) must be used very sparingly, otherwise the Indian politicans will complain that they have been cheated. It is certain that they could not be used at all without grave friction . . . ."

I commend those views from a sober source to your Lordships' attention.

Permit me to say, in passing from that aspect of the subject, that our complaint is limited to just this, that the scheme fails in its spirit. Trust is a thing that you cannot give and at the same time withhold. If you give you must give generously and believe that you will meet the necessary response. There is a verse in the Book of Proverbs to which I would like to draw your Lordships' attention in this connection:

"There is that scattereth, and yet increaseth; and there is that withholdeth more than is meet, but it tendeth to poverty."

I cannot understand why His Majesty's Government is so cautious in just this one thing that matters. There is nothing in India to justify it. The statesmen of India have learned to know the problem as they never knew it before.

It is not in India that the trouble is. The trouble is at home. The Government are seeking to appease a section of their own Party, and they might as well hope to thaw a glacier by breathing upon it, as to change that point of view; but there is a safeguard that apparently the Government have forgotten—the safeguard of the Indian workers, which we view with some alarm. Under this, and perhaps under any scheme, they would lose one safeguard which they have always had. There has always been a vigilant group in Parliament, not confined to any one Party, which yet saw that if injustice touched the head of any man in India the Secretary of State would have to account for it. The workers of India are more or less left naked before their exploiters.

There is this one other consideration. It will be remembered that the Princes agreed to come into the Federation on condition that British India was a self-governing body, and that India was not ruled from Whitehall. One wonders whether they will consider that this scheme gives them the condition they sought. It has been said that there is no alternative to the scheme before your Lordships' House. I think there are other and better alternatives, and I will suggest one. If we should satisfy the Indian people in one or two big things, as to the possibility of growth and the steady and assisted march to Dominion *status*—promise them that and I will give any of the safeguards that you think are necessary for transitional purposes, and I believe that India will give them too. In those circumstances we could rightly ask India to trust our judgment.

We have had a thousand years of experience in the work of nation building, and we do not find it so easy. With an almost uncanny gift for seeing difficulties and overcoming them, we advance timidly a step forward only to find that we have been mistaken and that we have to retreat. Other nations have had the same experience. I remember a statement attributed to Catherine of Russia. When Diderot put before her a cut and dried scheme for the better government of her country she said:

"You work on paper, which will put up with anything, but I, a poor Empress, have to deal with human nature—a vastly different thing."

So, in this matter, the human factor is variable and incalculable. The Indian people could quite well accept our ex-

perience in regard to the machinery of this Constitution, for all that we want to be sure of is that the wheels will go round when the machine is ready to start. If we could give them satisfaction in what touches their self-respect they would, I feel, give us gladly and with both hands the conditions of safety in the process.

I have tried to place before your Lordships with clearness and with reasonable brevity what is, I know, an unpopular view in your Lordships' House, a view which it was my duty to put before you—there is no reason why we should be here except to do precisely that one thing; and I thank your Lordships for listening so courteously and attentively. We are not unmindful of our duty in this grave matter, and we shall, with a full sense of responsibility, try to make our contribution to the solution of what, I repeat, is the greatest and gravest problem of our time.

THE EARL OF LYTTON: My Lords, the Motion on the Paper, which was moved by the noble and learned Viscount on the Woolsack, only invites our consent to the setting up of a Committee to consider the future government of India. But I imagine that the Government desire that during the debate which will ensue we shall comment upon the merits of the White Paper itself, which represents the contribution of the Government to that problem. Indeed, the debate could hardly take place on anything else, because I imagine that there is little, if any, difference of opinion as to the necessity of appointing such a Committee. The noble and learned Viscount on the Woolsack invited us to look at the White Paper in its broad outlines, and I shall follow the noble and learned Viscount's invitation. It would clearly be out of place to consider the details of proposals which are admittedly tentative, and which are going to be subjected to the closest examination by the Committee when it is set up.

Let me say, then, that if the outline taken is sufficiently broad I accept this White Paper at least as a basis for discussion. But there are features of it which cause me some anxiety, which honesty requires that I should state, even at this stage. If I do so it is not from any wish to embarrass His Majesty's Government. I am fully conscious of the immense difficulties of this problem. I have had actual experience of it. It is almost impossible for anyone to say with absolute certainty exactly what ought to be done here and now, having regard to the variety and complexity of the interests involved. And I recognise, and desire to pay a tribute to, the sincerity and conscientiousness of the Secretary of State in his endeavour to find the best solution for this great difficulty. I am whole-heartedly with him in his belief that further advance along the lines laid down by all Parties in 1919 is now due, and I agree with the noble Lord who has just spoken that it is over-due. If I venture to make a few criticisms of certain features of the White Paper, it is not because I want to go back, it is not because I want to stand still, it is not even that I want to go more slowly than the Government in the matter, but merely because in certain respects I desire to proceed differently towards the same goal.

I have read most, if not all, the speeches that have been made by members of the Government in defence of the White Paper, and I cannot help feeling that the arguments which they use are directed rather to the justification of some policy, some action, some advance, rather than to a defence of the particular proposals made in the White Paper itself. They do not tell us that they are united in recommending this as the best possible policy in the circumstances, as good in itself, as in all respects suited to the present conditions in India; but they remind us that they are not free, that the slate on which they are writing is not a clean slate—others have been before them—and that in certain respects they are committed. They admit that the experience of the past has not been entirely happy, and they express doubts as to whether the proposals contained in this Paper will, in fact, provide a better Constitution than that which exists to-day.

I noticed that even the Lord Chancellor to-day, when introducing the subject, spoke of his own anxiety, and the eloquent termination of his speech was almost confined to reminding us of the risks which were involved in the policy. But the Government say: "We must do something, and this proposal is suggested to us by the Simon Commission, that by the Round-Table Conference, that other

by the Indian Princes; and after all, if the scheme does not work perfectly, at least we have provided adequate safeguards, and we have reserved complete powers in the last resort in the hands of the Viceroy and the Governors of Provinces." I think that kind of reasoning is rather a counsel of despair, and it fills me with some anxiety and misgivings. It seems to me that since the Simon Commission issued its Report the Government have had no policy of their own to recommend to Parliament, but have endeavoured rather to seek more and more advice in different quarters. We have had, as we have been reminded to-day, three sittings of the Round-Table Conference, three Committees have been sent out to India to examine particular aspects of the problem, and now it is proposed that the White Paper should be submitted to yet another Committee. What I fear is that when at last a Bill is produced, representing the policy of the Government of the day, we shall be told that it is too late for us to consider any other alternative; that we must, in fact, pass the Bill because it has had so many fathers. I cannot help thinking that this is not quite fair to Parliament, and, after all, we are always being reminded that the ultimate responsibility rests with Parliament.

The Lord Chancellor to-day spoke about pronouncements made by Viceroys and Princes, pronouncements which have been woven into the fabric of men's minds in India. I agree, and I deplore the fact that pronouncements of this kind have been made before Parliament has had an opportunity of putting forward a Bill. I think that in a matter of this gravity Parliament is entitled to have placed before it the considered policy of His Majesty's Government and not the policy of other people who are, after all, not responsible to Parliament. I very much regret that in this last discussion even the opinions of civil servants in India were introduced in order to justify the proposals of the White Paper. I shall be told that the time has not yet come for this, that some day we shall have a Bill, and that then we shall be free to discuss it; but what I fear is that when that day comes we shall not in fact be free. We are not really free now, in view of the procedure that has been followed and the various pronouncements which have been made, of which we have been reminded to-day, and when at last the Bill is introduced I feel that we shall not be free at all.

I think, my Lords, that after the Statutory Commission had issued its Report the Government ought then to have introduced a Bill of their own. They ought then to have told us what their policy was, and if that had been done not only should we have been much freer to discuss it, to criticise it, and if necessary to amend it, but we should have avoided the delay which has taken place during these last three years. During that time considerable experience might have been obtained in India of great value to us in coming to a final decision, and all the unrest which has been accumulating because of this delay might, to a large extent, have been avoided.

But, after all, that is only a criticism of procedure. I come now to consider the proposals of the White Paper itself. Here again, if I mention certain anxieties which I feel about some of its features, my criticism is a criticism of detail, and in no sense a criticism of the intentions of the Government. Broadly speaking, the policy of the White Paper is to establish full autonomy in the Provinces and a Federation of Provinces and States at the Centre. I accept the policy of provincial autonomy. I only regret it was not introduced some years sooner. I also accept in principle the combination of these autonomous Provinces in British India with the autonomous Governments of the Indian States in a Federal Government for the whole of India. I believe that that is the best outcome, if it could be achieved, of all we have been trying to do since 1919. But what I do doubt the wisdom of is setting up now an incomplete, imperfectly digested, and ill-prepared Federal Government with a divided responsibility which all our experience in India, all the experience of the past, leads me to think will work badly. I do not believe that the authors of this Constitution themselves really believe it will work, and I think they are relying too much upon the safeguards by which it is accompanied to save the situation and put things right when the expected failure of the rest of the machinery takes place.

In this matter I speak from experience. I tried to work this very principle as a

Governor of an Indian Province. There are in your Lordships' House other noble Lords who have served as Governors, and who will probably bear me out in what I say. The system did not work well. It did not work well even as an instalment of Parliamentary Government; and to introduce such a system into the Government of India, where the issues are so much more serious, where the consequences of friction will be so much more serious, seems to me to ignore the lessons of the past.

When I say that dyarchy was a failure, I do not mean, as I sometimes hear it stated, that the transferred Departments were badly administered. That was not my experience. I do not mean that Indian Ministers were less competent. In the Province of which I was Governor the same men who served as Ministers were afterwards in several cases selected by the Governor to be his Executive Council. I have been unable to detect any difference in their administration whether they were acting as Ministers or as Executive Councillors. It was not the administration, it was the Parliamentary responsibility which was at fault. Under this system the relations between the Executive and the Legislature were not harmonious. Ministers were not regarded, as they were intended to be regarded, as representatives of popular opinion. My experience was that the reserved half of Government was disliked, but it was respected, whereas the transferred half of Government was not only disliked, but it was despised.

This unfortunate result of dyarchy will, I trust, be largely eliminated from Provincial Government as the result of the proposals contained in the White Paper, but I fear that these results will be introduced to a far greater extent into the Government of India if you apply to that Government the same system of divided responsibility. The Government of India to-day may not be popular, but it is respected. I doubt whether the proposals of the White Paper will make it any more popular under the system here described, but I fear it may, as in the case of the Provinces, cause it to be despised; and it is a very poor service to the cause of popular Government, Parliamentary government, to bring all governments into contempt. To create a Parliament and to deny it power is to invite friction, for it is the essence of Parliamentary government that Parliament must be supreme—at least no Parliament will ever be satisfied until it is supreme. So I feel it is wiser not to create Parliaments until you are prepared to give them such power. The Government are evidently not prepared to give some powers to the Federal Government in India, and yet feel it wise to create a Federal Parliament without such power and that is where I respectfully differ from them.

I may be asked: "What, then, is your alternative?" I agree with the noble Lord who spoke last that there are alternatives. I venture to submit one, but I do not want to speak dogmatically about it or to be in any way too positive. The White Paper begins by stating that Federation elsewhere has usually resulted from a pact entered into by a number of political units, each possessed of sovereignty or at least of autonomy. It goes on to point out that in India the Provinces have not yet got those independent powers of authority to surrender. That seems to me the best possible reason for creating them before you create a Federal Government. I know of no precedent for proceeding otherwise. If there are such precedents I hope that some spokesman from the Government in the course of this debate will give us an example of a departure from what the White Paper describes as the usual procedure. I think that if the usual practice increasing federations were followed, the dilemma put by the Secretary of State about responsibility and safeguards would not arise. If a Federal Government is a desired goal surely the first step is to create confederate States, confederate units, and, when they have been created, it is quite possible by such a pact as the White Paper describes to bring them together into a Federal Government. If that course was adopted the safeguards which would be embodied in such a Constitution would be the result of agreement between the different units which have come together to form the Central Government, and they would not result in the same degree of friction which, I am afraid, will be the consequence of the proposals of the White Paper.

Indeed, one of the things I most fear about the proposals contained in this

Paper is that they will bring the whole idea of safeguards into disrepute, for I recognise that no matter what Constitution may be established there must be safeguards in it. There are safeguards which will be demanded under the procedure I am outlining by the representatives of the different interests concerned, and demanded in their own interest. I have no doubt I shall be told that although such a procedure is quite logical, although it is theoretically sound, it is practically impossible because the people of India will not accept it. That is, in fact, the argument used by the noble and learned Viscount on the Woolsack this afternoon. That may be true. I do not know. I am not in a position to judge. It is already six or seven years since I left India, and I may be quite a back number by now, but if it is true that the people of India would be unwilling to attain their federation by the same steps by which every other federation in the world has been attained, I can only say that is because the argument has never been addressed to them in the right way.

It is one of the inherent fallacies of all discussions on this constitutional problem in India that Indian politicians believe—and they have been encouraged in this belief—that the kind of Constitution which they want is something which can be given to them ready-made in an Act of Parliament, that it is something which it is in our power to give and not something which is in their power to achieve. I believe that to be quite unsound. Until that fallacy is corrected you will have continual disappointment, and none of the instalments of self-government which Parliament may introduce, however they may be framed, will give satisfaction to the people who believe that they can have a measure of self-government complete in all its details embodied in an Act of Parliament and handed over to them to work.

For this reason I doubt very much whether the present instalment will in fact be more satisfactory, or at any rate more acceptable than others that have preceded it. But I believe that if Parliament were to say in a spirit of real confidence to the people of India: "we are willing to establish a Federal Government for the whole of India as soon as the necessary conditions have been fulfilled, and the necessary conditions are the creation in the first instance of self-governing units in British India and agreement between such units and the self-governing Indian States regarding the terms on which they will agree between themselves to accept the authority of a Federal Government. In order to satisfy the first of those conditions we will establish now full provincial autonomy in the Provinces, to be followed, as soon as the second condition is fulfilled, by a Federal Government at the Centre"—I believe that if Parliament were to say that in all sincerity, they would have as good a chance of having their proposal accepted as have the Government to-day of securing acceptance for the proposals which they have put forward. In any case, whether that be so or not I myself would never be a party to recommending something that I thought unwise, something that I thought would not work, merely because I was told that somebody wanted it and it must be given merely because it was desired.

It is impossible in the limits necessitated by this debate to enter into any greater details. I only wanted to say so much because it is so often stated that there is no alternative except to stand still or go back to the proposals contained in the White Paper. I think there are alternatives. There may be others more worthy of consideration than that which I have mentioned. I only hope that the Select Committee when it is appointed will be free to consider all alternatives as well as the proposals contained in the White Paper, and as a result of their deliberations to put forward that which they consider the best suited to the conditions. In the meanwhile, all that is being said and written about abdication and surrender seems to me extremely mischievous—mischievous because it encourages terrorist activities in India. I know that is the very last thing people who use those arguments have in mind, nevertheless that is a consequence of arguments so put forward. When these extremist bodies read or hear concessions which they regard as altogether inadequate described as a cowardly surrender, then they flatter themselves that they have made somebody afraid, and they think that by a more intensive application of the same tactics they will secure an even greater surrender.

I am quite convinced that in putting forward these proposals His Majesty's Government are actuated by no feelings of fear of anybody, and they have shown —I gladly pay my tribute in this matter —that they, in close co-operation with their representative in India, have known how to re-establish and maintain law and order in that country. I am certain that they have put forward these proposals in the sincere conviction that they are what is best for India and that what is best for India must in the long run be best for Britain also. If I have ventured to make some criticisms of one or two of their features I have only done so because actual experience has taught me that this system of divided responsibility which is a feature of dyarchy in the Provincial Governments in India and which, to some extent, it is proposed to introduce into the Government of India, is neither an efficient safeguard of those interests which you desire to preserve nor a good training for responsible self-government.

LORD AMPTHILL: My Lords, it is a long time since I have inflicted a speech on this House and it is with reluctance that I now ask your Lordships to listen to me for a short while. A sense of duty which may or may not be mistaken compels me to trouble your Lordships. I have had something to do with Indian affairs in days gone by and it is expected of me by my friends in India as well as by my friends in this country, that I should say something about these momentous proposals for reform from a seat in this House that I have had the privilege and good fortune to hold for no less than forty-two years. I am aware that my opinions may be regarded as out of date, for many years have passed since I was in close touch with Indian affairs. But anybody who for a while has lived in India, and lived for India, as I had the privilege of doing, must retain to the end of his life a deep attachment to that land of infinitely varied enchantment and a warm affection for all classes and conditions of her peoples.

Ever since I first went out to India forty-three years ago the thoughts of India have never been far from my mind. I have thought of India and dreamed of India from day to day and I care as much as any other person in this country what happens to India. As an Englishman I feel that the destinies of the whole of the British race are indissolubly bound up with those of India and with the faithful discharge of the great duty that, under Divine Providence, the British race has towards the peoples of India. We have made these peoples dependent on our protection and guidance and we have made ourselves responsible for their happiness and contentment. We cannot withdraw that protection or abandon that responsibility until it is certain that India can do without our assistance. Our duty in accordance with our pledges, expressed and implied, is to make the peoples of India gradually fit for a larger measure of self-government and to afford them every reasonable opportunity of assuming greater responsibilities, both individual and collective.

To my mind, the whole question is one of the rate at which that progressive devolution of authority should be made. I have been in favour of progress—gradual progress—ever since I was in India. I was advocating some steps in advance long before the question of Indian constitutional reform arose in Parliament during this century. My starting point for the consideration of the present question is a sincere desire to further any measures which will be for the welfare and higher good of the peoples of India according to their own notions, provided always that nothing is done in detriment of our undoubted rights and vital interests. My Lords, we have a right to be in India. The moral and material structure of the India of to-day has been built up by the joint efforts of Englishmen and Indians. It is a concern in which we are partners, united not only by bonds of mutual self-interest in the material sphere, but also by moral ties arising from a glorious association for a century and a half which has been one long splendid tale of kindness and affection between man and man of our two races, of heroic striving and endurance and of self-sacrificing devotion on both sides. Those are things that cannot be changed by time and circumstances. They are as imperishable as the soul of a people, to which indeed they belong. If it be true that nothing ever obliterates the memory of ancient wrongs, real or alleged, from the heart of a people, it is also certain that justice, mercy and mutual confidence in times of stress will never be forgotten. The vast majority

of Indians will always preserve friendly feelings towards men and women of the British race so long as we do not abandon them, just as in thousands of British homes the tradition of affectionate regard for India and her peoples will endure for generations. Great Britain and India cannot part company without supreme disaster to themselves and also vital injury to the whole progress of civilisation.

It cannot be denied that the policy set forth in the White Paper has not pleased anybody except its authors and a proportion of the supporters of the Government in Parliament. That is disappointing, and the most disappointing thing of all is that no section of opinion in India has given approval to the scheme. From every quarter we hear of dissatisfaction and disquietude. It is of course as certain as anything can be that with the present state of affairs no conceivable scheme of reform could escape discontented and bitter criticism in one quarter or another, and this seems to me to be a reason for making a somewhat slower advance until there is a larger measure of agreement among those whom we hope to benefit. I submit that the present attitude of the Princes towards federation affords abundant justification for caution and delay in certain respects. I cannot help thinking that, if it were put to them in the right way, all political Parties in India would take the same view since it is so manifestly in their own interests that no false step should be taken in this particular direction. Although the idea of federation has now been accepted by all those who were called into conference, it has not yet been possible to ascertain all its implications which were beyond the scope of the Statutory Commission. What is more important is that nothing has been done to ascertain the wishes of the provincial legislatures. Just as in some cases financiers would be asking for trouble if they published a scheme for an issue of new capital before it had been underwritten, so it is unwise to propose a scheme for reforms which includes definite provisions for federation until the doubts of the Princes have been allayed and they are generally and genuinely willing to bring their States into an All-India Federation. The question of paramountcy has got to be decided before there can be any hope of securing the general adhesion of the Princes to a Federal Constitution, and no alternative to federation is at present under consideration.

There are, however, further reasons for a more cautious advance which are clearly in the interests of India herself and ought therefore to appeal to all well-balanced minds in India. One of these is that the scheme of the White Paper will cost a great deal more money than India can at present afford, and another is that political changes will have a much better chance of success if they are inaugurated after the present period of economic depression is over. The masses in every country have a way of ascribing all their troubles to the Government under which they live, so that no new Governments in India are likely to enjoy much popularity so long as trade is bad. My own personal view is that the recommendations of the Statutory Commission go far enough for the present. I am willing to support those recommendations, subject to a few modifications in detail which have suggested themselves in consequence of recent events and the deliberations of the Round-Table Conference. This is not the time or the occasion to refer to these matters in detail, but I must mention the one vital matter in which I cannot accept the recommendation of the Simon Commission. With the best will in the world I cannot bring myself to agree to the proposal that law and order should be handed over to popular control.

To do that would be, in my humble opinion, unwarrantable gambling with what the Statutory Commission rightly called the "first interest of every Indian citizen" and, indeed, with the whole safety and welfare of India. From the point of view of Great Britain it would mean exposing the British Army in India to an intolerable strain and the likelihood of having to perform odious duties for which our soldiers are not enlisted. It is true that all troops are liable to be called out in aid of the civil power, but once you come to that stage there is an end to the popularity of soldiers and the confidence which their mere existence inspires among a law-abiding and loyal population. No, the time to hand over the Courts and the Police to self-governing Provinces in India will be

when India has such Armies of her own that the assistance of the British Army is no longer required. When you get down to realities and fundamental conditions, it is evident that the real test of fitness for self-government in any nation is the possession of armed forces sufficient for defence against external foes and the internal maintenance of the authority of the Government. You cannot get away from the fact that all goverance is ultimately based upon force. The only virtue in a majority of votes is that it indicates where a preponderance of physical force lies. So far as reason is concerned—and people would have us believe that the world now is governed by reason—it is just as likely that the opinion of a minority should be right as that the view of the majority is the wiser one.

But the thing goes further than that. You cannot have the spirit that makes for nationhood in a country which does not depend upon its own soldiers. Long years ago I was objecting to the proposed disbandment of Madras Regiments because I could not see how the people of the Madras Presidency would ever be made fit for self-government unless they had the opportunity of doing military service and at any rate learning to understand the first duty of citizenship. If I had the opportunity I should urge upon Indian statesmen and politicians that the best and surest way of hastening self-government would be the establishment of a National Militia in every Province as that People's Army or Constitutional Force which is essential to democratic nationhood. It is only thus that you will get the officers and men for the complete Indianisation of the Regular Forces in India or indeed the corporate spirit that is required in every autonomous State. It is only thus that you can give a democratic equality of opportunity in the important matter of military service for citizens. Our Indian friends who have gone to Ireland for many lessons have deliberately turned a blind eye to the military example in that country.

We must not forget that we have always declared that any further advance on democratic lines would be conditional upon the amount of co-operation and good will with which the last reforms have been worked. But thus far we have not had the co-operation we hoped for. On the contrary, there has been a deliberate policy of non-co-operation and in the place of good will there has been an unprovoked and malignant campaign of hatred. Can we hope that further concessions will bring us good will and co-operation, and that consent of the governed without which none of our safeguards can be of any avail? It was evidently the idea of the noble Lord, Lord Snell, that such concessions would bring us good will and co-operation, but I am one of those who believe that we shall only obtain the willing consent of the governed if we do actually govern, and recent events in India have given ample justification for that belief. How, indeed, can we expect good will and co-operation from the people if they are allowed to think that we intend to scuttle and abandon them to their fate? No, we must retain power to prevent oppression and disorder until the number of politically-minded persons in India has so far increased as to make democratic control as posible as it ever can be.

We are told that a complete change has come over India and that those of us who left even ten years ago cannot realise how great that change has been. I have still to be convinced that there has been any change in the character of the people of India, and it is with the character of the people that we are concerned. The object which we profess is to increase the welfare of the voiceless millions who form at least 95 per cent. of the population. To the best of my belief their religion is still the same as it has been for centuries, their social customs are the same, and they remain for the most part in the same condition of "pathetic contentment." I believe that if we left India to-morrow they would be more likely to revert to the Hinduism of former times than to make haste to copy the democratic example of Europe. Climate, environment and natural resources, the things that cannot be changed by any human agency, have something to do with the mind and soul of a people.

I have these beliefs in my bones, but I recognise nevertheless that we must go on with the great experiment of grafting European ideals upon the mighty stem of Indian ideals in the hope that a vigorous and fruitful new species may be evolved. As I have already said, I have always had much sympathy with the

aspirations of educated Indians, although no doubt I am supposed to be a reactionary, a diehard, a disgruntled Pro-Consul, or whatever else the eager constitution-mongers like to call those who have been in India and are now free to express their opinion. But I should like to give some proof, and I can remind your Lordships that that proof stands printed on many pages of the proceedings of this House. I am not ashamed to tell you that years ago I was working hand in glove with Mr. Gandhi, when he was fighting the cause of British Indians in South Africa. I was the champion, the solitary champion, of that cause in this country, but, unfortunately, I was unable to gain support either in Parliament or in the Press. I say, unfortunately, because that cause was proved to be right and just, and it was gained in the end, but not until it was too late. If the Government of the day had remembered the professions that we made during the South African War, and had promptly taken bold action on just and generous lines, it is certain that Mr. Gandhi would never have taken his new doctrines of passive resistance and non-co-operation to India. There would have been no occasion to do so, as the peoples of India would not have been slighted by the imputation of racial inferiority. That slight has been at the root of all the present troubles, and I need not dwell upon the immense factor that the personality of Mr. Gandhi has been in the development of present-day opinion in India.

What were we out for, Mr. Gandhi and I, twenty-five years ago? It was for that which I will call Dominion *status*, although it was not that changing and indefinable constitutional relation to which the term is now applied. What we wanted was a *status* in the Dominions of the Crown for our Indian fellow-subjects, the *status* of British citizens, so that they might be able to claim the rights of citizenship in the British Empire wherever our flag is flown, a privilege analogous to that of the *Civis Romanus* in the old Roman Empire. That is the real Dominion *status*, and if that *status* had been freely conceded to Indians in South Africa when the question arose in a highly critical form, conspicuous to the whole world, you would not be having the politicians in India asking to-day for a Dominion *status* which is utterly inapplicable to the relations between Great Britain and India and is, by its variable and changing nature, incapable of precise political definition. That, I submit with all respect, is the answer to what the noble Lord who spoke for the Socialist Party said about Dominion *status*. The appointment of a Joint Select Committee for the purposes declared in the Motion before the House, is obviously expedient and it seems to me to be the right course to adopt. I can only hope that those selected and appointed for this supremely important duty, will be men of sound judgment who will perform their task without fear or favour and with a single-minded desire to advise what is best in the joint interests of Great Britain and India.

THE MARQUESS OF LOTHIAN: My Lords, no member of this House can fail to feel grave misgivings and grave doubts when he considers the tremendous decision which has to be taken by Parliament in the next few months. The White Paper proposes to solve the almost infinite complexities of the Indian problem by setting up a federation on a scale and of a character never previously considered or attempted. It will be a federation containing 350,000,000 people, 80,000,000 of whom live under the autocratic control of 100 hereditary Princes, while British India has had twelve years experience of the Montagu-Chelmsford reforms. The federation will contain two great religions, still deeply suspicious of one another, and over twenty main languages and races, while the political foundation of its government will be some thirty-six million voters in a population 90 per cent. of whom are still illiterate.

That statement in itself is a justification for the safeguards in the White Paper, and that statement cannot fail to fill any thinking person with misgivings and doubts. We should have no sense of responsibility if we did not approach the problem with misgivings and doubts. Yet I believe, and I have thought about the problem almost continuously for three years, and visited India twice before the War, that when the Select Committee comes to face the facts they will be driven to exactly the same conclusion as have been the Round-Table Conference and the present Government. I do not believe that anybody in this House desires to defer or restrict self-govern-

ment in India. We are pledged to that policy, as has been repeatedly said, by the Declaration of 1917. It is indeed the inevitable outcome of our association with India for the last century and a half. What I think does cause anxiety in this House, and elsewhere, is how far and how fast can we go with safety—safety for the 350,000,000 people for whom we are still ultimately responsible; safety for the essential interests of this country; safety for the interests of the Empire.

I venture to think that the White Paper faces the realities of the modern Indian position. Its proposals are based upon three fundamental principles, and I do not believe that this House, or the Joint Committee, will be able to escape following those principles. The first is federation. Every authority which has ever reported upon the Indian problem has said that it is essential, as soon as possible, to develop India as a single unity. It is impossible in these days for the Princes, or the States, which do not form a single block but are scattered from one end of India to the other, to remain in the isolation in which they have been in the past. There are increasing anomalies, railways, customs, irrigation, company laws, defence, every day bringing both sides into ever closer contact. It is an essential policy that all India should be taken into consultation and unless the representatives of the States can come into closer contact with British India the responsibility on the Viceroy will become quite impossible. It will be impossible for him to reconcile a rapidly moving British India with a less rapidly moving Indian India. Federation ought to be the plan, and that is all the more the case because the initiative came from the Princes. I know that is said not to be the case, but the facts are that it has been under consideration for a very long time, and that the more thoughtful of the Princes of India had realised that the time had come when they had to move or worse would befall. They faced the facts of modern India, and we have to face them also.

There is another aspect of federation. Lord Lytton pointed out that it would be a federation constructed by a union of Provinces or States. You cannot apply that to India. The fact in India is that it is a centralised democracy. If you wait for States and Provinces to unite you will have to wait until India is in a state of chaos. The problem is entirely different. You have to proceed from the basis that India to-day is, to a great extent, a centralised autocracy, and that one of the crying needs at this moment is the decentralisation of Indian provincial government. In a world moving as rapidly as the present, with the Provinces developing as they do, it is going to be impossible for the present centralised government to continue to function effectively. The essence of federation is not the union of self-governing States into a Federation, it is the separation of the powers of government, it is the division of these powers of government between Provinces or States on the one hand and a central Federation on the other. But each of these States on the one side and the Centre on the other have independent powers, separate from one another, they act independently of one another, and they are not responsible for one another. That is the essence of federation. And the strength of the White Paper is that it begins to face that fact by bringing into operation, subject to safeguards, complete provincial autonomy, and separating completely the powers of the Provinces from those of the Central Federal Government. Federation, therefore, in my view is an essential condition of any progress in Indian constitutional reform, the first basic principle on which we have to proceed.

Now, what is the second? The second is Indian responsibility for its own domestic affairs. Nobody in this House seems to realise the ever-strengthening demand in India, both on grounds of self-respect and on the ground of nationhood, for the control of its own affairs. I would venture to put a few facts in front of your Lordships as to the difference between conditions in India to-day and the India before the War. There is a school population, learning to read and write, of 10,000,000 in the schools at the present time. How many were there before the War? There are 100,000 students in Universities—more than twice as many as there are in the Universities of this country—and practically all of them are being brought up as young Nationalists. There are 100 newspapers circulating in the hands of Indians, mainly, if not entirely, Nationalist in the general outlook, which now penetrate into almost

every village in the land. The radio is steadily making progress. The economics of the village, of which we hear so much, are profoundly changed. I attended a conference only a few days ago on Indian village welfare. The old Indian village was completely self-contained, so self-contained that its fortunes depended on whether there was or was not a good monsoon. To-day the Indian village depends on world prices, and the Indian villager and the headman of the Indian village are beginning to think in those terms about their domestic problems, because, like shrewd villagers, they realise that their own vital concerns depend on things far beyond their own villages.

In the Legislatures there are 935 elected members to 166 officials. In the Central Legislature there are 145 elected and nominated members as against 26 officials. Just consider the number of Indian members and Ministers who are now administering the country under the general control of this country. No fewer than 32 out of 43 Ministers in the Provinces are Indians. In the big Provinces there are 5 Indian Ministers out of 7, in the medium Provinces 4 out of 5, in the smaller Provinces 3 out of 4; and there are 3 Indians on the Executive Council of the Viceroy. Seven million Indians have been enfranchised for twelve years. They have fought and voted in four Elections, to say nothing of countless local government and municipal elections. I made some study, as Chairman of the Franchise Committee, of the probable evolution of Parties in India, and I came to this conclusion that the foundations of party before long would become economic—landlords, tenants, towns; that if only we could get rid of the pre-occupation in India with the British issue the Party evolution in India would follow very normal lines. With regard to the interests in politics in India, you do not have 50,000 people going to gaol in Lord Irwin's time and 30,000 in the last two years in a country which is not actively interested in politics, and the majority of these are young men and women.

Now that is the new India. It is no use trying to set up a dam against forces of that kind, forces which are very largely of our own creation. I am not talking to-day of pledges, I am talking of facts—facts with which we have got to deal. And even the Moslems, now that provincial autonomy has been conceded, are nearly as vociferous in their demands for self-government as were the Hindus yesterday. Further, in my view—I think it is the view of everybody in this House, certainly everybody who has had a public school education—responsibility is the only way of developing political manhood. We criticise the irresponsibility of India. It is a marvel to me when I consider how long irresponsible legislators have been confronted with irremovable Executives that the Legislatures of India are as responsible as they are. If you are going to develop political capacity in India, as in this country or any other country, you will do so only if you put real responsibility on the backs of the Indian people. And it is just as important to develop knowledge and responsibility at the Centre as it is in the Provinces. If you develop irresponsible Provinces they will make the working of the Centre impossible.

Now, the third feature of the Constitution is safeguards, and the analysis I gave of the modern India in itself is the complete argument why safeguards are so essential at the present day. I am not going to discuss the safeguards this afternoon. The noble and learned Viscount on the Woolsack set them forth in great detail, and there is no doubt left in the White Paper as to their character. The real question, the question in everybody's mind is: Can you use them, will they be effective? On that point there are two alternatives. The first is that this Constitution gets launched with reasonable good will and common sense and that reasonable good will and common sense are shown in its working. If so, I believe that the Constitution will work and that it is the only way in which you can get over the next fifteen or twenty years with reasonable prosperity and reasonable prospects of peace and order.

Why should we always assume, as so many people assume, that you will not get reasonable common sense and co-operation from political India? I am convinced, from what little knowledge I have of India, that if you give it free play India will throw up infinitely more political talent and more political character than most people in this country believe. I think that the assump-

tion that, as we relax control, no effective substitute will come forward to begin to take responsibility in co-operation with ourselves is a quite unwarranted criticism of British rule during the last 100 years. I venture to believe that the dyarchic Constitution has not been a failure. You see what has happened in other parts of Asia and elsewhere. The fact that for the last twenty years India, with all its difficulties, has made steady progress, has avoided the breakdown of government, and has secured co-operation, in the Legislatures and in the Ministries, of representative and competent Indians is testimony to the fact that co-operation does work and has worked. And I see no possible alternative for the future except to continue on those lines.

I remember not so very long ago the prophecies of disaster which were made at the time of the introduction of the Campbell-Bannerman Constitution in South Africa. I think the same prophecies have been made regarding democracy in every other country in the world; yet we have been surprised in most cases at the quality of the men who have been thrown up by the transfer of responsibility to their shoulders—in Ireland, in South Africa, and elsewhere. I venture to believe the same will be true in India, and that you will be surprised at the quality of the men who will be thrown to the surface, men who will wish to co-operate with you once the responsibility of government is on their shoulders, and men with whom on your side you will feel honoured and proud to co-operate. But I admit—everybody has to admit—that it is possible you may not have common sense. I do not want to prophesy what will happen in those circumstances. I will simply repeat what I have repeatedly said to my Indian friends: "If you produce stable constitutional majorities in the Legislatures, and strong and competent Ministries, there will be rapid evolution towards full responsible government, as in the Dominions, with the good will of the British people; but if you fail to produce stable constitutional majorities and competent Ministries, you will thank heaven for the safeguards, for they will save you from war and from the fate which has overtaken China." The first thing is to build on co-operation; if that fails you have your safeguards in reserve, and you can use them and use them vigorously.

Therefore my Lords, I believe that the scheme is not as the noble Earl, Lord Lytton, said a *pis aller;* I hink it conforms to the fundamental realities of the India of to-day and if I may state them in another way, these realities are twofold. India means, and must be allowed, to take over the control of her own domestic government; it is impossible for this Parliament 6,000 miles away to continue to govern the details of Indian life in the modern changing world. On the other hand it recognises that we still must be and will be responsible for the defence and the unity of India, because the unity of India is our creation and our gift, and as yet there is no force in India which is able to maintain it if we disappear. I believe the White Paper is sound. I do not say in all its details it is perfect—I think that co-operation between Indians and members of the Joint Select Committee may improve it—but in fundamentals it is based on the ultimate realities of the Indian problem of to-day.

Are there any alternatives? It is said—and I venture to say a word on the point as I was Chairman of the Indian Franchise Committee—that it is a mistake to build India on as much democracy as this White Paper proposes. There is no alternative but the vote. To what dictator are you going to hand over power in India and the Provinces if you do not hand it over to the voters? Moreover, India's crying need is for social reform, and one of the main reasons which animate Congress in their violence and opinions is this desire for social reform. You will never get social reform without endowing a certain proportion of the people with the vote. To whom are we giving the vote? The instruction of the Prime Minister, to which we tried to conform, was that no important section of the community should lack the means of expressing its needs and opinions, and if you will analyse the proposals I think you will find that we have done our best to give adequate representation to all the main elements of Indian opinions—to the villages, to the Depressed Classes, to labour, to landlords, and, of course, to the three great religious communities. There is no other foundation to which we can extend personal responsibility in India

except one which has some roots in the Indian people. And, as has been pointed out, the extension is not very large. There is no Government which will have more than seven or eight million voters. The thirty-four millions is arrived at by adding together the franchises of all the Provinces. Only 3 per cent. of the population of India is going to be enfranchised for the Central Legislature.

There is one important aspect of the White Paper with which I disagree, and that is in regard to the women's vote. In my view there is no more important aspect in the Constitution than that Indian women should have an adequate number of votes. Your Lordships are not elected, but some of you have been elected to another place, and you know well that at times of election candidates pay attention to voters and to nobody else. If you establish the Constitution without the Indian women—who need social reform more than any other class in the world—having an adequate number of votes, there will be no hope of their escaping from the age-old bondage in which they live. Our proposal was that not less than one woman to four and a-half men should be enfranchised. We deprecate the proposal which extends that to one woman to every seven men. I think that is a grave extension. There is one further detail. They have made the wives of existing provincial electors dependent on application, and on analysis it is believed that of the six and a-half million women voters sought to be franchised, four millions will be franchised on what is called "Wifehood application." How many ladies in this country would get on the roll if they had to make application one year before the election, and in a world where the emancipation of women has not gone anything like so far as in this country, how many of these four million women will actually place their names on the roll one year before the election? I think that is a grave mistake, and I hope the Joint Select Committee will remedy it, otherwise we shall find not more than two millions or two and a-half million women voters as against thirty million men—a proportion which is inadequate if there is to be political pressure for removing the grievances under which Indian women suffer to-day.

One other word about the second alternative which is often put forward. It is sometimes contended that it is better to proceed with provincial autonomy now and with the Centre at a later stage. What are the objections to this proposal which must occur to every responsible-minded man? The first objection is that if you do that you rebuff the proposal of the Princes to form a federation, because the condition they imposed on federation was that there should be some responsibility subject to safeguards at the Centre. That would be a very grave step to take. Just consider what the Centre would be like under such conditions. It is perfectly true that the Statutory Commission proposed a democratic Centre for the reason that that Centre only dealt with the affairs of British India, but I do not think the responsibility of the Centre is possible for British India alone, it is only possible for all India. But just consider what that Centre would be like. It would be not a strong Centre but a weak Centre, and would be simply a delegation of provincial log-rollers. They are not people elected to consider All-Indian affairs. They are sent to represnt exclusively the interests of the Provinces.

Nobody can witness the functioning of the present Indian Centre without realising how bad is the system of confronting an irremovable Executive with an irresponsible Legislature. It is bad for both sides because it means in practice you can only secure your legislation by something like a method of continuous intrigue. Every government ought to have a majority in its Legislature if it is to function properly and the essence of the White Paper proposal is that every Indian Government should have a majority in the Indian Legislature, and that those questions at issue between the Governor-General and his Ministers should be fought out in the privacy of the Cabinet and not across the floor of the House. I would refer to a remark of the noble Earl, Lord Lytton, who seemed to think you might have dualism in some form at the Centre. That is inherent, whatever you do, if you are to have a system, call it what you like, in which Indians and British are to share control. It is purely a question of how you are best to make your adjustment during the next period of your Constitution and the value of the White Paper —and until I see a better I shall stick

to that—is that it says the best way of doing that is to put real leaders of opinion into the Legislature and allow them and the Government to discuss things in the privacy of the Cabinet and not across the floor of the House.

Finally, it is often said that the Simon Centre to control the Provinces is a pure illusion, as once you establish responsible government in the Provinces it is utterly impossible for the Central Government to control them. The Viceroy and the Governor may be able to control them but the Central Legislature cannot, for this reason that no Minister can take orders from two contradictory authorities. He is responsible to the Provincial Legislature; he can only remain in existence as a result of a majority there. What is to happen if he gets contradictory orders from the Centre? It is an illusion to think that under any federal system you can get any Centre which may control the Provincial Governor. The essence of federation is the division of power. I think you strengthen your White Paper by recognising the inevitability of a division of powers between the Centre on the one hand and the Provinces on the other, as in all other great federations of the world.

The last reason why you cannot proceed in two stages has been mentioned by one or two speakers, and that is that Indian public opinion will not accept it. There are two broad alternatives before us in dealing with Indian public opinion. We can either proceed by consent, or we can proceed by coercion. The White Paper is the product of a long process of trying to proceed by consent. Lord Birkenhead committed this country to proceeding by that method as far as possible in the year 1927. There have been three Indian Round-Table Conferences considering the Reports of this Indian Statutory Commission. At those Conferences there have been over one hundred representatives of all elements of Indian society, selected to represent all elements of Indian society, and I have never heard any criticism in India except from Congressmen that the Round-Table Conferences did not represent the main elements of Indian opinion. Even Mr. Gandhi was present at the second Round-Table Conference with some of his colleagues. I believe that if you enact what may be called the White Paper Constitution, the broad outlines of which I have discussed, you will get the co-operation of what I may call the better mind of India in working it. That is a tremendous gain. I believe you cannot get the co-operation of everybody, but you will get the co-operation of the better mind, because it represents a Constitution which has been put forward after long discussion in which Indians have taken an active and very important part.

If you do not enact a Constitution on those broad lines, unless in the Joint Select Committee you can work a revolution with Indian political opinion, then you are faced with coercion, with something like that twenty years of resolute government which we used to hear of before the War in another country. I do not say that if you finally become convinced that that is the only course to take, you ought not to take it. I would ask you to consider what it implies. You can no more maintain British government in India with the old machinery as against the determined non-co-operation, not of one section only of the mass of political India, than you can fight a war to-day with the weapons of 1914. There has been a great deal of experience in the last ten or fifteen years which sets forth how to run an autocracy, benevolent or otherwise. The old methods of relying upon the Army, the police and the Civil Service are no longer adequate. You have to add three other elements. You have to appoint and control every single teacher in every school in order to see that they are supporters of the *régime*. You have to own and control and direct every newspaper and every news agent; and you have to have a Party in every village which is willing to put rival Parties out of business. Those are the foundations.

Let us be realists. We on this Bench are sometimes called sentimentalists. If we mean to govern India we must modernise our instruments. I will ask you to consider whether we have the instruments by which we can do these things—man the schools, man the newspapers, have a Party on our side. Just look at these figures. In 1922 there were 1,179 members of the Indian Civil Service who were British, and 208 who were Indians. In 1932 there were 843 British and 465 who were Indian. In the police in 1922 there were 622 who were British and sixty-six who were Indians. In 1932 there were 523 who were British and 152 who were Indian. Now to try co-

ercion without adopting these methods would be utterly a failure if you are going to try resolutely and try thoroughly, but to leave to Indian Nationalists all the opinion-forming agencies and to keep in our own hands only the instruments for repressing the opinions so formed would make a bloody revolution absolutely inevitable. You have to control opinion in the modern world if your Constitution is not based upon the free play of public opinion.

One word about Congress. I venture to think I am not so frightened of Congress as certain people in this country seem to be. No doubt there are irreconcilable elements in it, but there are also all sorts and conditions of men and women and it largely consists of enthusiastic youth anxious to serve the country. It has two remarkable attributes. One is fidelity to Mr. Gandhi's creed of non-violence. We may think what things we like about non-violence but it is a remarkable fact in the modern world that the secret of government is not by resort to violence in the sense in which revolutionary movements have adopted it everywhere else in the world. Consequently it has been simply a matter of reform work in the villages. What I am frankly frightened of is searing the heart of the youth of India with bitterness and hatred because we do not give them work to do in time. The real remedy for the better elements in the Congress is to get them to undertake the work of governing as soon as possible. It is the core of British experience that what turns people into practically minded and sensible people is responsibility, and the longer we deny them responsibility the more difficult it will be to create responsible men. The sooner we can do that the sooner there will be a youth in India with which we can co-operate in working out or trying to solve the extraordinary problems of that country. Therefore, I am convinced, while the details may be altered, that the only course for statesmanship or for safety is to proceed resolutely along the broad lines laid down in the White Paper and in agreement as far as possible with the better minded Indians.

It is sometimes said that people who take that view are defeatists. I think not. Rather I think that those who would abandon the course we have been so long following are defeatists. Undoubtedly, we are facing a wave of reaction in the world to-day. But this ought not to make us less faithful to the traditions of liberty and Parliamentary government upon which British civilisation rests. Rather it should make us more resolved to be faithful to them to the end. For the world reaction to-day is only a return to barbarism. It rests on the destruction of the rights of the individual—you see it all over the world—and on an attempt to prevent men thinking for themselves and to substitute exclusive Government propaganda for the free play of public opinion as the basis of government. This phase will pass away—it always has passed away—and our principles will once more win in the end. In any case we cannot jettison our own faith. If, because of reaction elsewhere, we now say to India, after we have led her for a century to believe that to embrace a free civilisation is to become the heir of Rome and Greece and of Britain herself, that we also have lost the faith, we shall then be defeatists indeed for we shall erase the name of England from the roll of those who taught ordered liberty to mankind.

THE MARQUESS OF LINLITHGOW: My Lords, it is getting late and I know that other noble Lords wish to speak this evening, so I do not intend to detain the House very long. The noble and learned Viscount who moved this Resolution traversed a very great deal of the wide field of facts and arguments on which the Motion rests, and I know very well that every aspect of the case will receive attention during the discussion. I propose therefore to confine myself largely to a recital of some of the impressions bearing upon this question which I formed during the time I was in India as Chairman of the Royal Commission on Agriculture. During the course of the inquiry we visited every Province and most of the important towns in British India. The Simon Commission had begun its labours before we left India and the subject of constitutional reform was everywhere being discussed. I had an opportunity to learn the views of a large number of persons both Europeans and Indians with whom I came into contact—members of the Indian Civil Service, members of the technical services, landowners and Euro-

pean members of the community. Our task was essentially non-political and those whom I met, whether they were Europeans or Indians, I found very ready to express an opinion and to do so quite freely.

I had not been many months in India before it became clear to me that amongst Europeans it was almost invariably the abler and the more experienced men who were most in favour of an extension of the principle of self-government. I notice that in another place Mr. Winston Churchill attributed this, so far as the British members of the Indian Civil Service are concerned, to the preferment for promotion of persons favouring the Government policy. I do not think that is the case and I am sorry that the suggestion has been made. But even if it were true it would not explain or discount the fact that an overwhelming proportion of the European commercial community is prepared to support a great advance of self-government in India. My own opinions, for what they are worth, were profoundly modified by my period of service in India. When I first went out I was, I confess, instinctively opposed to any very rapid extensions of the reforms. Before I had completed my task I had come to the view, which I hold as firmly to-day, that we are bound to go forward with this tremendous experiment and that, having gone as far as we have gone, the greater safety lies now rather in bold advance than in over-caution.

As my noble friend the Marquess of Lothian said just now, the world is moving very fast. Transportation and communications are becoming more speedy and more general. In India roads improve and new roads are being made, and self-propelled vehicles are rapidly bringing the villages nearer to the urban centres and removing the isolation of the villages and the village communities. It will not be long before the development of air travel between this country and India brings the two nearer together than were London and Edinburgh 150 years ago. Your Lordships have been reminded to-night of the extent to which opportunities of education has been extended to Indians. Large numbers pass through the Universities of India and many Indians come to our own Universities and our technical colleges and so on, while others complete their education in Germany, in the United States of America, and in other foreign countries. These young Indians are, most of them, convinced of the virtue of Parliamentary government and of its applicability to their own country. For years we have been instructing them in the merits of self-government and in the merits of the representative principle of self-government, and yet some of us now seem to be astonished by the enthusiasm which Indians show for representative institutions.

But if Indians have changed in the last fifty years, so have we—in our opinions a good deal, in our political life profoundly. It seems to me that apart from other considerations the fact of manhood and womanhood suffrage in Great Britain must profoundly affect this problem. Those who talk easily of an indefinite prolongation in British India of benevolent autocracy seem to me to exhibit a marked insufficiency of political instinct. Nothing could be more fatal to the future welfare of India or more unfair to India than that for the next few decades she should be alternately disciplined by Governments of the right and indulged and cajoled by administrations resting on more radical principles. I, for one, should have far less confidence in my opinions if the political tendencies we are witnessing in India were singular to that country. They are not. Over the whole of the East, from Egypt to China, the ferment is plainly at work. I was glad that my noble friend the Marques of Lothian made the point that the system of government for which we are responsible in India and for which we have been responsible for the last twenty years spared India many of the disturbances and strains which Eastern countries not so provided had suffered.

A new adjustment, a new way of life between East and West, must be found. It is my belief that in India, through this constitutional experiment in which we are engaged, difficult and obscure though it appears to us at this stage, we shall ultimately make a substantial contribution to that new adjustment. If I may say so in parentheses I respect profoundly the feelings of those, many of them my friends, who, knowing India, dread the effects of the changes that are impending. I know that many of them suffer acutely on that account. But I cannot help

observing that they are those for the most part whose bent is rather administrative than political. I am convinced that they are in some degree defending a lost cause. The old India has passed away and, what is far more significant, the world environment in which that India had its being has ceased to exist. Many persons are, I know, deeply concerned at the effect that self-government in British India may have upon the fortunes of the cultivator. In this connection it is well to remember what exactly is the position as regards the *personnel* of the Services. As far back as 1924 the Lee Commission recommended, and their advice was accepted, that appointment to the technical Services should lie with the Provinces. That means, with few exceptions, that those Services from that moment were destined to be 100 per cent. Indianised, and so in the event has it proved. The Indian Civil Service proper, by a recommendation of the same Commission, is in process of being Indianised up to 50 per cent. by 1939. So that in the field of administration the changes which most closely touch the cultivator have already to a great extent taken place.

I myself believe that the rural population will prove very much better able to look after itself than many persons suppose. It does, however, appear to me that the franchise proposals and the methods of election as outlined in the White Paper are capable of improvement in the interests, among others, of the rural population. I confess I have been much attracted by what appeared to me to be the advantages for India of indirect election based as regards the rural areas upon the village as the primary unit. Indeed, I have been much surprised at the small support for such a system forthcoming from Indians themselves. I am not fully seized of all the details of the noble Lord's inquiry, though I have read his Report, but it seems to me that system has attracted Indians very little. If Indians cannot be persuaded that it is the right system, I shall be the first to agree that it would be idle to put it forward, but in my judgment there is no small danger that in their pre-occupation with the many-faceted problems of constitutional evolution, both at the Centre and in the Provinces, and in their natural desire to secure for their country as large a measure as possible of self-government, it may escape the attention of Indians that, quite apart from their effect upon the future relations between Great Britain and India, and between the territories of the Princes and British India, the proposed reforms are certain profoundly to influence the future ordering of the social system throughout India.

Thus I am persuaded that the major peril to be anticipated as a possible consequence of error is not that of permanent hurt to future good relations between Britain and India, but rather that the system of representative government, if too hastily applied, or if applied in too advanced a form, may give rise to an assault upon the rights of property and thereby prejudice materially the future development of the country. Upon the vital place held by the law and custom of property in the social fabric of Indian society I need not dilate, nor need I comment upon the supreme importance for India's agricultural and industrial future of an adequate reserve of capital resources, or upon the indisputable fact that all experience, including that in Russia, suggests that the only effective instruments for the accumulation of capital and its productive employment are the thrift and enterprise of the private citizen.

No informed persons can doubt that a certain consequence of the introduction and development of representative government into any community must be a curtailing of privilege and a movement towards the wider distribution of wealth. Such indeed has been the experience of all countries, and for obvious reasons. But for India at the present juncture there is, in my view, a peculiar and special danger and for this reason. Of peoples such as the British, whose political and constitutional development have been gradual, spontaneous and intrinsic, it is broad true to say that their economic development has preceded and induced constitutional change. Thus, in the Parliamentary and constitutional evolution of England, first as an agricultural and then as an industrial State, it will be found to have been the changing economic *status* of the various sections of the community that have, in the main, brought about the progressive widening of the basis of political power and responsibility.

This process has in England required about 1,000 years to reach its present degree of maturity and it has produced, amongst other things, an electorate that displays what is on the whole an extremely sound instinct in the field of economic policy. In India the plan is different: it is to take a short cut and to graft an extraneous system analogous to the British upon the ancient framework of Indian society. That society, so far as it concerns the great mass of the people, both rural and urban, has not yet reached, in terms of economic development, a point in any way comparable with that presently attained in Great Britain. Briefly, then, it is proposed in India—and I would draw the attention of this to any Indians whom my voice may reach—to reverse the natural order of events and to force forward the purely political evolution in the hope that the economic will follow. Provided that the political development is not advanced at such speed as to place it completely out of tune with India's existing economic condition, there seems to me good hope that the stimulus provided may result in ordered economic progress. But there is, I submit, grave risk that if the pace of political development is too much forced there will be a failure effectively to relate the economic to the political, with dire consequences, of which, amongst the earliest, is likely to be a heavy and sustained attack upon the rights of private property. It seems to me that a system of indirect election, such as that to which I have referred, would go far to mitigate risk of that kind.

One word more. It is very evident that the proposal to transfer law and order is the *crux* of this question, and that it is going to be the centre and focus of Parliamentary difficulties in this country. I do not see myself how you can have self-government unless you do transfer what is called "law and order." I am quite certain of this, that the success or failure of Indians in conducting those departments of civil government will be the test by which the British public will judge of the fitness of India for self-government. I am also quite certain that failure by Governments in India to maintain adequate standards of administration in those fields of government would lead in Great Britain to an immediate and insistent demand for a reversal of policy in India, such as no British Government could resist. That such a course should become inevitable would be the mark of failure on the part of Indians and of ourselves to solve the very difficult problems on which we are presently engaged. I, for one, pray that that occasion may never arise, but the danger and its consequences are a possibility, in my judgment, which ought not to be lost sight of.

Had it not been so late there were other matters upon which I had intended to touch, but I have advanced one or two points which seemed to me most important and least likely to attract the attention of other speakers. I trust that your Lordships may accept the Motion, and although I am, I think, as well aware of some of the difficulties as are many others, I do not despair. We must go forward and try our hardest—try not merely to satisfy India, as we are trying, but try for all we are worth to make this experiment a real success.

LORD HASTINGS: My Lords, while I was listening to the eloquent and praiseworthy speech of Lord Lothian I found myself envying the focus of his mind. Would that the White Paper filled the Bill for me quite so completely as it fills it for my noble friend. None the less I do feel that the production of the White Paper is in itself a tremendous achievement—an achievement which has received hardly sufficient recognition for its own sake. It represents infinite patience, infinite tact, tremendous inquiry, and persistent courage, and it has at last enabled Parliament to confront the problem in a concrete form, and to deal with it as it thinks best with knowledge and understanding, which hitherto has been quite impossible.

It has been said that this is perhaps not the most appropriate occasion for dissecting the White Paper in detail. Perhaps it is not, but there are one or two points to which, I think, detailed reference might be justified, and one is a matter that has been brought to the notice of the country by Lord Zetland, and which has exercised many of our minds. It was in respect of the super qualities which would be required by the Governor-General and Governors. The Secretary of State, when he introduced the matter in another place, dealt very fully with that aspect of the question, and he pointed out that whereas we

know, and it is set forth, what the duties of the Governor-General and the Governors would be, we have never had it set forth what the duties of the Governor-General and the Governors now are. There was, however, an aspect which I thought he disregarded. There are among your Lordships many who are accustomed to say to a man: "Go," and he goeth; "Come," and he cometh; "Do this," and he doeth it, and those who are in that position know how onerous it is, but in the long run the autocrat has only his conscience to satisfy. The autocrat whose autocracy is reserved not only has to satisfy himself but also has to carry conviction to his constitutional advisers, and there is not one among your Lordships who would not prefer autocratically to manage ten businesses, rather than control one the first essence of which was that you had to carry conviction to your advisers before you could exercise your own powers. The noble and learned Viscount on the Woolsack paid a neat and pretty compliment to the *personnel* of this House, and I do not doubt that Britain will always find persons capable of filling these great offices, but it would be unwise for us to suppose that Governors-General and Governors in the future will have less responsible powers than now, and that they will not require to be supermen. I fully believe that they will.

One point to which I think such special knowledge as I possess entitles me to draw attention, is with regard to the reserved subjects in the realm of finance. It will be observed that one of the financial subjects which is not to be subject to, or not to be open to discussion in, the Federal Legislature, let alone to be voted upon is that which provides for the services of the Viceroy in his relations with the States. Some, perhaps not very many, understand the working of the Foreign and Political Departments of the Government of India. Last year I had unique facilities not only for realising what the machinery was, but for seeing it at work throughout the length of India. It is, of course, perfectly apparent that some very complete machinery will be required by the Viceroy, as such—not by the Governor-General, but by the Viceroy as direct representatives of the Crown. Some such machinery as now exists will be required by him to conduct his relations on behalf of the Crown with the Indian States. That whole subject is wholly removed from not only federation control, but even from federation consideration it is entirely apart. And yet the Federal Legislature is going to be required to pay for it.

In point of fact, this relationship between the Crown and the Indian States will be in the nature of a diplomatic relationship. It is quite obvious that that Service cannot continue to be called the Foreign and Political Service. It will be an absurd misnomer. You may call it the Viceregal Diplomatic Service, you may call it the Diplomatic Service of India, you can find any title you please; but in effect it will be the Viceregal Diplomatic Service, and it will be a Service which the Viceroy is performing on behalf of the Crown of Britain. And the Federal Legislature is to find the money, and it is not to be permitted to vote upon it or even to consider or discuss it. It may well be that the British Parliament would not care to be confronted with the additional expenditure which the control of this Diplomatic Service might place upon it. But if there is one thing more certain than another it is that friction is bound to be created as between the Viceregal Department and the Legislative Department, if the latter is called upon to pay for the former and to have no voice or say in the matter at all. One knows how difficult it is going to be to get this vastly complicated machinery to work at all. All the oil that can be found will be required to be poured into it; but why prepare this grit at the outset? It is bound to be a subject of the gravest friction, and I hope greatly that the Select Committee, when it comes to deal with this matter—which is really smothered in the more important questions which are dealt with at greater length in the White Paper—will find means of getting over what will be a thorn in the flesh from the very beginning.

Perhaps it would be natural, after my experiences of last year, that I should approach the question of the desirability or otherwise of starting responsibility at the Centre at the same time as granting provincial autonomy more from the standpoint of the States of India than from that of British India. It has been said in this House, it will be said again, and it is really almost incontrovertible,

that surely autonomy for the Provinces ought to precede any attempt at setting up responsibility at the Centre. If that were done what would happen to the Indian States? The Indian States have a population approximately of 90,000,000, and their area is not far short of half of the whole—it is more than a third—and they are scattered all over India. It is not as if you could set them off on one side. They are all over India, contiguous to British India, and what would happen if provincial autonomy came into effective being before responsibility was set up at the Centre? It would inevitably be the gradual absorption and disappearance of the Indian States. They would, in my view, be wholly unable to resist the peaceful penetration which would percolate into them from the democratised Provinces of British India.

Some might think that a highly desirable thing to happen, but the great majority of Englishmen would think it most gravely undesirable, and for many reasons. In the first place, the form of patriarchal rule which prevails in the Indian States is essentially most suited to the people of India. I should not be surprised if All-India does not one day return to it after having had its dose of democracy. That remains to be seen. But at any rate, no reasonable person would desire to do anything which would destroy that extremely efficacious and efficient form of patriarchal rule which now exists in the Indian States. Some are more efficient than others, it is true, but, on the whole, their form of government is not only efficient, but it is much appreciated. That form of government would stand no chance if left to itself, with powerful autonomous Provinces against the borders of the States. What chances are there for that form of government being retained? Only these. You have to give to the representatives of the Indian States not only the assurance of the maintenance of their present position by virtue of their relations with the Crown, but their own opportunity of preserving that position in a democratic way by their voice in the Federal Parliament. To my mind that is the one hope that the States have of continuity in their own rule without undue, unreasonable, and eventually eliminating interference from British India.

It has been said that we are taking refuge behind the Princes of India. It is not that, but we recognise that the States of India are capable of making a contribution to the stability of the Indian Government which nothing else at the moment is. They bring into government a tradition of government, and if the States of India were not to be given the opportunity of serving in a Central Legislature, not only would they themselves be eventually eliminated by autonomous Provinces, but the Provinces, and possibly the central responsibility given to British India alone would be infinitely less efficient, less effective, and less in every way desirable than it would be, and will be, by the admission of the States. That is the sort of argument which, at any rate, to myself makes great appeal as against the powerful argument that provincial autonomy ought to precede responsibility at the centre. It may not appeal to all, but I did have opportunities of going from State to State, of seeing exactly what were their financial relations with the Government of India, of being taken into confidence by many of their Rulers, of finding out what were their fears and doubts, and of forming an opinion upon what I heard and saw. And that was the opinion that I definitely formed.

It is quite true that many of the Princes of India are exceedingly nervous of what may befall them by taking what to them is a very great plunge. We know from reports in the Press that at a meeting of the Chamber of Princes only a few days ago no kind of unanimity was reached. But you would hardly expect unanimity from an assembly of that character. You would not expect, let us say, a Scandinavian country to pledge the Government of Rumania. They are no closer together, their instincts and interests are just as far apart. These Princes have a form of sovereignty which is very precious to them. Many of them live thousands of miles away from each other. They have their individual interests and their State with them comes first. They are perfectly prepared to enter into a Deed of Accession with the Crown but they are not going to do it co-operatively, because they are much too fearful that what will suit a State in Rajputana will hardly suit a State in Dravidian India. And I do not think we are justified in saying that because the results of the meeting

of the Chamber of Princes were not fruitful, the Princes are any further removed from a desire to federate than they were a year, two years, or three years ago.

I do not believe that to be so. I believe that the expression of their opinion means that they desire to be dealt with individually, and I do not think we need be fearful that, if this great scheme is considered by the Select Committee, to which it is possible for them to send representatives, they will draw back from it or make it impossible to set up responsibility at the Centre. I have confidence they will come in, and I have confidence that when they have come in they will be the making of a successful Federal Centre. That is at least one reason why I should be prepared most heartily and most wholly to support the granting of responsibility at the Centre simultaneously with that of autonomy to the Provinces. I do not think it is fair that I should speak any longer. There are many Peers who have been very self-sacrificing in their demands upon your time, and I propose to follow their example, and thank you for the short intervention I have been allowed to have.

LORD LAMINGTON: My Lords, the noble Lord who has just spoken dealt largely with the question of whether provincial autonomy should be established before the Central Government, and he brought forward the very strong argument that it is necessary for the two to be introduced simultaneously because of the position of the Indian Princes. That point was referred to the other day by Sir John Simon in another place when he said that originally the Statutory Commission reported in favour of provincial autonomy coming first, but the fact that the Princes had expressed their willingness to come into Federation had altered the situation. I confess that for some time I was in favour of provincial autonomy being first set up because I thought the opposition of Congress and other extreme elements was due to the fear that the experience of the working of the Councils would be unsatisfactory, and would lead therefore to a postponement of the formation of the Federal Government, and this was a risk they would not incur. Other arguments have now occurred to me which show how really important it is that the two should, if possible, be established simultaneously. With respect to British India, it is now clear that the Conservative groups—the landowners, the Moslems, and other minorities—share the desire of the Hindus that if there is any lapse of time between the coming of provincial autonomy and Federation it should be only long enough to enable the necessary arrangements to be made.

The hostility to the plan of giving provincial autonomy, and making that the test of whether and at what time federation should be introduced, springs from different motives on the part of various elements in the Indian political picture. The reasons for these different elements desiring that provincial autonomy and federation should come virtually together may be summarised this way: The Moderate Hindu believes that the first without the second would be very difficult to work; that at every point the autonomous Provinces would be up against an Indian Government in no way responsible to the people, and that there would be constant friction. Moreover, the whole tendency in recent years has been for them to look to the Centre as the real field of determined effort. With the coming of full provincial autonomy this attitude, it may be hoped, will undergo modification, and more interest taken in provincial affairs.

(2) The Moslems want responsibility at the Centre because they feel that it is only through the Centre that they will be able to espouse the cause of co-religionists who may be discriminated against by administrative action, or may be suffering definite injustice in the predominantly Hindu provinces. The Moslems will have at least four Provinces of their own, leaving seven which are mainly Hindu; but as they are to have one-third of the total seats in the Federal Assembly, they will be able to bring pressure to bear in support of their co-religionists in particular Provinces. The Depressed Classes want responsibility at the Centre on somewhat similar grounds. It is true that they will have no provinces of their own, but they will be represented in the Federal Legislature, and can bring to notice matters affecting their rights and interests in the provinces. The landowning and other loyalist elements are favourable to federation because it will mean a powerful

grouping together of stable elements, including the Princes and the Europeans, and will set a standard for the treatment of minorities and special interests in the Provinces.

And of course there is that other strong argument which has been brought forward by Lord Hastings that the introduction of the Princes to the Federal system made it almost imperative that the two should synchronise, but I think a proviso might be made in the event of any unfortunate delay occurring so that the Central Authority cannot be established quickly or its establishment not synchronising with the establishment of the provincial authorities. Advantage should be taken in this respect of Paragraph 202 of the White Paper which provides for Provincial Councils being set up previous to the Central Authority. I think prolonged delay in setting up the Provincial Councils will only cause damage to our interests in India. In this connection there comes the question of responsibility for law and order. The summing-up on this point in the Simon Commission seems to me unanswerable, and I am not going to elaborate it in my own language, except to say that if Ministerial responsibility is not given when disorder and riots occur, debates and criticisms of the authorities in the Provinces would take place in Parliament, which might prejudice the position of the Governor seriously and create difficulties for the Provincial authorities.

The other day, in another place, Colonel Wedgwood complained that this proposed Constitution meant the abdication of Parliament. This may be an exaggerated statement, having regard to the various occasions on which, under the White Paper scheme, Parliament will have to be consulted; but I personally cannot help thinking that in so far as this so-called "abdication" means getting rid of Party politics in Indian affairs and placing these affairs more definitely under the Crown, it will be to the gain of both British India and the States. There will be greater freedom from the control of a Parliament that has seldom, if ever, been elected on topics connected with India, and the States in particular should feel more at ease by their contact with the Crown being further safeguarded, a matter to which they attach the greatest importance. The decision of the Government to make the accession of 51 per cent. of the population of the States a condition of Federation is sound. It might be pointed out that the manifest intention of great States like Hyderabad, Mysore and Travancore, and Baroda to come in goes a long way to solve the problem, since in themselves the first six or seven States have half the population of "Indian India." There are, of course, many other important matters to be decided on, which will have to be dealt with by the Joint Committee that is to be set up, and to which I need not refer.

Turning to a more general consideration, it is a misfortune that the old form of the name "The Indies" was ever changed to that of "India." "The Indies" would have given some indication of the number and variety of countries comprised. Indians have no word to express their common country. The name India is derived through the Greeks from the Sanscrit "Sindhu," a river pre-eminently the Indus, and was applied only to North-West India. Sir John Simon recently in another place referring to the inclusion of the States in the Federation said that travelling by train one passed from a British Province to an Indian State as easily as from one English county to another—a true description; but he should have added that it would not have been so except for British suzerainty. The British *Raj* has brought about the co-ordination of India's multitudinous peoples, sects, castes and creeds, and the name India has only been applied to that great geographical area peopled by so many different races since Britain brought them peace and unity.

Is there any instance in the history of the world when a number of different peoples have ever permanently succeeded in having a unified government except when the latter has been held by an outside power? China is an example of the break-up of a State when the foreign hand grows feeble. Even in our own little Island's history that may be illustrated. Your Lordships remember how the British during the long sovereignty of the Romans in this country acquired a knowledge of Latin and used to visit Rome; in fact, they so identified themselves with their conquerors that they used to go repeatedly to the Governor at

Rome and claim that they ought to have self-government. They claimed that they had been so educated and so versed in Roman methods of government that they were perfectly capable of looking after the affairs of their country. They were told that they consisted of so many various sects and tribes that if the guiding hand of Rome was withdrawn they would simply become the prey at once to an outside enemy. However, on one occasion when the representatives of Britain met the Roman Governor with this claim for self-government he said: "Yes, you are going to get it now; we are going to withdraw from England, and are going back to Rome to resist the attacks of the Barbarians." We know from history what disastrous consequences followed to the Britons upon the withdrawal of the Romans from this country.

There is a little book which has just been published by Mr. Cadogan, a member of the Statutory Commission, in which he refers to the difficulty of bringing Indian leaders to realise the facts. They seem to be more imbued with their own adaptibility and capability of administering affairs than with the actual state of their country and the possible consequences to it were they given an absolutely free hand. Mr. Gandhi and others have talked wildly of India having the right to secede from the Empire, and of her ability to protect herself. Those who are keen for our disappearance should realise that there are others far keener who gaze across the frontier greedily awaiting an opportunity for loot and devastation such as the world has not seen for centuries. No, my Lords, India cannot do without our protection. There are those who oppose the White Paper and who will argue, "why then weaken our authority?" The answer is, in my opinion, that, quite wrongly perhaps, a vision has been presented to the Indians view which has excited their imagination so that to say that now it cannot be realised would only result in a fury of disappointment and anger.

There are two factors to give hope that the dangers in having constitutional government may be successfully overcome in the end. First, there is that of the diversity and rivalry of the different races which require an outside power to adjust them. The other factor is the character of our own people. The noble and learned Viscount on the Woolsack gave ample expression to what our countrymen have done in India. It must be remembered that for more than seventy years a handful of British, some 200,000, and of those only 70,000 were soldiers, have kept peace and order amongst 200,000,000 to 300,000,000 people, and that in that period, showing how successful that rule has been, the population has increased by 100,000,000. This could not have been done unless our administration had been conducted with the earnest desire to advance the welfare of India on the principles of justice, fair play and sympathy. We are not now going to abandon these national attributes because Indians are to shoulder the responsibility of self-government in a greater degree than hitherto, but we will still act as mediators in rivalries and discords and be the harmonising influence in a truly united India.

LORD OLIVIER: I beg to move that the debate be now adjourned until three o'clock to-morrow.

Moved accordingly, and, on Question, Motion agreed to.

House adjourned at twenty-five minutes before eight o'clock.

HOUSE OF LORDS.

[*From Minutes of April* 4.]

The LORD CHANCELLOR acquainted the House, That the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the further Standing Orders applicable to the following Bill have been complied with:

Mersey Tunnel.

The same was ordered to lie on the Table.

SOUTH SUBURBAN GAS BILL. [H.L.]

Reported from the Select Committee, with Amendments.

WIMBLEDON CORPORATION BILL. [H.L.]

Reported from the Select Committee, with Amendments.

OXFORD CORPORATION BILL. [H.L.]

Reported, with Amendments.

STANDING ORDERS COMMITTEE.

Report from, That the Standing Orders not complied with in respect of the petition for additional provision in the

Bootle Corporation Bill [H.L.]

ought to be dispensed with, and leave given to the Committee on the Bill to insert the additional provision: Read, and agreed to.

CITY OF LONDON (VARIOUS POWERS) BILL.

GREAT WESTERN RAILWAY BILL.

LONDON MIDLAND AND SCOTTISH RAILWAY BILL.

STAFFORDSHIRE AND WORCESTERSHIRE CANAL BILL.

Referred to the Examiners.

HOUSE OF LORDS.

Wednesday, 5th April, 1933.

The House met at three of the clock, The LORD CHANCELLOR on the Woolsack.

LYME REGIS DISTRICT WATER BILL. [H.L.]

Read 3ª, and passed, and sent to the Commons.

SUNDAY ENTERTAINMENTS ACT, 1932 (BOROUGH OF BARNES ORDER).

THE EARL OF LUCAN: My Lords, I beg to move that the Order made by the Home Secretary extending the Sunday Entertainments Act to the Borough of Barnes be approved.

Moved, That the Order made by the Secretary of State for the Home Department under the Act for extending Section 1 of that Act to the Borough of Barnes, and laid before this House on the 28th of March last, be approved.—(*The Earl of Lucan.*)

On Question, Motion agreed to.

SUNDAY ENTERTAINMENTS ACT, 1932 (ROYAL BOROUGH OF KINGSTON-UPON-THAMES ORDER).

THE EARL OF LUCAN: My Lords, I beg to make a similar Motion regarding the extension of the Act to the Royal Borough of Kingston-upon-Thames.

Moved, That the Order made by the Secretary of State for the Home Department under the Act for extending Section 1 of that Act to the Royal Borough of Kingston-upon-Thames, and laid before this House on the 28th of March last, be approved.—(*The Earl of Lucan.*)

On Question, Motion agreed to.

INDIA.

Debate resumed (according to Order) on the Motion made yesterday by the Lord Chancellor, That this House do concur in the Resolution communicated by the Commons, namely: "That, before

Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

LORD OLIVIER: My Lords, I think your Lordships will generally be disposed to agree with me in my feeling that the noble and learned Viscount on the Woolsack and the Government on behalf on whom he spoke are to be heartily congratulated on the general approval that has been given to the contents of the White Paper, supported as that approval has been by most weighty, pertinent and well informed speeches from both sides of the House, and tempered as it has been only by the most friendly and moderate criticism. I feel myself extremely happy to be able to join my colleagues of the Labour Party in giving support to the Motion and, although I must say I was a little sympathetic with the expression of regret from the noble and learned Viscount on the Woolsack that they had not seen their way to take part in the last Round-Table Conference —I thought that was a mistake—I am glad to find myself now entirely at one with them both in regard to the action taken on this Motion and the declaration of policy made in connection with it.

What surprised me—perhaps I ought not to have been surprised, knowing the calibre of the intelligence of noble Lords on the other side of the House—was the great amount of informed support given to the White Paper from Benches from which we have not always been accustomed to hear support of a forward policy in Indian affairs. I think that must have impressed all your Lordships. During the last ten years there have been so many Commissions and Committees appointed both in India and this country to give attention to the subject that we do seem to be coming to a more general understanding of what the noble Marquess, Lord Lothian, so strongly emphasised—namely, what are the real facts and realities of the political situation in India by which our policy must be guided.

I was brought up in contact with many relatives and friends, both of my own generation and the previous generation, who were engaged in various Departments of the Government of India—judicial, administrative, police and so on —and I can entirely sympathise with the attitude of mind that was so admirably expressed by the noble Lord, Lord Ampthill, with regard to the old traditional view of the duties and position of Englishmen in Indian government. But I could not help feeling that we have passed out of that state of affairs in which those observations are relevant to the present situation. The whole facts of the situation in India are now so different that it is impressed upon all who are brought in contact with them that they cannot be handled in the old tutelary way; that we must pass to the realisation of the constitutional promises that India shall be made self-governing, and that our conviction with regard to that situation does not rest on the fact that those promises may have been made by Her Majesty Queen Victoria, or a Commission, or in incidental utterances of statesmen, but rest on the facts of the situation as attested by men whom, on both sides of the House, we trust and whom we have seen administering the government of India and coming here and taking part in deliberations in concert with Indians themselves.

That state of affairs has really made the general basis of the proposals of the White Paper, in my mind, inexpugnable and I think that is recognised generally by the House. The whole subject falls, as has been said by the Lord Chancellor and others, practically into three parts. The most salient and the new element in the situation since we were discussing this matter in the House three or four years ago is the development of the idea of federation with the consent and co-operation of the Indian Princes. The noble Marquess, Lord Lothian, pointed out that that is by no means a new idea. It is an idea the necessity of which, I am bound to say, impressed me fully ten years ago as soon as I began to study the position of Indian politics, and I was rather surprised and considerably disappointed that the Simon Commission should be so guarded and reticent upon, not the possibility, but the necessity of such a future development. Of course the Simon Commission may have been restricted in their view of the actual things which they were to

report on. They were, perhaps, limited by reference to the existing dyarchical Constitution of India. Although they indicated rather tentatively that they looked forward to such a possibility, they were restricted from going into the question further by the fact that they themselves did not at the time recommend a centralisation of Indian affairs under any responsible Government as an immediate step.

When, after this laborious examination of Indian affairs, I reviewed my opinion and was asked by an Indian publicist of considerable reputation what my opinions were with regard to the future of India, I gave them, and he embodied them in the preface of a book he published. I was led to this conclusion:

"In any modification of Indian government in the direction of the establishment of Dominion *status*, it is obvious that a double process of centralization and decentralization must be provided for. In regard to all those services which it may be agreed can be best dealt with comprehensively on behalf of the whole Peninusula, the most important of which is obviously the question of defence and among which railways, customs and postal services are other obvious instances, no scheme is conceivable but that the powers now administered by the Governor-General should be deputed to a National Government with the machinery of a Federal Constitution, and that the right to deal with those particular matters should be specifically assigned by the Indian States to an Executive responsible to a national Parliament in which the native States will have their fair representation in proportion to their importance and population side by side with the present Provinces of British India. And, correspondingly, all Services other than those which are thus assigned by the Indian Native States to the Federal Government must in the British Provinces be devolved to responsible Provincial Legislatures. The diplomatic relation of the States with the King-Emperor must continue a matter between the Indian Princes and the Viceroy."

I think that is a very concise summary of the conclusions arrived at in the White Paper as the necessary next development and I think there is general consent with regard to the desirability of accepting that, subject of course to a certain amount of dilatoriness as regards the establishment of the Central Governmen. But to that matter I shall come in a moment.

I can conveniently deal with the matters on which I desire to touch in the form of references to the valuable speechs which have been made by members of your Lordships' House. First I wish to express the great satisfaction with which I heard the noble Earl, Lord Lytton, point out to your Lordships that the dyarchical system did not fail to work owing to any incompetence or lack of administrative capacity in the Indian Ministers, or even in the lack of Parliamentary capacity in those members of the Councils who co-operated. So far as that test of ability was concerned the dyarchical experiment was successful. But it had its own inherent defects in two respects. The principal one was non-responsibility in matters of finance and the other, perhaps, was non-responsibility in regard to law and order and certain other reserved subjects. But of all others the chief difficulty in the Provincial Councils appears to have arisen from the feeling that they could not exercise control over finance and consequently could not develop the transferred services.

In regard to law and order, concerning the transfer of which the noble Lord, Lord Ampthill, expressed doubt and hesitation, I may say that I was convinced and converted to the recognition that it was desirable that law and order should be transferred, by no less an authority than the present Viceroy of India, Lord Willingdon, who himself was conspicuous for the ability with which he administered the government of the two Provinces of which he was Governor during the period of the dyarchy. By my conversations with him and others I was led to the same conclusion as the Simon Commission—namely, that it was essential and safe and reasonable, with adequate precautions, to transfer law and order to the Provincial Legislatures. Those two things having been granted—law and order and financial responsibility—the ground was cleared for the establishment of the principle of provincial autonomy. I was glad to hear Lord Lamington admit that, though he himself had at first thought it was undesirable to go further than the establishment of provincial autonomy, he had come to recognise that there were practical reasons why it was an advisable or desirable step.

Your Lordships are perfectly familiar with the fate of the Simon Commission. It was handicapped from the first by most unreasonable prejudice against it,

on the ground that Indians were not associated with it, but Lord Birkenhead, when moving for the establishment of that Commission, explained, and the Labour Party accepted his explanation, that it was not advisable under Parliamentary conditions to associate Indians with the Statutory Commission. That, however, was taken in very bad part by Indian politicians, and it caused a great amount of prejudice against the work and Report of the Simon Commission. Another thing which caused prejudice against the Report of the Simon Commission, and made it not acceptable to Indians, was that it deferred the granting of responsibility at the Centre. That obstacle, I think, has been cleared away, under proper safeguards, as the Lord Chancellor pointed out, by the Report of the Statutory Commission. So far I hope we have got a general scheme for a future Consitution which, with the materials at our command and the experience that we have, we both as Englishmen and Indians have to operate I think that in the White Paper you have that scheme taken as far as we can possibly take it, and that we have it with safe and reasonable safeguards.

Now I am going to follow with one or two references to the utterances made in the debate. Lord Lytton put his finger upon one of the great difficulties which we have had for ten years past, at least, in dealing with Indian affairs. He said that Indian politicians always expect to have a ready-made Constitution, and to put it into force at once, and as the noble Marquess, Lord Reading, knows perfectly well, that was expected of the Labour Party when I had the *onus* put upon me of becoming Secretary of State for India. We were expected at once to create a Constitution and to bring it into operation. That, of course, always has been a perfectly impossible thing, even if it were Parliamentarily and constitutionally possible, which it was not and has not been. We are now at the stage in which it is possible that a Constitution can be established, but that Constitution, even now, cannot, if the safeguards provided for in the White Paper are to be adopted, be put into force in such a form as will give absolute Dominion *status*. So I am quite prepared for and we have already had indications that there will be, an outcry that faith is being broken with the Indian people, because Dominion *status* is not established.

That is one of the points with regard to which I regret the form of the White Paper. I think His Majesty's Government might have had the courage to endorse the statements of the Prime Minister and other statesmen that we do intend to progress to Dominion *status*. There is also this criticism of the White Paper—although it is a fault that can be remedied by the Joint Select Committee—that the Constitution, as Lord Snell said yesterday, is established and does not provide, as Indian politicians have always demanded it should provide, for automatic and continuous development towards Dominion *status*, even if Dominion *status* is not immediately instituted. The most loyal and helpful of Indian politicians continually complain: "You dangle something before us, and put us upon probation: you say, 'If you are good boys and behave well you shall have something more.'" If your Lordships put yourselves in the position of intelligent Indians you will realise that that is an intolerable position. They say: "No, let us have a definite plan, with safeguards if you like, which shall provide that this Constitution shall be the matrix of the Indian Constitution." Unless that is done I am afraid that the White Paper will go the way of all previous attempts to satisfy India. I hope that will be done, and that the result of the labours of the Joint Select Committee will be to make that perfectly clear. Not only have Prime Ministers and Viceroys, one after another, declared that to be the purpose, but it is desired that that shall be a declaration of the British Parliament, and shall be as clearly understood as the provisions of the Act of 1919 were understood. I trust that that is an amendment which will be made in the form of the White Paper when it is returned from the Joint Select Committee.

I would now like to come to the extremely interesting and valuable and impressive speech made by the Marquess of Lothian. After I had listened to that speech I said: "This is a man who has thoroughly seen the bottom of the situation, and who says the things which everyone ought to know." Unfortunately a great number of our population do not

know them, and unfortunately some leaders of public opinion take care to keep them blind upon the subject. For instance, after hearing the satisfactory address and realising with a certain amount of satisfaction that it expressed views which I was on the whole able to endorse, I thought that I would remedy the balance by reading the *Evening Standard*, which is a newspaper with which I chasten my enthusiasms when I feel that they are getting a little too far ahead. I found in the *Evening Standard* of yesterday an article signed with the initials "A.A.B.," enquiring "Shall Oxford govern India"? Now the gentleman who signed this with the initials "A.A.B." is a very well known journalist, and he was very well known as a Conservative politician fifty-four years ago when I was at Oxford. The noble Earl, Lord Midleton, used to be his colleague in the Oxford Union Society, and I am sorry to say that, although the opinions of "A.A.B." might have been suitable to the years 1880 and 1881, in the intervening years he has not increased in wisdom or in stature.

What he informs the British public in two full columns of the *Evening Standard* is that the whole genesis of all this trouble about India arose from the fact that two young men, one named Lionel Curtis and the other named Philip Kerr got hold of the impressionable mind of Mr. Montagu, and took advantage of the good nature of the late Lord Chelmsford, and induced them to put on the stocks the dyarchic Constitution of India; that the people of India were so fired with enthusiasm by the ideas presented with such force by Mr. Montagu that they thereupon began to demand further developments; and that the whole landslide of Indian public opinion, as it has occurred since then, and all the trouble we have had was simply due to the editors of the *Round Table*. I am sorry to say I could not help getting an impression that there seems to be a sort of idea in the mind of the writer of that article that not only had these ideas which have inspired so many Viceroys and administrators and statesmen been begotten and entirely invented by Mr. Philip Kerr and Mr. Lionel Curtis, but that all these successive Round-Table Conferences which we have had were a sort of emanation from the *Round Table*, that all these ideas were entirely factitious, and, as Lord Ampthill rather indicated, did not at all reflect the real nature and character of India.

I would like to come back to what the noble Marquess, Lord Lothian, said, because it struck me as being very much to the point. He said:

"I am not talking to-day of pledges,—"

That is another point. We are not making a step in advance because pledges have been given—

"I am talking of facts—facts with which we have got to deal."

That, as the noble Marquess, Lord Reading, will agree with me, is the real reason why we have had these constitutional advances in the last ten years. When I came into office I had to make up my mind very rapidly and I was also under the guidance of what is called the Council. I was not the Secretary of State, I was the Secretary of State for India in Council. I may say, incidentally, that I hope that the institution of the Secretary of State for India in Council is one which will perish in the next reform of Indian government and that we shall have the Secretary of State in the same position as any other responsible Minister. I found that the noble Marquess, Lord Reading, was so impressed with the facts of the situation then prevailing in India that he said that, although the Government of India Act provides that dyarchy should have a trial for ten years and that any further progress should depend upon co-operation—and although we were not having co-operation—yet the condition of affairs in India was such and the reasonable demands were so strong that it was absolutely essential that attention should be paid to the situation, and that there should be an early modification of the existing political arrangements. That was his advice and that was what really started the present movement which has developed into the White Paper that is now before us.

My noble friend and I agreed together on one thing and that was with regard to the complete overhaul of what the dyarchic system was doing, how it was working, whether it was working well, and if it was not why it was not so working. As a result of that the Muddiman Commission Report gave us an immense amount of information and valuable material to work upon. My colleagues in the Labour Government and

myself considered that before we could assume responsibility for a modification of the Constitution then existing, and before we could even propose to Parliament that we should have an earlier appointment of the Statutory Commission, we must have some preliminary case such as would be documented by an inquiry of that sort. I do not know whether I am indiscreet in saying that the noble Marquess himself was so much impressed by the facts that he was desirous of immediately announcing not only that we should enquire into the working of dyarchy but that we were prepared to consider further with regard to the acceleration of the inquiry into the question of modifying the Constitution. That was one of the few differences of opinion which the noble Marquess and myself had. He was so convinced of the necessities of the situation in India that he made that proposal and I hope that his difficulties in India were not increased by the fact that I was not able to give him that assurance. I am glad to say that we have now got past that stage and have been progressing on the lines that the noble Marquess then recommended.

THE MARQUESS OF READING: May I interrupt, because the noble Lord has introduced matters which I confess are entirely matters of memory, and I have not looked at these Papers. My recollection is that we had the Muddiman Report, which inquired into various matters which were administrative, and that certain facts emerged from which it was thought that it was desirable to have a further inquiry, which we could only do with the permission of the Secretary of State, and that would no doubt involve an inquiry into how dyarchy was working. To that extent I agree with the noble Lord.

LORD OLIVIER: I could not get my Council to swallow it. They were too nervous. My recollection, which is not sufficiently reliable, is that I had some difference of opinion with my Council But I only mention this fact to show that the noble Marquess, with his sagacity and knowledge, was so strongly impressed with the facts of the situation in India that he considered it was necessary to make some further advance towards the realisation of the programme put forward in 1919. Since then we have had this repeated overhauling of the situation by men of all Parties and of all shades of opinion by Englishmen and by Indians both of the Native State and of British India; with the result that we have got as the outcome what I hope may be regarded as a fairly well agreed document.

I was very much impressed by some observations which fell from the noble Marquess, Lord Lothian, and which were endorsed by the noble Marquess, Lord Linlithgow. Lord Lothian said that the centre of interest would shift from political matters to economic matters, and I was very much interested to hear that Lord Linlithgow—who, I may observe, told us that he had been converted by his experiences in India to the policy of the White Paper—said that he had no doubt whatever that one result of the franchise as set up in the way proposed would be to shift the interest of the voters from administrative matters to matters of property. And he expressed a certain nervousness that there would be a tendency to attack established institutions of property in India. Well, that rather amused me, because my friend Colonel Wedgwood, in another place, lifted up a lamentable voice to declare that we had handed over the ryots and peasantry of India, bound hand and foot, to their economic oppressors.

I was very much relieved to hear that both the noble Marquess, Lord Linlithgow, and the noble Marquess, Lord Lothian, consider that the Constitution as now proposed gives the down-trodden peasantry a pretty considerable amount of influence in dealing with economic questions. If the noble Marquess, Lord Linlithgow, was nervous about a tax upon property, which he said was the foundation of all stability, we must remember that we established in India under what are called the permanent tribunals a gross iniquity and robbery of the peasants of India in favour of a class whom we endowed with large landed estates which, under the ancient Constitution, really belonged to the Crown. That was a false step, which we ought to redress. However, between the two—between the apprehensions of Lord Linlithgow and the lamentations of Colonel Wedgwood—I am glad to think that some better attention may be given to the

proprietary and social interests of the peasantry than has been given hitherto.

Then I come to one or two observations made by Lord Hastings, whose speeches, I am bound to confess, I always listen to with extreme interest because his interest is political and social rather than administrative. When I have heard the noble Lord speak on agricultural matters, I have always felt that he spoke with a political and social interest rather than an administrative interest to which some agricultural theorists are rather prone. I was greatly interested to hear his comments with regard to the suitability of the government which is proposed for the Indian people. He said that the Indian States of course desire to maintain their own institutions, and their institutions are not democratic, they are paternal. I was reminded by what the noble Lord said of a long talk which I had with that delightful and genial gentleman, the late Jam Sahib of Nawanagar, who explained to me very sympathetically and fully this whole theory of paternal government and what a necessary thing it was for such a people as the Indians. I am bound to say that I have read some very severe criticisms from another side of the administration of the paternal Princes, even including the late Jam Sahib. The Princes say: "You say we are extravagant, we spend a great deal on pageantry and on display, we waste a lot of money, but the people like it. The Indian people are entertained by these expensive pageants, by these miles of artificial flowers, and by these processions of elephants. What do you do to your people? You let them spend their money on greyhound racing and horse racing and betting and drinking and cinemas, and then you pass laws to prevent them doing so. We give our people what they want to see." That is the paternal manner of governing in India.

The noble Lord, Lord Ampthill, said that that is the kind of government they like; they like to be governed. That is all very well. They liked to be governed, but they do not like to be governed from Downing Street or by Governors sent out from England. If you want a dictatorship, such as Signor Mussolini has established in Italy or as Herr Hitler is establishing in Germany, you cannot do that unless you have it established by a band of free people and in their own country. It is not very difficult for Signor Mussolini to say: "I am establishing a corporate State and my will shall direct it," because he knows the Italian people, for he is an Italian and a very typical Italian; but it is a very different thing indeed to say you can take such a step in India, and appoint such a distinguished administrator as Lord Lytton or anyone else, and have him approved by the population. You can set up paternal government if you have a Prince of royal blood and a Brahmin administration; but you cannot set it up with people sent out from Downing Street or from Parliament, and say: "These are the wise people who ought to govern." We know they are wise; and let me say that no one could have a greater admiration than I have for the succession of recent Viceroys or for the Indian Civil Service, but we cannot organise a modern State in that way. You must go by the way of democracy, and if you are going by the way of democracy this White Paper represents an enormous and difficult task.

No one can look at the schedule of communal franchises devised by Lord Lothian's Committee without saying: "Good gracious, fancy having to be Prime Minister or Speaker in a Parliament constituted with all these Parties." But that is the best thing we have been able to do owing to the divisions and disputations of the Indians themselves. I have again and again scandalised your Lordships by saying that I do not believe in communal franchise. I believe in the general franchise, but the facts, I am afraid, do not admit of it, and I recognise to the full the enormous and conscientious amount of effort which has been made to get rid of these frightful complexities of communal franchises, with the result that no one is going to be satisfied. That is a difficulty for the future, and if Indian legislators are going to say: "We cannot work with this group system, we must throw up a Hitler or a Mussolini or some other dictator," that has got to come in the future. Our immediate path is the path of democratic institutions already set up and accepted in India on these lines.

One point more I should like to make. The noble Lord, Lord Hastings, referred to dyarchy and said reference was made in the other House to the enormous difficulty that would be placed upon the Viceroy and the Governor-General. He

said, in effect: "Look at the Viceroy; he will have the whole Political Department with the whole of the Indian States to look after quite independently of his work as Governor-General, and he will have to get a vote from the National Council for the expenses and that would create a great difficulty." As to the practical difficulties of dealing with the Indian States I do not know whether the noble Marquess, Lord Reading, can enlighten us upon them. I should say from my observation that they are pretty considerable. There are constantly small difficulties arising, but it does not seem to me there is any reason to suppose there will be greater labour entailed in dealing with the Viceregal functions in regard to those States than there is at the present time. As regards financial matters surely the Government of India at present is responsible for the Political Department, and the Indian States are able to say: "We pay our taxes and make our contributions towards this. Some part of the revenues of the Provinces is devoted to that purpose and we pay taxes towards them." The *onus* of taxation surely remains just as it is at present. The Indian States are entitled to say: "We do pay our share."

I should not have supposed that the mere transition from an autocratic finance to a controlled finance ought to create any difficulty, because substantially the position will be the same. You have the expenses of the Political Department now. They are going to continue, but they are not going to increase, and why should there be more difficulty in future than there has been in the past, unless you are going to suppose that the Indian National Council is going to set on foot a campaign against the Princes and against the Political Department and to try to influence them by cutting down their vote? I do not think it is necessary to suppose anything of the kind. I wish again to express the great satisfaction with which I have listened to this debate, and, as a humble student of Indian politics, as one who during the ten months in which I was in Office devoted a great amount of careful study to India, which study I have continued ever since, I congratulate the Government heartily upon the great work that has been accomplished by the three Commissions and by the Round-Table Conferences. I would like also, in conclusion, to express my admiration, which everyone I think will feel, for the great work which has been done in this matter by the noble and learned Viscount upon the Woolsack.

THE MARQUESS OF SALISBURY: My Lords, I must confess to your Lordships that I venture to rise to address you this afternoon with feelings of very deep responsibility. It is difficult to exaggerate the seriousness of the task upon which we are engaged. We shall to-morrow, no doubt, accept this Resolution. Your Lordships will agree to the setting up of the Joint Committee. I respectfully think your Lordships will be well advised in taking that course, for whatever view may be taken of Indian reform and the appropriateness of the White Paper, I should think that there could not be two opinions that it is proper, if Parliament is asked to inquire into the merits of the case, that we should be ready to do so. That follows the policy which Parliament has throughout pursued in this matter. At the time the Government of India Act was passed it was provided that there should be from time to time an inquiry by a Statutory Commission. That inquiry was held, and now, after some delay, we are called upon to take into consideration the Report of the Statutory Committee, and the White Paper which has followed it, all in proper sequence, as we would wish it to have been done. But it is a position of great gravity, and I hope your Lordships will approach it with a feeling that in the decision which is going to be made in the Joint Committee and afterwards in Parliament you are uncommitted. That has been emphasised by His Majesty's Government, and my noble friend who leads the House assents to it now.

But are we fully seized of the real gravity of the situation? Take the noble and learned Viscount upon the Woolsack. Last night he delivered to us a very attractive speech, in which he described with great clearness and lucidity the history of this question and the provisions of the White Paper, but he did not seem to me really to realise how profound were the interests we were engaged upon. He said at the end of his speech words to the effect: "Nothing risk, nothing have; there must be a risk"; and in the early part of his speech he remarked that it is said this

Constitution we are proposing is unprecedented: so is the English Constitution unprecedented, but it moves. This analogy which it is sometimes sought to establish between the Indian Constitution and the British Constitution I confess fills me with despair. There is no analogy whatever. The British Constitution, as we know it, has been built up gradually through a thousand years, stone upon stone, step upon step, precedent upon precedent. Then the noble and learned Viscount, in the matter of precedent, asked what is the difference between the British Constitution and the Indian Constitution? It is because this Indian Constitution is purely artificial, is established for the first time, striking at the very root of all that is most valuable and most vital in Indian life, that there is a difference. We view it with profound gravity, and cannot regard it with the facile optimism of the noble and learned Viscount on the Woolsack.

I am not speaking only on my own authority, but it has interested me, and it may interest your Lordships, to be reminded of the sort of language which has been used about the policy involved in this White Paper by commentators who are certainly not unfriendly to it. Here is what Sir Samuel Hoare said about it a few days ago:

"No such change has ever been proposed by constitutional methods in the government of so vast a country in so short a time."

I may remind the noble and learned Viscount on the Woolsack that he protested against any accusation of shortness of time. The phrase really lies in the mouth of his own colleague, the Secretary of State. Here again is something that the Secretary of State said:

"I suppose that it is the most complicated scheme that has ever been proposed as the constitution of any country in the world. It bristles with complexities, it is filled with difficulties . . . ."

That is the thing which your Lordships are called upon through your representatives on the Joint Committee to consider.

This comment is not confined to the Secretary of State, although, of course, he is of the greatest importance in the matter. My noble friend, Earl Peel, whom I deeply regret is prevented from being in his place, spoke of it as a gigantic task. Then I turn to the noble and learned Marquess the Leader of the Liberal Party in your Lordships' House. Here is his comment when speaking to the Third Round-Table Conference:

"There is no history of the creation of federations which can even approach the stupendous character of this Federation."

Can it be surprising that some of us hesitate when we are confronted with a task of this kind which the very advocates describe as "gigantic" and even "stupendous"? Surely, my Lords, it is not surprising that a Conservative Party—a truly Conservative Party, for there are many fictitious ones about—hesitates before embarking upon a task such as I have described? And, indeed, my right hon. friend the Secretary of State is fully aware of it. Speaking in the House of Commons he said:

"On the day that I went to the India Office I realised that most of the problems with which I was faced were almost insoluble."

That is the Secretary of State's own comment upon his own policy.

I ask your Lordships therefore to bear with me for a moment or two while I point out some of the larger difficulties which stand in the way. I am not going to pronounce a final opinion upon them. We are going to have an inquiry. It is quite evident that if you go into an inquiry and settle beforehand exactly what you are going to settle at the end of the inquiry it is not much use. I thought that some noble Lords last night had hardly appreciated that precautionary observation. Let me just call attention to some of the difficulties. There is first of all the point which I have urged upon your Lordships on previous occasions—the enormous power which this Constitution would place in the hands of the Central Government enabling the responsible Ministers representing the majority gradually to invade and defeat the safeguards.

My noble friend the Earl of Lytton made a very powerful speech last night. I have not got his exact words, but he will correct me if I quote him wrongly. He spoke, if I remember him rightly, of the enormous power which a Parliament would have to absorb the authority, once it started, by the very law of its being. The power of the Ministers is always to say to the Viceroy or to the Governor-General: "If you do not do what we want we will resign and you cannot get any other Government." Constitutional history all over the world simply bristles

with precedents for that—the power which Ministers have, and which gradually drives and drives and drives the authority which occupies the Throne or what represents the Throne to make concessions. I made this point in a speech which your Lordships allowed me to deliver in this House not very long ago. I do not know whether any full reply has ever been attempted to it. I think that the Secretary of State said that that kind of thing would not be likely to happen. Why did he say that? What possible ground had he for saying that? What Minister will rise in his place before this debate is over and say that that kind of thing is not likely to happen? I do not know that it will succeed, but that it will be attempted is as sure as it is that day follows the night. That is one point.

Then we come to the communal deadlock. Everybody knows that that lies at the very root of Indian difficulties. How has that been resolved by the Round-Table Conference? How does it stand now? The Indians have been unable to solve it. The solution, such as it is, has been made by the British Government who are always spoken of with some contempt as being 6,000 miles away. The solution was made by the Prime Minister, and this is the form in which he made it:

"I desire to warn you that if Government have to supply even temporarily this part of your Constitution"

he was speaking to the Indians—

"which you are unable to supply for yourselves . . . it will not be a satisfactory way of dealing with this problem."

That is precisely what has happened. They have not been able to solve it, they show no sign of being anywhere near able to solve it, and the Prime Minister has attempted to solve it over their heads, not in a satisfactory way to use his own words.

Neither has it been accepted in India. I do not profess to be familiar with India from any personal knowledge of Indian conditions, but I have read the Blue-book. Here is what I find is said about the Punjab:

"The Hindus of the Punjab maintained that they were not prepared to accept any reforms which were based upon communal electorates and communal considerations."

And, further:

"A Constitution based upon the Communal Award will be a mere patchwork."

The Marquess of Salisbury.

The Communal Award itself, the solemn document of the Prime Minister, is only patchwork in the view of the Hindus of the Punjab. Neither has it been accepted by the Moslems. In the Upper Chamber of the Federal Legislature the Moslem community insisted that their representatives from British India should be elected through separate constituencies. That is not going to be done. That is not part of the White Paper. So we find that the Award which the Prime Minister himself knew to be unsatisfactory has not been accepted in India. That is the second great difficulty which has not been dealt with.

Then I come to finance. I ventured to put some rather pertinent observations about finance a few weeks ago in your Lordships' House. I described the financial position left by the Third Round-Table Conference as chaos. I got no reply from the Government, but the noble and learned Marquess, who knows all about these things and was a prominent member of the Third Round-Table Conference, said:

"The noble Marquess used an expression in regard to finance that it was left rather in a chaotic state. I will not use the word chaotic, but I might use one that approaches it very closely."

Then I said:

"How is it proposed to establish a Federal Government without dealing with finance?"

And here are the words of the noble and learned Marquess:

"As far as I understand the position it is not intended to do it. You cannot do it."

Well, are the Government going to enlighten us a little as to finance before the close of the debate or is the Joint Committee to be presented with a chaotic condition of finance? It is no good making general observations or, if I may respectfully say so, glib observations as to the beauties of the White Paper if you have these elementary points such as the religious difficulty and the financial situation completely unsettled, undigested, with nothing whatever done about them.

May I go a little further? What about the Princes? We know nothing as to how the Princes are going to regard the White Paper; at least we know very little. There was a meeting in India presided over by the Viceroy and, as far as I can make out, the White Paper was not

received with any enthusiasm at the meeting of the Princes. Are we to be called upon in the Joint Committee to consider the future of the government of India, which is to be a Federal Government, without having the least conception of what the Princes think about it? Is there to be no statement on behalf of the Princes which we can judge? As far as I can make out, the policy of the Government is that after the Joint Committee has sat and deliberated, there should be a Bill drawn up and passed through both Houses of Parliament, and then, and only then, we shall begin to know what the Princes think about it; so that your Lordships will be asked to deal with the whole of this subject so far as the Princes are concerned knowing nothing—completely blindfold.

It is not a simple matter. It appears to have dawned upon the Government that all the Princes are not likely to join. At one time I think they were under the impression that the great majority would, but now it is reduced to one-half—we do not know which or on what terms. Further, each Prince is to come to his own arrangements with the Government. Those arrangements may differ fundamentally and how is that position to be worked? Their representatives in the Federal Assembly will all have an equal power, but they will not have equal power over their respective States. The representative of A State will have a certain power over B State where the representative of B State will not have a corresponding power over A State, because it is provided that there are to be separate arrangements—potentially different. We are to know nothing about all that while the Joint Committee is deliberating—it is all to be done blindfold. This Federal Constitution, which we all accept as the only form in which a Central Legislature and responsible Government should be formed—we are to know nothing as to it.

Then there is the vital matter—I hope I am not wearying your Lordships—of law and order. Even the Lord Chancellor was frightened about that. Even his facile optimism gave way at that point. The peril as regards law and order is very great. I have in my hand an extract from a speech delivered by Sir H. Haig, the Home Member of the Government of India, in the Legislative Assembly recently on the Criminal Law Amendment Bill. The views expressed here are not those of the old Anglo-Indians who have long retired from service in India and are living now in England, and whose opinions are now all despised and cast aside with the comment: "Oh, they left India years ago and know nothing about it." But it is the Home Member speaking a few weeks ago, and he said:

> "We have in India a treble threat to peaceful progress—civil disobedience, Communism and terrorism. . . . Though on the surface these three are very different movements, behind the scenes there are certain contacts. Terrorism threatens government by open force; the other two—civil disobedience and Communism—are more subtle in their methods, but possibly even more disastrous in their results."

And please mark the next words:

> "A crust has been formed and at times we seem to see in a flash how thin that crust is . . . Let us beware lest the crust give way and we find ourselves precipitated into the abyss."

I have left out some non-essential words, but I have not misquoted the speech.

That is the position which is described by the present Minister responsible for law and order in India, and that is the situation of the country to which we are going to give responsible government. This is a very formidable thing. I think everybody seems to have felt how formidable it is and consequently has fallen back upon the Foreign Secretary. It is said: "Well, Sir John Simon in his Report was prepared to hand over law and order to the Provinces." I noticed that the noble and learned Viscount spoke of Sir John Simon's Report with every kind of eulogy and enthusiasm—the Report and the Chairman of the Report which the Government of which the noble and learned Viscount was a member treated with every insult when the Report was presented. Now, however, he is the Foreign Secretary, and they appeal to him.

What did the Foreign Secretary say in another place a few days ago? He was defending this proposal in his Report, that law and order should be handed over to the Provinces, but he went on to say, of which the noble and learned Viscount quite forgot to remind this House, that there were two qualifications. In the first place there was the qualification that in its Report the Simon

Commission contemplated that there should be a special European Minister in each Provincial Government to look after this particular side of the question. That was an important qualification, but it is not so important as the second qualification. He said—I am reading now from his speech:

"The other difference—and again this is a very important point—was that of course we were proceeding on the assumption that though there was this transfer in the Provinces none the less there would lie behind that and at the Centre a Government of the sort which we conceived. . . ."

That was a Government which was not a responsible Government at the Centre, and, although the words are very carefully drawn, what is perfectly apparent is that the Foreign Secretary in defending this recommendation of the Report said that it was agreed to upon the distinct assumption that there would be no responsible Government at the Centre. What right has the noble and learned Viscount to leave your Lordships under a misapprehension as to what the view of the Foreign Secretary is? The Foreign Secretary goes on to say:

"and unquestionably it would be a matter for very grave consideration in the Joint Select Committee how far these considerations will alter the view which any of us might take—myself included—as to the practicability of this particular plan."

Do not call the Foreign Secretary in evidence again when you are talking about law and order, unless you are prepared to modify your view of the risk of giving responsible government at the Centre. Of course it makes all the difference in the world.

I must not delay your Lordships too long, but in addition to all the list of unsettled vital points there is the question of where are to be found the agents who are going to carry out the Governor-General's wishes if and when he is obliged to act independently of his Ministers. No account has been given to us of how that is to be done. There are to be a few white Civil Servants left, but very few, for most things are to be Indianised. I do not want to say anything against our Indian fellow-subjects. It is to be profoundly hoped that they will be as loyal and as orderly as your Lordships, but if you are providing safeguards you must be able to show that you are providing machinery by which those safeguards can be worked. Otherwise, you are wasting your time. My Lords, there is no such provision.

Then there is the ultimate sanction, in which the defenders of the White Paper indulge. They say—the noble and learned Viscount said: "You can put the Army in motion." Which Army? Is it to be the white Army, the British troops, or is it to be the Indian Army, henceforward commanded entirely by Indian officers? I do not want to be too precise in a matter of this kind, but your Lordships will realise what the difference means if there is to be a real struggle; and the ultimate sanction, of course, has no meaning unless there is to be a real struggle. I have called your Lordships' attention to these fundamental difficulties with which the Joint Select Committee will have to deal. You are going to hand over, if the White Paper is to be passed in its integrity, to a responsible Government, all these frightfully difficult issues. You have surrounded it with so-called safeguards on defence, on law and order, on religion, but are you sure that your safeguards will work? What is this nation which is entitled to self-governing at the centre? It cannot defend itself, and *ex concessis* it cannot keep order within its own boundaries, and cannot find a *modus vivendi* for determining its own religious difficulties. To them you are going to hand over this intensely complex, artificial Constitution, with all these vital issues, up to now at all events, unsettled.

I have been told, with others, to beware of a pre-War mind. The pre-War mind which was believed in by the Liberal Party, and by apparently certain members of the Conservative Party too, was salvation by constitutional development. Now we know quite well, we who live in the twentieth century, that there is no salvation by constitutional development. That has all been blown to smithereens. No doubt this great country in which we live has made a splendid success of constitutional development on representative lines, but as far as I can make out no other country has made that success. That is not where salvation lies. Salvation lies in loyalty and in the spirit of service. That is the great lesson. To give people the right to vote and to have a responsible Government—talk about pre-War minds, my Lords, I had hoped that everyone had got past that, had

abandoned any belief that that by itself is the road to salvation!

Let us go into this Joint Committee. Your Lordships will vote it, and rightly vote it, and some of us will be members of it. Let us go into it in a spirit of caution—may I use even the phrase conservative caution? Let us not be misled by phrases or by facile optimism, but let us realise that it is only by extreme caution, by weighing every step, that we shall prevent a catastrophe. The responsibility on this generation is very grave. Depend upon it, just as those who were responsible for the Irish Treaty and the loss of Ireland will never be forgiven by this country, so those who lose India will never be forgiven. The Conservative Party have nothing to regret about Ireland. For what was it that we said? And what was it that our opponents said? Our opponents said: "If we pass Home Rule there will be a union of hearts"; We said: "There will be separation." Which was right, my Lords? No, my Lords, the Conservative Party has nothing to be ashamed of. It has made many, many mistakes, but its political instinct was sound, and, if it will give itself the chance, it is politically sound now. Let us enter the Joint Committee in that spirit, and then we shall be able to give a good answer to posterity.

LORD HARDINGE OF PENSHURST: My Lords, after the very interesting and most searching speech to which we have just listened I do not propose to detain you for more than a few minutes, as I have no desire to criticise the policy of His Majesty's Government as exposed in the White Paper, except in one matter which I regard as of really great importance. I fully realise that some who may not agree with my criticisms will say to themselves that I am a back number, in which term I fully agree, for much water has flowed under the bridges, and much change has taken place in India, since twenty-three years ago, when I first went out to India. On the other hand I was in India only two years ago for some months, and visited five Provinces and seven States, and during the course of my peregrinations I had full opportunity of discussing with many friends of all classes and persuasions the many questions which were even then and are still now at issue.

I have always been progressive in my policy towards India, in fact during my administration there I was regarded by many with suspicion as an advanced Radical or something worse; and I still am progressive in my views, but on lines of what I believe to be wisdom and prudence and not a leap in the dark. It was on August 25, 1911, that my Government addressed a Despatch to the Secretary of State for India, who was then Lord Crewe. That Despatch was connected with the transfer of the capital from Calcutta to Delhi. In that Despatch forecasting the future policy of India we stated our conviction that before long many Indians would lay claim to a greater share in the management of their own affairs; and we expressed our view that in that case the best and safest line of development would be the grant of autonomy to the Provinces; but we added the condition that there should be a strong government at the Centre to control and co-ordinate the policy of the Provincial Governments. That Despatch was published, and in February, 1912, there was a discussion in your Lordships' House in which that particular sentence, referring to provincial autonomy, was hotly criticised by my predecessors in office, Lord Minto, Lord Curzon and Lord Lansdowne, but it was approved by some of the ex-Governors who were members of this House, and amongst them, if I remember rightly, was my noble friend Lord Ampthill.

Well, provincial government has come to stay, and I warmly welcome its arrival. It appears now to meet with general approval on all sides. Still, the condition of a strong Central Government is not likely to be realised if responsibility at the Centre is conceded at once. Surely it will be better to allow provincial self-government to develop on its own lines before a new experiment is made at the Centre. The noble and learned Viscount on the Woolsack said in his speech yesterday that in the opinion of Indians it would be giving the husk and not the kernel, and that Indians would not accept that solution. I hope the noble and learned Viscount will pardon me if I express doubts as to whether that statement fully represents Indian opinion when I tell him that during my stay in Lord Irwin's house at Delhi only two years ago a very distinguished Indian, an adherent of Con-

gress, but a gentleman who has held office as a member of the Viceroy's Executive Council, came to me and urged upon me that when I got home I should do what I could to convince people over here that India would be perfectly satisfied with the grant of provincial autonomy, and that only a few politicians wanted responsibility at the Centre. He said—and I can well understand this—that Indian politicians much preferred to be great men in their own Provinces, where they have large numbers of friends and dependents, rather than at the Centre where they know nobody and have no friends. I asked him why he did not say this openly and publicly, and he replied, because he did not dare. In relating this I do not wish to imply that most Indians share his views, but I am quite convinced in my own mind that there are in India a large number of men, politicians like him, who through lack of encouragement do not dare.

Then again it was said yesteday—I think by my noble friend the Marquess of Lothian—that provincial self-government could not be established without responsibility at the Centre. I do not agree with that. It is easy to make an assertion of that kind, and it may be difficult to prove or disprove it, but it certainly was not the opinion of my Government in the year 1911. The noble and learned Viscount the Lord Chancellor, in the course of his speech, spoke of risks, and other speakers mentioned doubts and misgivings: but surely, my Lords, we have no right to take risks in our responsibility for the great heritage of that vast continent which has been handed down to us by past generations?

In order to calm the doubts and fears of those who are apprehensive of the policy proposed in the White Paper strong and very necessary safeguards have been inserted. I am very glad that it is so, though I do not attach undue importance to such safeguards. Everyone knows how easily safeguards can be whittled down until they become practically ineffective. When I was at Delhi two years ago another Indian gentleman called upon me. He had been a member of the First Round-Table Conference, and had just returned from London. His object in coming to see me was to persuade me to urge on my return that these safeguards which had been proposed at the Round-Table Conference should be withdrawn, since, he said, they were a sign of distrust on the part of Great Britain of the Indian statesmen. I naturally demurred, and he promptly added that in any case they would not be respected. I only mention this as an instance of the mentality of some Indians which should not be ignored. I shall not detain your Lordships longer. My point is that I wish to urge upon His Majesty's Government the adoption of a policy of greater prudence and caution, and that there should be no question of conceding responsibility at the Centre until events have proved that self-government in the Provinces is a practicable and justifiable policy, and that no risks should be run of administrative chaos which I am profoundly apprehensive will follow in the event of self-government in the Provinces and at the Centre being conceded simultaneously.

LORD STRATHCONA AND MOUNT ROYAL: My Lords, it is with very great diffidence that I rise to address the House, deeply conscious of the fact that in expressing to your Lordships my own views in a more or less unofficial capacity I am giving you the views of one of the younger and less experienced members of your Lordships' House. My task has been made more difficult by the two very striking and stirring speeches to which we have just listened from the noble Lord, Lord Hardinge, and the noble Marquess, Lord Salisbury. The speeches of the noble Marquess always command respect and attention in this House, which is always desirous of hearing the views of one who has been Leader of the House and a member of previous Governments. His personality and charm are such that younger ones, like myself, are always willing to listen to him and not so eager to criticise. He will forgive me, therefore, if I do not follow him in every point he made in the very striking speech he gave to us, and I trust that he, on his part, when I express the views which I feel in my heart, will not accuse me of being a fictitious Conservative or of suffering from a post-War mind.

I confess to your Lordships that two years ago I should have found some difficulty in rising from these Benches and saying that I viewed the policy of His

Majesty's Government with regard to India at that time with complete satisfaction. That was not entirely because there was at that time a Socialist or Labour Administration in this country, a fact which the noble Earl, Lord Lytton, seemed to overlook in commenting on the chronological sequence of events after the Report of the Statutory Commission was published; but also because at that time I did feel that the pace at which Indian reforms was being accelerated was rather too great. Two years are a very long time in politics, and a very long time in Indian politics, and I can say with complete candour and honesty, and without straining or stretching my conscience too far, that I view the procedure which has been outlined by and for His Majesty's Government with complete equanimity and complete confidence.

It has become somewhat of fashion of late to suggest that the Report of the Indian Statutory Commission was shelved or flouted. The noble Marquess, I think, more or less made that assertion in his speech, but I must confess that we have never said that that was quite the case, although I admit events moved very fast after that Report was issued. I regard it in this way. Once the First Round-Table Conference was summoned, and once we had that surprising—because we did not expect it so soon—declaration from the Princes of their willingness to come into an All-India Federation, the whole situation became changed in a flash. I confess I was also anxious at one time as to whether the procedure to be adopted after the Statutory Commission's Report was not going to be altered. At one moment I was apprehensive lest the procedure of a Joint Select Committee might be abandoned. But to-day that procedure is as complete and perfect as it can be from the point of view of Parliamentary control. Parliament is not only going to appoint its Joint Committee and have the policy "vetted," if I may use an unpleasant expression, by them, but thereafter will come the Bill itself, the Government of India Act giving a fresh opportunity to Parliament to express its opinions and its views on the subject.

It has sometimes been complained, not unnaturally, that the present procedure is too radical a departure from the Report of the Indian Statutory Commission. As I endeavoured to explain to your Lordships just now, departure was necessary and became essential the minute it was apparent that the Princes were eager, or anyhow prepared, to come in. But I do not regard the departure as so very great. I have always regarded the procedure outlined at the Round-Table Conference, and now, more especially, the procedure laid down in the White Paper, as being complementary rather than supplementary to the Report of the Statutory Commission. The main points of divergence are (1) on the question of federation and (2) on the question of the Provinces; and I will deal very shortly with those two points, if I may. With regard to federation, I have already said that federation became a possibility from the minute that it was apparent that the Indian Princes were ready to come into the scheme. I want to point out to your Lordships that federation has been at the back of the people's minds for a long time, and had been mooted long before the Statutory Commission made its Report.

This paragraph, for instance, appears in the Montagu-Chelmsford Report, which after all, is the foundation of all modern movements for reforms in India. It is said in the Montagu-Chelmsford Report:

> "Our conception of the eventual future of India is a sisterhood of States, self-governing in all matters of purely local or provincial interest. . . . Over this congeries of States would preside a Central Government, increasingly representative of and responsible to the people of all of them; dealing with matters, both internal and external, of common interest to the whole of India; acting as arbiter in inter-State relations, and representing the interests of all India on equal terms with the self-governing units of the British Empire. In this picture there is a place also for the Native States."

That was written in the Montagu-Chelmsford Report in 1919, and it followed therefore, almost axiomatically, that when the Indian Statutory Commission under the Chairmanship of Sir John Simon came to draft its Report, they had that declaration in front of them. They had been to India and been able to see the situation for themselves, and it was not so very surprising, therefore, that the solution suggested was a federal one, and of course in that, as in other matters, we were to a certain extent guided by the Preamble to the last Government of India Act.

There are those who say that the new procedure with regard to federation at the Centre is a reversal of policy in that it is creating a dyarchy at the Centre. Full responsible Government at the Centre is, so we are told, producing a form of dyarchy which was not wanted, but I think there is a slight mistake in that argument. The noble Marquess, Lord Lothian, dealt very well with it in his speech last night in this respect, that under the new Constitution proposed the two things which are left out from responsible Government at the Centre are the Army and foreign affairs. There are certain smaller matters, such as ecclesiastical matters and others which I regard as not of such great importance, but the two major points reserved are the Army and foreign affairs, and they cannot be said to be of vital internal importance as regards the training and responsibility of the Government of India at the Centre. The Army, it is true, has to do duty in India in what may be called an internal capacity. Foreign affairs are obviously affairs outside India and, therefore, granted that in any responsible Government at the Centre you have to have some system of dual control, I think it is legitimate to claim that by reserving the Army and reserving foreign affairs you are not really acting as if you were creating dyarchy at the Centre. The transferred subjects in the provincial system were of much more vital importance to the Provinces themselves than those subjects will be to the new responsible Government in India. Finance, of course, becomes altered under this scheme, and the financial proposals given in the Statutory Commission's Report have naturally had to be adapted to meet the new Constitution.

But the greater step is taken, as noble Lords have said in all parts of the House, when you come to the Provinces. All this will lead me in a minute to the question of provincial autonomy and law and order. I want first of all to point out to your Lordships something which I think has sometimes been overlooked —I do not think it was mentioned in the debate in another place—namely, that the Provinces which are going to have provincial autonomy under this scheme are not in all respects the same Provinces which were in being when the Statutory Commission was in India. This scheme gives room for three new Provinces. Since the Statutory Report was published a new Province has been set up on the North-West Frontier. That was a departure from our scheme, but a departure which seems to have been warranted by events which have occurred since then. A new Province has been set up in Sind. I think we should have liked to do the same thing ourselves, but we regarded it as an experiment which could not be justified until the Sukker barrage was working and the prospect of adequate finance for that new Province was certain. A new Province has also been created in Orissa. That was recommended by the small Committee accompanying the Indian Statutory Commission, but we did not feel, I think, that the evidence was sufficiently adequate or comprehensive for us to make a definite recommendation on that point, so that the new structure in which provincial autonomy would be working is one which consists of more Provinces but of slightly lesser proportions, and in those Provinces, as your Lordships are aware, it is now suggested that full provincial autonomy should be given.

It is when we come to that point that noble Lords on all sides of this House, as the noble Marquess said just now, feel some anxiety—the noble and learned Viscount on the Woolsack himself said so yesterday—because full provincial autonomy means, as your Lordships are aware, that automatically all subjects come under the leadership of the Provincial Government so formed, and that brings to the guidance of responsible Ministers the Department which is somewhat erroneously spoken of as the Department of Law and Order, in which we find the Police. Let me say at once quite straightforwardly that if we had talked, or ever do talk, of giving autonomy to the Provinces in India without transferring law and order that would be something of a sham. We are, I am sure, all fully aware of the great difficulties that confront anybody before this decision can be arrived at. The arguments are all set out in a paragraph of the Indian Statutory Commission's Report—Paragraph 63 —and I will not weary your Lordships by going through them all, but I would like to make just one quotation from the Report itself. In Paragraph 63 of the Report the Commissioners say—

"We must face the fact that responsible government in the Provinces cannot be achieved without this change."

That is, the change of granting law and order. Later on they make other recommendations under the same heading.

The arguments on both sides were somewhat evenly balanced. There was one suggestion that law and order should become a centralised subject. But geographically India is so vast a country that it was considered that to add a central organisation—at, say, Delhi—responsible for the whole of the Police force in India would be an impossibility, and would throw an undue strain on the Governors in the Provinces themselves. I think the thing that perhaps persuaded us more than anything else was the fact that in the Provincial Councils then existing we saw constant attacks made on this Department which was responsible for law and order. The Police force as far as politics are concerned in India it not a popular subject, but the Police force when Indian politicians have no responsibility for it appears to be a subject which they could not resist attacking, and it seemed to us that it was most desirable that this divided responsibility should cease as soon as possible.

The noble Marquess referred to the speech which the right honourable gentleman the Secretary of State for Foreign Affairs made in another place last week, in which he pointed out to the House the ill effect produced by these constant attacks on the Police and Police administration. He said:

"The result of all this undoubtedly is that, unless you change their position the Police force in India and all the apparatus of law and order tend to be regarded as the agent of an alien bureaucracy."

It was a difficult position to take, and I think we were as aware then as I believe the Government are to-day that there are risks to be taken in this matter. But very large risks will be taken if land revenue and irrigation are handed over to responsible Ministers. There are many in India who implored us to hesitate before we did that, and it did seem, I must say, when we saw these huge irrigation works and knew the difficulties of communal feeling in India, that there was a risk to be taken there. But this is a time in which risks have to be taken and possible dangers faced. We considered at that time—and I believe considered rightly—that this was a time to say to Indian politicians: "Here is the test of your statesmanship. Are you prepared to administer law and order yourselves and, if so, and if you prove worthy of that charge, then we realise that you are able to govern yourselves, at least in the Provinces."

Of course safeguards have been laid down and your Lordships are fully aware of what are those safeguards. I should, however, like to correct one statement which the noble Marquess, Lord Salisbury, made when he suggested to your Lordships that we should not take the speech of the Foreign Secretary as a real defence of our proposals in regard to law and order. I admit there are qualifications, I admit there had been a suggestion of an official Minister, but surely when any of us make these statements and try to frighten ourselves or our friends out of what I think is the right course of action we are going a little bit too far and a little bit too fast.

THE MARQUESS OF SALISBURY: I do not want to interrupt my noble friend more than is necessary, but I should like to say that the important qualification was not the extra Minister but that the Foreign Secretary put that passage into his Report, according to his account of it in the House of Commons, the presence of a Government at the Centre which he conceived—that is the Government in favour of which the Commissioners were going to report, not the one with responsible Ministers.

LORD STRATHCONA AND MOUNT ROYAL: The noble Marquess is perfectly correct in his statement and I agree with him entirely, but I was going on to say that I think he overlooked the passage which came later on in the Foreign Secretary's speech when he said:

"I should feel much more difficulty than I do"—

that is, I suppose, in supporting the proposals—

"if my right honourable friend the Secretary of State for India was to-day or to-morrow asking the House to vote in favour of the White Paper, but he is not doing that. He is saying"—

and then he went on to point out that the House was only dealing with the appointment of a Joint Committee. I

think the purpose of this debate is surely to give all the advice and have all the points such as those raised by the noble Marquess put on record, so that when the time comes the Joint Select Committee may sift them and prepare a Report which eventually, I suppose, will come before the Government as the basis of the next Government of India Act.

I do not want to take up too much of the time of the House and I only wish to mention one more point. I think a great many people in this country were very seriously concerned when they read a letter from the noble Marquess, Lord Zetland, in *The Times* some days ago in which he referred to the difficult position in which the Governor-General would find himself under the proposed Constitution. The noble Marquess, I believe, is going to speak to-morrow and I shall leave it to others—we all hope my noble friend Lord Irwin will be well enough to be in his place—to deal with that point. But I should like to put forward my own view for what it is worth on that question. It seems to me that the Governor-General and the Governors in India have always had a job which demanded something in the nature of a superman, but they have been fortunate, and I trust always will be fortunate, in finding beside them and behind them advisers whose energy and whose capability for dealing with the situation no one could doubt and who have never failed them.

I would point out to noble Lords that under the White Paper proposals the Governor-General in future will still have a Civil Service behind him with a large white element in it, with all that the Indian Civil Service means to all of us. We know their amazing power of facing situations in India which we in this country could not contemplate. We know how they have always been able to deal with countries so big that we in this small island cannot conceive of them, and I believe the real answer to the difficulty of the noble Lord, the Marquess of Zetland, is that a Governor-General and Viceroy in future can carry on his task, difficult though it will be, provided always that he has at hand the advisers of the Indian Civil Service whom, in my opinion, he must and always will have. The test of this scheme and the test of our proposals is really the amount of co-operation we will receive. This scheme must be worked with co-operation in India and I trust that none of your Lordships will be frightened by the possibility that the Congress Party in India will be unwilling to work the scheme. I think we must always remember that we are not necessarily legislating for Congress; we are legislating for other elements in India—Mahomedans, loyal Hindus, Depressed Classes, Indian Christians, our own community and others who have always been willing to assist the Government of the country.

Those in that country and in our own Party who have taken a somewhat strong view about the proposals of the Government have, as far as I have been able to see, failed to produce any very obvious alternative. It seems to me the alternatives to this policy which are suggested are either evacuation or autocracy, and no one, I think, believes that in 1933 a policy of evacuation or of autocracy is possible in India. The main justification of our opponents has been that they base their arguments for the unsuitability of this Constitution on the irresponsibility of Indian politicians, but this scheme, we hope, and I believe have reason to hope, will give Indian politicians a sense of responsibility, and a chance to make use of it, and it will be up to them to assist us in making the Constitution work.

Lastly, I think that in these difficult times and in regard to so vast and complex a question as the government of India we have a right to ask for co-operation at home. I was somewhat disappointed that the Labour Party, both in this House and elsewhere, had expressed dissatisfaction with the proposals of the Government. In this matter I think it would not be unfair to say that the Labour Party is rather too young and rather too hasty in its aspirations for India, as for all other countries. The noble Lord, Lord Snell, referred yesterday to the other opposition as coming from what he called the Epping Party. I say with great respect of them that possibly they are too old in that they are somewhat prone to reaction. With great respect to the noble Marquess I say to him and to others that I earnestly believe that in ten years—even in five years, things change so quickly—it is hard to tell who is the latest and only real expert on this question. I would only draw attention to the fact that the policy of the Government received a

blessing yesterday from one who really did a great service to India which was not always universally known or recognised. I refer to the Marquess of Linlithgow. The production of his unanimous Report was really a tremendous task. It brought him, as he said, to all the villages and through more parts of the country than probably any other Commissioner has travelled, and he was able to tell your Lordships that he believed the time had come for changes somewhat on the lines of those suggested by the Government.

It seems to me that the policy of the Government steers a middle course between the policy of the Labour Party, which I have labelled as too young and too hasty, and the policy of that section of our Party which I say, without any disrespect, is possibly too old-fashioned and possibly a little too reactionary. We all want peace in India. We want peace in our time in India. But we want something more: we want peace in the time of our sons and grandsons, and I am firmly of the belief that there are elements in India which are determined to see that the Constitutional reforms which are proposed become a working system and that the Indians themselves will give proof that they have not only powers of government, but that they have no intention whatsoever of severing the British connection. I hope and believe we shall live to see an India under a Constitution somewhat on this basis still continuing as a partner in the British Commonwealth of Nations—a partner proud of that connection and relying to a very great degree on the Englishman to be their right-hand man in the practice and performance of that Constitution. It is because I believe that—because I believe there are elements in India who are determined to do the right thing, and who will always want ourselves to be their partners giving guidance in that task, that I personally have no hesitation in commending this Motion to your Lordships' House.

VISCOUNT BURNHAM: My Lords, I venture to think there is no legislative Chamber in the world that can compete with your Lordships' House in the variety and distinction of your experience, and during this discussion of what I venture without exaggeration to call a world-shaking issue many points of view have been registered. Like all your Lordships I have listened with great pleasure to the very agreeable speech of the noble Lord, Lord Strathcona, with whom I found myself acting for three years of inquiry and report on the Statutory Commission. I do not think we differed then. I do not gather, having listened to him carefully, that we differ now, because, while his speech as a loyal member of his Government was delivered in support of the White Paper, he did not say anything inconsistent with his continued loyalty to the Commission to which he belonged.

It goes without saying that I echo an opinion that we heard expressed in the House yesterday. The noble Earl, Lord Lytton, made a valuable and interesting speech, and he expressed the opinion that things would have been very different had the Report of the Statutory Commission been made the basis of legislation within the three years of its having been presented to your Lordships' House. Naturally I concur in that and I was glad to hear the noble and learned Viscount on the Woolsack say that our Commission had not been sufficiently recognised. I can assure him that we all felt deeply humiliated by the manner in which we were treated and by the change that was made for our disadvantage in the practice of Parliamentary procedure. It was not without protest. Sir John Simon saw the Prime Minister of that day, who is the Prime Minister of this day—of course he was the Prime Minister of another Government—and he endeavoured to induce him to extend to us the courtesy of Parliament. That courtesy we never received, and I suppose it is the one example in British history of a Parliamentary Commission, appointed to report, to guide Parliament in its policy, never having had any formal consideration. I do not say that the Report was not read and digested by those who sat on the Round-Table Conferences, but I do know that many of them in India condemned it before they had ever read it, and before they had ever heard what it contained. So the extent of that knowledge cannot have been very profound.

There was another notable speech made in the Debate yesterday, as several of your Lordships have observed, and that was by my noble friend Lord Lothian. He gave us an analysis of the equipment

of a modern State in grappling with the work of governing a large population, and quite rightly, I think, he put education in the forefront of the programme. He said that we must think of young India, of those young Indians who were being educated in the primary schools. I agree, but we must put some grains of salt into that statement fully to appreciate how much it is worth. We must allow for what under the present Indian situation is called waste and stagnation. I will quote, if I may, from the Report of the Statutory Commission in regard to education. The Statutory Commission appointed a special Committee, under the Chairmanship of Sir Philip Hartog, to investigate education in India, and they reported in their first volume:

"Making every allowance for the situation created by the sudden large influx into the lowest classes of primary schools, which followed in the wake of the Reforms, the fact that, of the 3,453,046 boys who entered Class I in schools in British India in 1922-23, only 655,101 survived to reach Class IV in 1925-26, and that the rest had fallen out by the way or had vegetated in lower classes without any prospect of attaining even initial literacy, is lamentably significant."

That diminishes a good deal, I think, of the value of the statement of my noble friend, as to the effect that education has had up to the present in India. I am not talking of the future, but only dealing with the immediate present with which we have to deal.

I venture to take part in this momentous debate in anything but a cheerful or even hopeful spirit. Still less do I do it in an airy spirit of optimism, and I cordially re-echo the words, which I have torn from their context, used by Mr. Baldwin, when he said: "We want a policy of realism and not a policy of sentiment." I only wish this description had been true of our policy in India during these latter days. We are now leading up, or perhaps I should say drifting down, to the next Government of India Bill, and as the first stage in the process no one can exaggerate the real and vital importance of this debate. When we were in India with the Statutory Commission the greatest advantage which we had was that in each Province we went to we were able to hear the free and unofficial opinions of all the principal people concerned. When we went to take leave of the Governors and Chief Commissioners they spoke their minds. There was nobody with us. I recollect one case in which our host, who was a man of great authority and distinction, seemed so depressed by what was taking place and by his apprehensions as to what would follow, that I said to him: "I fear, Sir, you despair of the Commonwealth." He said: "Of course I do; catastrophe is inevitable." He is retired, so I am able to quote him, anonymously. That is what I found to be the prevailing opinion in the official world of India, as we heard it. It is only fair to add that the high officials were so overwhelmed with the mass of orders and counter-orders they received from headquarters that they had but little time for fulfilling their proper duties in isolation. Some of the senior members were buoyed up by the belief that the existing order would last for their time, and that in any case, as is indeed provided in the White Paper, following the precedent of what was done after the Act of 1919, they would have the opportunity of retiring on special terms. It is unfortunately true that those who have the best right to be heard as to plans that are possible for dealing with the future of India have been to a large degree rejected or ignored.

I fancy that nobody has merited in a higher degree the confidence of the British Government and the British people, than a famous member of a famous family who has written a short treatise on what he calls "India Insistent," Sir Harcourt Butler. He says that,

"two fixed points emerge from the heat and dust of controversy: (1) the British cannot go; (2) India without the help of the British cannot, at present, administer or protect the country."

He has a special right to speak because he was selected to introduce what are called the Chelmsford-Montagu reforms not into one but into two of the Provinces of India. He says that:

"apart from any question of self-protection India cannot, at present, administer the country because of her divisions, the ignorance of the vast majority of her people, and her inexperience of self-government."

Mr. Baldwin in his speech in another place said that "we have to deal with a new India." I think Lord Lothian talked of the old order in India having passed away. Sir Harcourt Butler's reply is very cogent. He said:

"If anybody captured by eloquence and superficial developments inclines to the belief that in India all things are becoming new, let him drift in a barge down the river front in the early morning at Benares, with its palaces and temples, its shrines and its burning ghats, its priests and ascetics, its mysterious practices and multiform ritual, its animal life, the monkeys, the goats, the sacred bulls, the whole apparatus, as it has been called, of higher and lower Hinduism, unchanged throughout the centuries, untouched by the West."

I am free to confess that I put my trust in the opinion of Sir Harcourt Butler, founded as it is on half a century of noble service to the Crown in our Indian Empire. The introduction of the next Government of India Bill will mark the end of the beginning and very probably the beginning of the end of British rule in India, which is, without cavil or question, the greatest achievement of the British race. We ought to approach the opening phase with all the equanimity that we can muster, but the number and complexity of the safeguards proposed in the White Paper show how keenly we realise the hazardous nature of the experiment that we are making in developing popular government in our Indian Empire.

We are considering to-day the setting up of the Joint Committee to which the White Paper with its contents is to be referred. Like my noble friend Lord Salisbury, I am in no way opposed to setting up this Committee, and I think it is the wisest and best thing that can be done. We are not considering the actual composition of the Committee, and in this House the difficulty will be that we have too many men of more than the necessary qualifications of knowledge and experience, and among them no fewer than three ex-Viceroys, not including Governors who have filled the office in emergency. There is one name which will, I think, be greatly missed for his invariable courage and foresight, and that is the name of Lord Sydenham of Combe, one of the foremost Peers of the Realm. Apart, however, from the personality of individuals, there is a question of intense difficulty that is not yet settled, and that has been left over for decision by a Government which is not "too brave," to use the late Lord Halsbury's phrase.

According to the assurance of the late Lord Birkenhead, representatives of India are to be added to the Committee, at least for consultation. Replying to questions in another place on March 20 the Secretary of State said that Indian delegates not being members of either House clearly would not be able to vote as members of a Joint Select Committee or be actual parties to a Report of such a Committee. Whether the Indian delegates will be allowed to interrogate or cross-examine witnesses were questions of procedure for the Committee itself to settle. The Indian representatives would be invited by the Committee. So far as I know the fact itself is an absolute innovation, and I should have thought it would have been better and fairer to the Committee for the two Houses to have indicated the fit and proper method of dealing with it. Are these Indian ladies and gentlemen, if there are to be ladies among them, to be present as witnesses or as assessors? After the answer of the Secretary of State as I have read it, I imagine that they will be in the room as assessors. According to the dictionary, in the days of ancient Rome the assessor was a person appointed to assist the magistrate with his advice, and the term always had a professional connotation. As the whole matter is a departure in procedure which is bound to serve as a precedent, we ought to know what is the course that the Government, who obviously and properly will dominate the Committee, will recommend to be followed.

It is said that the easiest way would be to let the Indians be present in the Committee for the examination of witnesses, but not for the consideration of the Report. On the other hand, the Report emerges on the consideration of every paragraph of the White Paper, especially when the Committee comes to considering the skeleton of the Bill. Even physically it would be very difficult to use in Committee what was called the in-and-out system or, in the case of Mr. Gladstone's Home Rule Bill, the cat-and-mouse arrangement. It could not work, and it would be entirely destructive of the *status* of Europeans, which the Statutory Commission said is the principal aim of all Indian policy. In that I heartily agree. They said, and said quite rightly, that the Indian politician sought above all things equality with the European. I think that the very suggestion that they should be turned out and let in from time to time is enough to prevent the Indians from ever entering the Committee room at all. There is one thing which is quite

certain. If the Indians are present—and I say it with no ill-will, on the contrary with great sympathy for them in most things—when their compatriots are under examination nothing will be said to add to what we know or want to know.

I imagine that the Committee will sit with reporters present. Indeed, I much hope so, because that will prevent distorted or at any rate jaundiced accounts of what takes place being given to the Indian Press. I am far from saying that it is invariably true that the rule of confidence is not observed by our Indian fellow-subjects, but on the Statutory Commission we had the unfortunate experience of finding that the confidential reports of the various Provincial Governments were always published in the Indian-owned newspapers before we received them individually. The Oriental maxim that "walls have ears" was amply borne out in fact. I would add that if the evidence given by Indian witnesses is published to the world it will lead to the actual infliction of the boycott on those who favour the policy of the Government, and Indians, especially those living in Bombay, have told me that it means "oppression that makes the wise man mad." So I hope and believe that it is possible to come to an arrangement in the Committee that will avoid that difficulty. But I confess I do not see how. And I think it even ignoble that we should come to these conclusions without pointing out to the Committee the part which it ought to take.

It is common ground with all who have had to deal with what are called Indian reforms that no system of popular government has a chance of success that is not founded on the good will and co-operation of the greater part of the many communities which divide India among them. Can anybody say that the White Paper has so far received any measure of approval or agreement anywhere in India? The Secretary of State ventured on the conclusion that criticisms from opposite points of view were self-destructive and cancelled one another. Surely he forgot the vital difference in the nature and the power of such criticism. The new constitutional arrangements have to be worked, not here but in India, and Parliamentary action here will have but a faint and ineffectual reaction out there. Misled by the reserve power of

Viscount Burnham.

Liberalism in this country, which, as we all know, is very great, those who believe in the virtues of compromise are apt to put their trust in Indian Liberalism, but even more than here the Indian Liberals are a Party of generals; and in order to have any chance of Parliamentary existence they have to toe the line to the Indian National Congress, which is the only political force that counts among the Hindus. And the Viceroy said that only the other day again.

The Indian Liberals who attended the Round-Table Conference have shown that they know their place. They are leaders of a phantom Party whose only hope of being in an All-India Legislature depends on toleration of the Congress Party. Liberal leaders, including Mr. Srinivasa Sastri, declare that the White Paper scheme is inspired by deep-seated distrust of the capacity and *bona fides* of the Legislatures, and treats them either as political babes or as potential enemies of Great Britain. The choice before the British Government, they say, is to placate the Tories at home or to win the confidence of the people of India. Unless the scheme now published undergoes radical alteration there is no likelihood of allaying political discontent in India.

Sir Taj Bahadur Sapru, who is known to many members of your Lordships' House, says that the White Paper has had the most hostile reception in India.

"It must be recognised [he says] that the proposals of the Government cannot be described in any sense of the term as being based on agreements arrived at at the Round-Table Conference."

That is to say, he accuses the Government of breach of faith, and he goes on:

"A great part of the document seems to be drawn up more with a view to placate that section of the British Conservatives who are frankly opposed to any advance of the Centre, and cannot think of India otherwise than in terms of perpetual tutelage."

He considers that the most objectionable features of the provisions are those providing that the recruitment of the Indian Civil Service and the Indian Police should continue in the hands of the Secretary of State. We look upon that as one of the most essential of our safeguards.

"I must frankly say [says Sir Tej] that if this Constitution is intended to make an appeal even to moderate-minded men in India, it will have to be materially altered in certain respects."

Sir Purchotamdas Thakurdas, Mr. D. G. Birla, Mr. Walchand Hirachand, and Lala Sriram, who are leaders of Indian commerce in Bombay, Bengal, and Northern India, in a joint statement condemn the White Paper. They "are disappointed to find it is not capable of satisfying even the most moderate section of Indian public opinion." They believe that "there will be greater strife and greater conflict, and no peace." How far you can talk of public opinion in India was dealt with in the Report of the Statutory Commission and your Lordships have read it there. Mr. N. C. Kelkar fears that the White Paper will be "dished" by extremists in India and England. Excepting the franchise proposals, nothing in the White Paper merits approval, he says. The views of Hindu Nationalists members of the Assembly are reflected in Mr. Ranga Iyer's statement that the White Paper proposals are "inadequate, unsatisfactory, and disappointing." There is neither complete provincial autonomy in regard to law and order, nor real federal responsibility on essential subjects. And then we come to the attitude of the Moslems. An indication of it is contained in the statement of Sir Mohamed Iqbal that the White Paper is not likely to satisfy either the country or the Moslem community. So much for the way in which the White Paper has been received in India.

Well, my Lords, there has naturally been a great deal of talk about the parallel case of Ireland. Mr. Baldwin spoke of the failure of the safeguards in the Irish Treaty to which he had been a party, and said he did not wish to "miss the 'bus" again. It is instructive to observe that Mr. Patel, who behaved so shamelessly and shamefully to the noble Lord the present President of the Board of Education, who was lately Viceroy of India, went to Dublin to talk matters over with Mr. de Valera a week ago, and they both indulged themselves in the expression of that fanatical hatred of this country. I quote from the newspaper Press an account of what took place:

"Mr. Patel, ex-Mayor of Bombay, and former Speaker of the Indian Legislative Assembly, one of Mr. Gandhi's first lieutenants, met Mr. de Valera at Government Building, Dublin, yesterday, and discussed with him for two hours the Indian and Irish situations. Mr. Patel informed Mr. de Valera that India was watching keenly all the developments in the Irish Free State, and wished the Free State all possible success in the present dispute with England. He assumed his sympathy when he remarked sanely and sweetly that 'there can be no peace in the world so long as the British Empire lasts.' Charging the Government with having made 'these sinister proposals with a view to goading the people of India to violence,' he said: 'Britain knows India will not remain for a single moment a member of the British Commonwealth of Nations. The goal of India's youth is the "Republic of the United States of India." To prevent that goal being reached Britain has produced these latest proposals.' British propaganda was so powerful in America that unless India took measures to counteract it her case would go by default there. Any incident that might throw some slight discredit on the British would always be explained away in the newspapers."

That shows what is the attitude of the man who is Mr. Gandhi's principal lieutenant and chief adviser, and who will have a good deal to do with determining the policy of the Congress Party; and the Congress Party, as your Lordships know, is the only effective political force in the whole of the Hindu community.

The other night when I was sitting in our Gallery listening to the debate in another place Mr. Patel was sitting near me in the Distinguished Strangers' Gallery. I thought we are indeed a long-suffering people to exclude, as we were doing that night, old officials in the Crown in India in order to find room for one of the bitterest enemies we have ever had. Still, that is a relatively small matter. The important thing is to recollect that India is always watching Ireland and "watching her opportunity." I well recollect an incident in our preliminary survey which well illustrates the state of things as it is. We had arrived at Calcutta, and I was asked to preside at the Dalhousie Hall over a University meeting to honour the memory of the late Lord Oxford who had recently died. I took the chair, and a resolution of sympathy was moved by the Vice-Chancellor of the University and seconded by Sir Alfred Watson, the Editor of *The Statesman*, who, as you know, was recently wounded in a second outrage upon him. Then a member of the Calcutta Corporation asked leave to speak. He was a Mr. Mukerji, a well-known Swaraj leader. He spoke at length, and his principal point was that Lord Oxford

had not worked for India, but he had worked for Ireland, and he repeated time after time "those who work for Ireland, work for India." That is the prevailing spirit in the Swaraj Party everywhere throughout India.

We must never forget that our charge, the charge that is put to us in this House and in Parliament is, as Edmund Burke put it in his address on the Impeachment of Warren Hastings—and it is true with greatly added force to-day—"whether millions of people are to be miserable or happy." The White Paper lays it down that "the conception of a Federation of States and Provinces, and the processes involved in its formation, necessitates a complete reconstruction of the existing Indian Constitution," and that the "basic assumption" is "the spirit of partners." We are forced, therefore, to examine how far it exists and how far it is secured by the "limitations commonly described by the compendious term 'safeguards' during the period of transition." "Period of transition" is a phrase taken from the first section of the White Paper. I should have thought myself that the use of the word "transition" without further definition was as dangerous as the words "Dominion *status*," which, because of their ambiguity, the Statutory Commission deliberately refused to use in their Report. At any rate, the Congress Party, which Lord Willingdon, the present Viceroy, spoke of as "the only active political organisation in the country," are not partners to any such scheme—400 of them have been arrested and put into gaol, as recalcitrant against authority.

It is quite evident from what took place at the recent Session of the Chamber that the Ruling Princes are in a divided and discontented frame of mind, of which the best proof was the intervention of the Viceroy when the late Jam Sahib of Nawanagar was making his statement as Chancellor. If the States with a majority of seats come into the Federal arrangements, which are admittedly of a novel and experimental kind, it will only be with grave doubts and many reservations. I fancy that the test is whether they are to have the majority, and, as it is, it is quite possible they will. I will not weary your Lordships, but I should like to give a quotation from a statement by Sir Akbar Hydari. Speaking at Hyderabad on March 10 he said that Hyderabad had agreed, given certain necessary conditions for the fulfilment of these factors, in certain matters, to act together with British India. She had discarded all ideas of splendid isolation, so that the larger entity, India might prosper and develop constitutionally. I had a talk with the Jam Sahib two days before we left India. Anybody less inclined to accept federation as it was then I cannot imagine. He said that before they accepted federation for the Chamber of Princes they must have far greater guarantees than they had been given up to then.

In regard to the whole question the opening phase of which is now under consideration of your Lordships' House, it has been said that we have to choose between a breach of faith and a breach of trust. I dissent altogether from the truth of this aphorism. No doubt we stand pledged by numerous assurances to the gradual development of self-governing institutions in India, but the time and pace of the advance have always been left entirely open. How otherwise, I would ask, could the clause have been inserted by common agreement in the last Government of India Act in relation to setting up the Statutory Commission on which I had the honour to act? It was open to us to have recommended that there had not been the degree of co-operation to warrant a further advance. It is quite true we did not do so. We recommended, as your Lordships know, what is called provincial autonomy, but we said that it might well be that popular institutions at the Centre would not follow the British example.

I recollect as we sat on the Commission there were several, among them, I think members of the Labour Party, who thought the institutions might quite possibly have been constructed on the American model, but surely this is proof of what I say, that we should commit a breach of trust if we deprived ourselves of the power to protect peasants who make up 72 per cent. or more of the whole population of India, and the industrial workers, who are rapidly increasing in numbers and who divide their year between field and factory, town and rural district. If we did so, we should indeed be unworthy of the great tradition which has come down to us from the makers of India, from the devoted servants of the

Crown who have raised the name of this country so high in the estimate of the world for humanity, valour and endurance. To my mind they are the true heroes of the last 100 years of British history.

LORD BRABOURNE: My Lords, in rising to address your Lordships' House for the first time, may I crave that indulgence which you always accord so very generously to those undergoing that undoubtedly uncomfortable ordeal? And all the more so do I need it in view of the vital importance of the subject under discussion to-day, a subject which has a very great personal interest to me because in another place, from which I have but very lately come, I had the honour of being Parliamentary Private Secretary to Sir Samuel Hoare. I am not claiming to be an expert, very far from it, but I have learned enough of this very complex subject to realise its difficulties and to realise that it is a subject which a life-time study cannot exhaust. I have always been a true and convinced Conservative, and I will admit that to start with I was very far from happy at the idea of any rapid advance towards self-government in India. Many of the arguments we have been hearing and reading a great deal of appeared to me to be of tremendous value. Some of them even to-day seem to have very strong arguments to my mind, but after the many contacts I was able to make during the last year or so with Indians of all kinds of political views, I have come to realise that there is, to say the least, another side to this great question.

I had the very great fortune of attending the Third Round-Table Conference, and if only more of the doubters of the policy contained in the White Paper at present had had that experience I believe that the opposition to these proposals would to-day be reduced to very small proportions indeed. Two things struck me most particularly during those lengthy and very detailed discussions of the complex points which go to make up the White Paper proposals. First and foremost was the almost complete agreement on nearly all the most controversial points; and, secondly, the steady undercurrent of sound, solid Conservative opinion expressed by nearly all the Indian delegates at the Conference. Your Lordships must remember that there was almost unanimous agreement over the powers suggested for the Government of India, and also that there was a very general realisation—one might say a general demand—for most of the safeguards which to-day appear in this White Paper, a fact one must bear in mind when discussing the feasibility or otherwise of the proposals. I met and had an opportunity of having conversations with many Indians of different political views, such as leading Moslems and big landowners, and I must say that amongst the big landowners particularly I did find a tremendous volume of good sound, solid Conservative opinion.

As I have said, I have always been a Conservative myself, but I found that many of these landowners outdid me in their Conservative views, and that does go to prove that in those landowners we have got a potential reservoir of leadership and of sound, solid common sense which to-day the critics of these proposals ignore altogether. One of these landowners came down to my home in the country because he wanted to study for himself in detail county council administration and the running of an English country estate, and I was surprised to find the grasp and the knowledge of essentials shown by him on his first visit to England. Surely it is men of that type who are going to lay the foundations of the schemes we are discussing to-day, and exactly the same might be said of the representatives of the Princes. I had the opportunity of having many conversations with them and I found precisely the same thing. These gentlemen may differ among themselves—they do differ among themselves—but they are united in the belief that their future and our future is bound up together. They are united in a common desire for stable government, and, above all, by the realisation that the future of India lies inside the British Empire. To-day we have the opportunity of taking action on lines which will bring these moderate elements in with us. If we do little or nothing now we shall lose their sympathy. They will lose confidence, they will lose all heart, and they will either drift towards the extremists or they will lose all political value, and then, at some distant, or

possibly not so distant future, when we are suddenly forced into taking action, possibly with a weak Government here at home, we may have to start some new Government system in India without the assistance of those very men who to-day would be the very foundations on which we should build.

Some of the critics of the present proposals are apt to tell us that the present Government are weak in the proposals they are putting before us. They tell us the peoples of the East admire strong Governments. Of course they do. Who does not? But I would suggest that there is some slight confusion in the minds of those critics as to what actually constitutes strength or weakness as regards the future government of India. As I see it, if our Government were to say: "We are uncertain of the future and therefore we will not advance more than a very small distance," that would be weakness. But if the Government were to say: "We fully realise the difficulties, we have explored every avenue and we are prepared to give you the following Constitution," and if they were to say above all "and we will see that it is faithfully carried out"—that, I believe, would be the strong line. That is, after all, exactly what is proposed in the White Paper.

Some critics also express the fear that the future Parliaments and Ministries of India will fall unduly under the sway of the extremists and agitators. There again I venture to disagree. I am quite convinced that the development of the principle of responsibility will bring into practical politics a large volume of Conservative opinion which to-day lies dormant for lack of opportunity. To-day the only aim and object of Indian politicians is to gain some measure, at any rate, of political freedom. The longer the delay the greater the outcry, and the greater the outcry the greater is the sway gained by the Congress Party—the Congress Party which appears to the unthinking masses of India as the only organised Party, the only Party which is really taking active steps to bring about that advance which India is asking for to-day. But bring in federation and the whole picture changes at once. Bring in federation and you bring in the Princes and their Ministers and you bring in that large body of doubting politicians in India to-day who have drifted towards Congress as being the only people likely to bring them to the goal they desire.

Above all, you bring in the masses who to-day are perfectly content to leave their interests in the hands of the official Government. By so doing you will see the beginning of the break-up of Congress which to-day is held together by nothing but agitation. Remove the main cause of that agitation and I believe that there will be very little adhesion left to keep together that curious collection of political Parties. Congress will prove itself, I believe very soon indeed, to have no practical constructive policy and above all no experienced leaders. Other people fear Congress because Congress is the only vocal organisation in India to-day. Is there not a lesson we can learn from our own home politics on that point? If a foreigner came to this country during a General Election would he not think during the first few days of the election campaign that the convinced Communists and extreme Socialists were going to sweep the board? You go to meeting after meeting and hear and see organised heckling. Yet what happens on polling day? On polling day it is the quiescent, solid body of electors, who after all form the background of every nation, who rise up and take control. That, my Lords, is exactly what I think will happen in India before very long once you get the federal system into operation.

If I am not taking up too much of your Lordships' time there is one other point I would like to touch upon, and that is the probable result of the extension of the franchise. I admit I was at first distinctly alarmed at the proposals contained in the Report of the Franchise Committee, but when I studied the Report more fully I very soon realised that if we leave the franchise position where it is to-day it means leaving the future political life of India in the hands of the small urban population and it means leaving the 230,000,000 agriculturists unrepresented and defenceless. After all, it is upon that 230,000,000 agriculturists that the future of India to a large extent depends, because one of the most vital problems as I see it to-day is the supply of food in the future to a population growing as the population of India grew in the last census period by 34,000,000, or 10 per cent.

If you examine the appropriate facts you will see that these proposals are the

only way in which you are going to bring this all important section of the population into the political arena. Once you get them there I believe they will play an ever increasingly important *rôle*. If you call to mind that section of the Simon Report which deals with the rural population your Lordships will remember the stress laid on the boon which security, or law and order, brought to the rural population. That is a boon which I believe they will not readily give up. That is the strongest argument against those who say that to hand over law and order can only end in disorder, because what will be the fate of future Ministers in India who fail to keep for the rural population, or for the population of India as a whole, that priceless boon of law and order and security? Their fate will be the same fate as that meted out to Ministers in any country who do not succeed in fulfilling the wishes of the majority of the electorate. They will lose their jobs and will be replaced by other Ministers capable of so doing. The Simon Commission says that law and order is the first necessity of every Indian citizen, whether in town or country. Therefore I believe it will very soon become the first necessity of all Indian Ministers dependent, as they will be, on the will of the electorate and that electorate being more than interested in seeing that they carry out their instructions as regards law and order as well as all the many other things which will fall to them to decide.

Safeguards there must be. Indians demanded them at the Round-Table Conference and we need them. I believe the strongest safeguard will be that safeguard which does not appear in the proposals in the White Paper—namely, the safeguard of public opinion as expressed by an enlarged franchise. I welcome very much the proposal to send this White Paper to a Joint Select Committee, but I trust that their deliberations will not be too lengthy because I believe it is of great importance that too much time should not elapse before Federation is actually brought into being. The noble Viscount who spoke just now laid great stress on the fact that these proposals were received very badly indeed in India. I think that is a perfectly natural thing. These proposals are all in a state of flux. To-day the object of all Indian politicians and of all Indian political Parties, to put it bluntly, is to get the best bargain they can, and who can blame them? But I believe the moment we can go to India and tell them that they have the complete picture of the future Constitution and say: "This is the scheme, go and work it," we shall find that Indian politicians will try to do their utmost to prove themselves wise and able administrators, so as to show the world that they are deserving of the good feeling in this country and of the confidence which the British Parliament and people are prepared to show them.

LORD HUTCHISON OF MONTROSE: My Lords, I am sure you will allow me on your behalf to congratulate the noble Lord who has just spoken on his felicitous and well-delivered speech. We shall be only too glad if he will often take part in our debates and I only sympathise with another place in having lost such a promising young man. I would then like to congratulate the Government on this White Paper. It is a very remarkable document and, if I may say so, those responsible for drawing it up are to be congratulated because it is so very well indexed and noted. When this document goes before the Joint Committee, and I hope and trust your Lordships will agree that it should, it will be an easy document from which to get at the real proposals. I would ask your Lordships to note that it begins in Paragraph 3 by saying that these proposals must not be assumed to be complete and final in every respect, which means, as has been stated in another place, that the proposals can be added to or subtracted from or changed according to the wishes of the Committee. The Committee, therefore, are not bound by any hard and fast proposals.

I think everybody will agree that Parliament has committed itself with pledges again and again to go forward with alterations and advances in the Constitution of India. It has been truly said by the noble Viscount, Lord Burnham, that the pace and the time of those alterations have not been defined, but I think it will be very dangerous to say that, having gone so far during the last five years, we can now stand still. We have to go on upon the course we have laid for ourselves. The Act of 1919 laid down in a document exactly the process of events. We have had the Simon Com-

mission authorised by that Act. We have now the White Paper with the Government's proposals, and it seems to me that the next process is to go on with the framing of a Bill on the knowledge contained in the various documents.

I have noticed a tendency among speakers opposed to the proposals to say: "Ah, yes, I would be quite willing to accept the proposals of the Simon Commission." In the second volume you have their recommendations. What are the differences between the proposals in the White Paper and the proposals in the second volume of the Simon Report? As far as I can see there is only one great difference, and that is that in the Simon Commission's Report they say they do not recommend a Central Government at the present time. They go for autonomy in the Provinces, but not a Central Government at present. But if you will look carefully into what my right honourable friend Sir John Simon said in another place, you will find that, although he was very careful to point out that at the time when he wrote the Report he was not in favour of a Central Government, yet six months before he wrote the Report he wrote a letter to the Prime Minister in which he said a new fact had come across his vision, and that fact was that there was a feeling among the Princes that some form of federation between the Princes' States and British India should take place. He also wrote that that new situation ought to be carefully considered before any definite action was taken by Parliament. If there is one thing that is certain it is that the Princes will very carefully examine any conditions under which they are asked to come into federation. On the 19th January, 1931, His Highness the Maharajah of Patiala stated that by far the largest proportion of the States will come into a federal structure at once and the remainder will soon follow, but he added, and this should be noted, that they could only federate with a British India which has self-government, and not with a British Government as it is to-day.

That new fact created a situation different from that met by the Simon Report, and I think that the Foreign Secretary's present opinion, as expressed in another place, is that provided those States do come in he is a supporter of the idea of a Central Government. Therefore, the whole foundation from his point of view rests on whether the States will come in or not. I had the honour to serve on the Committee that went round the States with my friend Lord Hastings, and during our travels we visited and talked to either the Princes or the Diwans of eighty-eight States; and the impression given to me was that the Princes, provided certain conditions were carried out, were willing to come into a Central Federal Government. The great thing is to understand exactly what conditions the Princes are after. The one overbearing point they raised was the question of their treaties under the Crown. They impressed upon us again and again that they were unwilling to accept any new treaty from any new Government—they must always want to treat with the Crown. And if one looks at the various subjects dealt with under those treaties—tributes, ceded territories and all the various rights of some of the States—*they mean that if and* when the States are going to come into a federation each one will have to negotiate a new treaty with the Viceroy as representing the Crown. Therefore it is extremely important that we get on now with speed with our drafting of a Constitution Bill for India, so that in a reasonable time we may be able to face the Princes with the situation which they are asked to come into; and of course it is unreasonable to suggest that they should come into any form of federation without knowing all the obligations which they are undertaking.

I was very much struck with what Lord Hastings said yesterday in his speech. He said it was very necessary for the Viceroy, during all those negotiations, to have a first class Foreign and Political Department, and I suggest to the Government that for that particular purpose the department might well be strengthened and overhauled, in order that when those negotiations come along they will be handled by a suitable staff in a proper way. I listened with delight to the speech of my noble friend the Marquess of Lothian yesterday, and I can only say that he deserves the best thanks of the country for the very wonderful work which he did in India on the Franchise Committee. That was the basis of what now appears in the White Paper, and the brilliance and tact with which he and his Committee faced that great problem are

beyond praise. The interests of the Princes are, of course, extremely varied, but I venture to say that it is in the Princes' interests, as well as in the interests of their people, that they should come into federation. After all, if they do not come into federation, and you have autonomous Governments in the Provinces, you will get undoubtedly the gradual absorption of the Princes' States going on through a period of years. They would be well advised to move to the utmost extent to come into a Central Government.

I cannot do better than to quote from the Report of the States Inquiry Committee. They wind up at the end of their introductory chapter:

"It is in our view inevitable that in the process of transferring further responsibility in such matters to Indian hands, provision should be made for the due participation of the States."

The real trouble with the Indian States is their fear that their sovereignty is not going to be safeguarded, and that their judiciary is going to be interfered with. If those two points could be dealt with and made sufficiently clear to them, then I think you would have no trouble in getting them to come in. I hope they will, and I think they will, and if they do it will be to the benefit of India. I have heard it stated that the price to be paid for the various Services is too great. It is laid down in this Report of the States Committee, and somebody has described it as too extravagant. All I can say is that any money spent in bringing in the States in the way laid down in this volume—that is, dealing with the ports and Customs that are in the hands of certain States now, rather than leaving it to a future time—will be money well spent, and money that will bring its due reward by its return in future years.

I have heard noble Lords say that the financial structure of the Federal Government is in a dangerous condition—that it would produce chaotic finance. I am not in a position to say one way or another. The only thing I do say is this, that the finances of India are in a better condition, to-day, than they have been for many years, and I see no reason why, with better times coming, a Federal Government should not, with due safeguards, go along to create a very sound financial position. The real foundation of a successful State is successful finance. I am one who believes that in the future of India lies our greatest heritage and our greatest outlook for trade, and that it is only by working in the closest co-operation with the people of India that we can hope to develop and extend that great trade.

There are only two other matters to which I should like to refer. One is that it is very desirable to get a Central Government in India, as well as autonomous Provincial Governments, from the point of view of the Press. In India practically the whole Press is in opposition to the Government. Once you can create a Government based on representation from the people, you undoubtedly will form the Press into two sections, a Government Press and an Opposition Press, and in that way you will get the various points of view from the Government put before the people. I have heard it stated in India that it is one of our greatest weaknesses in India that we have not got a Press to put the Government point of view. The last matter to which I wish to refer is that I think we ought to be very careful over the Letters Patent issued to any Viceroy, or Governor-General, or Governor, and to see that when they have been drawn they are as little interfered with by Parliamentary action as possible. The more they can be left in the hands of the Crown the better it will be for the various safeguards in the Government proposals. Lastly, I hope that the Joint Select Committee, when it is assembled, will have the services of the best Parliamentary draftsman that can be given to them, because there will be many difficult matters to be attended to. I know that Lord Rankeillour thinks the same, because he made a remark that he hoped that they would have the expert help of a draftsman in the business of the Committee. I thank your Lordships for having listened to me for so long.

LORD MIDDLETON: My Lords, I do not intend to follow other noble Lords into the constitutional questions raised by the White Paper, and I will leave the question whether provincial autonomy should follow reconstruction at the Centre to others. My concern is with the people of India who will be affected by these matters, and particularly those to whose skill, courage and devotion the noble Viscount on the Wool-

sack made a brief reference yesterday. I do know something about them, and naturally feel a considerable amount of anxiety about the future welfare of Indian soldiers—those who are serving and those who have served. They have, of course, shown magnificent fighting qualities, but it is not generally known what serving soldiers have had to endure in the bad days since the War in the way of abuse and derision, contumely and oppression. It is very remarkable that their loyalty has been so very little affected, and that is due first and foremost to their great devotion to their own officers.

Drawn, as your Lordships know, from the more virile of the 230,000,000 peasant agriculturists, very often their interests are very much overlooked because they are silent; but their interests are by no means less important than hose of the more vociferous minority. I was very glad to hear yesterday a glowing tribute from the noble and learned Viscount on the Woolsack to the Indian Civil Service, and I thought that I heard an echo of the same thing from the noble Lord, Lord Snell. If I was right, then it is satisfactory to know that he has learnt something since he referred in another debate to Indian administrators and their frozen brains and other defects. One has very often heard great admiration expressed for members of that magnificent Service, but it appears that when these gentlemen retire on their very inadequate pensions they then develop a terrible mental obliquity, and their opinions are anything but welcome to the political architects of Indian constitutional reform. Of course, one knows that men in possession of incontrovertible facts are very often most inconvenient to theorists.

Fair argument is one thing, but one can only feel angry when one sees in the Press day after day speeches made by those who are admirers of the present policy of the Government in regard to India, who criticise retired officials of the Indian Services most unfairly, and who lead the public to believe, quite wrongly, that they are harsh and intolerant, bigoted and prejudiced, and wholly without sympathy. My own observations lead me to believe that there are two types of Englishmen who serve in the Indian Services. The first is the man who works hard and conscientiously, and when his work is over does not necessarily seek the society of Indians. But the other type is more fortunate and more to be envied, I mean the man to whom India is something wonderful and entrancing and a book of never-ending interest. Men of this type very often for their recreation study the philosophy, the languages and the religions of the men amongst whom they work. Their sympathy is very quickly recognised, and their reward comes by a devotion and friendship which has to be experienced to be understood.

There were very many outstanding men who were keen students of Indian affairs a few years ago—men like Dr. Pennell of the Frontier and many more I could name—and those of us who wished to study could learn from them things that one could never learn from books. One could learn, too, from men like the distinguished police officer said to be the original of Kim, whose knowledge of Indian law and customs was deep. I can give an instance of a young officer who is no great linguist, who received the trust and confidence of a certain sect and on one occasion he was actually invited by both factions in a temple dispute to be the sole arbitrator and to settle their quarrel. He was known to be impartial and to have a sound knowledge of the religion of the sect, and was a real friend to many of that sect. One would have thought that men like these would have been valuable advisers to those who wish to design forms of government for India. One would have thought that a thorough study of the people should precede a study of forms of government to guide the lives of the people.

One has heard noble Lords opposite talk almost glibly about the women's vote, and one wonders whether they know exactly what difficulties are involved. It will be well night impossible with some very important classes even to get the names of the wives of some of the men on to the registers. I personally have had the very greatest difficulty on many occasions in getting soldiers of these classes to allow their wives' names to be written on the roll, even when they knew that a refusal might make it impossible to establish pensions for widows in the event of their becoming casualties. So things are not quite so simple as they seem.

We seem to have failed signally in India, as in Egypt, in certain respects. Had our progress in educational systems

Lord Middleton.

and systems of government been as excellent as our success in irrigation works and land development, opening up communications, and research like that of the late Sir Ronald Ross, we should see a different India to-day. We have tried to apply what suits England to India, and I am afraid it will not work. Some talk very confidently about change in India. I entirely agree with the views expressed yesterday by the noble Lord, Lord Ampthill, and he may be interested in a letter I recently received from one of my oldest friends, who is an honorary magistrate and noted for his severity and his wisdom and for his unique distinction in never having had a decision appealed against. I have tried to translate the relevant part of his letter to the best of my ability. He writes:

"You ask if I see a change in my people. You and I have often watched the great rivers of the Punjab, low in some seasons and rising when the snows melt. The winds disturb their surface, and their appearance changes, but they do not really change even if their course a little alters. Beneath the surface they are unchanging, and so are my people. At present there is a stillness in the air: we hope all may be well, but some liken it to the quiet that precedes a dust storm at the beginning of the monsoon."

I make no comment except that I submit that my old Mussulman friend is probably an even better judge of how things are going than are the Paget M.P's.

Those who lack enthusiasm about the White Paper are criticised very severely because they have no constructive alternative to suggest. How can you advise a man when he is sliding headlong down a waterfall? He must go down to the bottom because there are no means of saving him. Years ago it seems that we decided against Oriental education, and indigenous forms of government, and now we see the logical result of that choice. No doubt it will go through, and perhaps go through quickly, in spite of the warnings that we have heard this afternoon, and we will see how this sham democracy works. I cannot find a single soul of the many that I know who know India as well as any white man can know it who feels the slightest optimism. It can, I am afraid, only lead to terrible chaos, first because the essentials for democracy are lacking and, secondly, because the reins of government will be in the hands of those ill qualified to hold them.

I will not make any attempt to paint the picture of what is likely to happen when the inevitable crash comes. It would serve no useful purpose. Just what will be the eventual outcome after a period of disintegration no one knows. Perhaps the noble Lord, Lord Hastings, made a shrewd suggestion when he adumbrated, possibly in jest, in yesterday's debate, a return to the patriarchal form of rule which he has witnessed with varying degrees of efficiency in the Indian States. Perhaps if many years ago we had worked out a plan of educating the future young rulers in the science of Statecraft, and expanded existing States and created new ones, and evolved a fairly contented United States of India, with each State under Indian rule, and all under a supreme Viceroy with sufficient force to maintain internal peace and safe frontiers, things might have been better. We should have done better than saddle India with a form of Government which few European countries could carry comfortably—and countries which have not all the complications of race, language, and religion which India has. We have been attempting to give the lie to the old proverb: "In the East the parrots never will rule the hawks." My Lords, I most sincerely hope that in my complete distrust of this experiment I may be entirely wrong. If not, well, I grieve for the silent millions who are the victims of a well-meant gift.

VISCOUNT ELIBANK: My Lords, I shall not attempt to follow the noble Lord who has just sat down in the terrible prophecies which he has presented to your Lordships' House. I rise to say a few words with regard to certain aspects of the White Paper as they appear to me. I have had some experience of administratorship in various parts of His Majesty's Empire, and this has given me some practical experience which leads me to say a few words to your Lordships this evening. I should like first of all to state my position *vis-à-vis* the main issue of the White Paper. I am not one of those who believe we can stand still with regard to India, retain the old or even the existing forms of government, and make no progress towards materialising the hopes and aspirations towards self-government which have been implanted

in the breasts of Indians, not only by successive British Governments, but by the Simon Commission Report. On the contrary, I agree that we are bound to go forward. But in taking these steps forward I venture to suggest that we have to act with the greatest circumspection and with the greatest degree of caution, because there is at stake the political and physical well-being of 400,000,000 of His Majesty's subjects as well as the maintenance of the integrity and well-being of the British Empire itself.

There is no one in this House or out of it who has greater sympathy with His Majesty's Government in the great and difficult task with which they have been confronted than I have, and I venture to pay tribute especially to Sir Samuel Hoare, the Secretary of State for India, for the way in which he has handled this delicate and complex subject. It would be extraordinary if, as a result of the numerous Round-Table Conferences which have taken place in this country, of the Conferences which have taken place in India, of the many and varied peoples and races with which this subject is bound up—their different religions, their different customs, the different conditions in which they live—it would, I say, be extraordinary indeed if the form of Constitution which has been produced and proposed were not unlike any other Constitution which has ever seen the light of day. We are told that this Constitution is a Federal Constitution, and that it is a Federal Constitution because it is proposed that the Provinces, which will be made autonomous, and the States of India are to come together to participate in it. It is just because it is unlike any Federal Constitution ever devised—and it is not really a Federal Constitution at all—that many of the difficulties attending it have arisen.

I venture to suggest that, as the noble Marquess, Lord Lothian, said yesterday, we should face the facts and get away from the term "Federal Constitution" and designate it a "Co-operative Constitution," which it really is. If we were to call it a "Co-operative Constitution" in which all Parties, including the British Government, are to take their share, with the British Government as the largest and most important partner or co-operator in their capacity as trustee to the many millions of Indians who have not yet been emancipated, then we would approach the subject in a spirit of realism and not in a spirit of self-deception, trying to make something out to be what it really is not. If you are going to have a federal institution in India, then you must follow the example of all other federal institutions elsewhere. You have got to give full powers to your Provincial Governments, and you have got to give full powers to your Federal or Central Government; but I think everybody will agree—every reasonable Britisher and every reasonable Indian—that that is not feasible to-day.

Personally, I am staggered when I contemplate the Constitution outlined in the White Paper. It is the most complex and intricate that man has ever planned; it is a mass of adjustments and compromises which probably have been rendered necessary, but which I feel sure in their complication will be exceedingly difficult to carry out; and how they are to be embodied in one Act of Parliament we have yet to see. It is for that reason that, in my opinion, one of the main pursuits of the Joint Select Committee should be to try to simplify the plan, to make it more workable, more understandable to the mass of the people and even to the officials and the Governments who will have to administer it. We all know that one of the main objections to Federal Constitutions is the constant litigation which takes place between the Provincial and the Federal Governments on matters of powers, of *status*, and of relationship. In Australia such litigation has been very prevalent, although the Australians, as we know, are not a litigious people; but the Indians, on the contrary, are a very litigious people, and consequently I can visualise in the future, as the result of any Constitution set up on the lines of the White Paper, a constant stream of litigation between the Provinces and the Central Government and between the States and the Central Government. This will not make it any easier for the Viceroy, and as the noble Lord, Lord Zetland, has already pointed out in his admirable letter to *The Times*, he will have an almost superhuman task in carrying out efficiently the duties and responsibilities that will be attached to his office. I should like to support what my

noble friend behind me (Lord Hutchison) said a few minutes ago, that the Viceroy should be provided with far more personal assistance than is outlined in the White Paper, otherwise I do not see how he is to be able to carry out his duties efficiently, or even at all.

There is another matter which has given me considerable concern, and that is the position of the Princes of the Indian States in relation to the proposed Constitution. I should like while referring to the Princes to say how sorry I was to see that the Jam Sahib of Nawanagar, or Ranjitsinhji as we have always known him here, had died a few days ago. I feel that his loss will be a great and irreparable one. He was one of the most loyal subjects of His Majesty the King; he was well known in this country, I have no doubt he was a friend of many of your Lordships, and we will all miss him not only in that capacity but as a sportsman and as a good friend. We are told that the original idea of a Federal Constitution for India emanated from the Princes themselves. That may be so, and I do not doubt it, but a great deal of water has passed under the bridges since that idea was first mooted, and it is not at all certain, as my noble friend has just indicated, now that the plan for the Constitution has been produced, that the Princes as a whole are satisfied with the form it has taken.

I only wish here to throw out a note of warning—namely, that it is essential that the Princes, if they are to take any useful part in this Constitution, should do so freely and voluntarily and of their own accord, without any pressure from the British or Indian Government. This to my mind is a most vital point. If the Princes voluntarily, and I might say enthusiastically, use all their great powers of stabilisation and influence in assisting to administer the Constitution, then we can hope that the Constitution may be a success. If, on the contrary, they accede to it in another spirit—that is to say, in a spirit of reluctance or disappointment or unwillingness—then I can see that the Constitution might easily fail and bring great disaster to India and to this country. Consequently it is my sincere hope that the Select Committee will examine this point most carefully, most judicially and most impartially, and satisfy themselves on this matter by not forcing into the new Constitution any of the Princes of the Indian States who may be opposed to it. In this we have the analogy of the United States of America. Many of those States did not come into the Federal Government at its inception, and only joined it as time went on and circumstances rendered it expedient for them to do so. It may be possible to follow that procedure in regard to India, and I put it forward as a suggestion. The noble Lord, Lord Hastings, yesterday rather emphasised the point that they should all come in at once and together, but possibly he had not thought of the American solution of this problem.

Another point I should like to mention concerns the Police. I am not at all happy about the arrangement by which the Police are to be handed over entirely to the control of the Provincial Governments. So long as the British *Raj* has the ultimate responsibility for the maintenance of law and order in India I believe that there should be some arrangement under which not only the Army but also the Police, in the large urban centres at least, should be subject to ultimate control by the Viceroy or by the Governors of the Provinces. We have an example in this country where the Home Office have control over the police in the London area, and the Government is, therefore, in a position to maintain law and order in the largest urban centre in this country not only by virtue of having control of the Army but by virtue of having control of the police as well. I feel that in India the Police, at least in such large urban centres as Calcutta, Madras, Bombay, Delhi, and probably certain other large cities, should be placed in a similar position *vis à vis* the Viceroy and the Governors of the Provinces, and I hope that this matter may be looked into very carefully by the Joint Select Committee, because it is causing a great deal of concern in this country. I hear on every side, from those who know India and have been in India, that it is causing a great deal of concern to many in India itself.

There is one other matter I should like to mention, and that is a point touched upon by my noble friend Lord Hutchison in connection with trade. I hope that the Joint Select Committee will take that question into most sincere consideration. I have no doubt they will. To-day we are

raising the points which interest us, and which we wish to submit to His Majesty's Government as being of importance. The trade of India with this country is of the greatest importance not only to India but also to this country, and anything that is done to upset that trade must have a dangerous repercussion throughout this country and India and throughout the Empire. Therefore I venture to hope that, whatever legislation is introduced as a result of the work of the Joint Select Committee, it will at any rate contain clauses and provisions to deal with that important matter and to provide the very fullest safeguards possible in that connection. Those are the few words that I have to say to your Lordships on this matter. As I stated at the beginning of my remarks, I believe we must go forward. I, for one, am satisfied that it is the proper thing to refer the proposals in the White Paper to the Joint Select Committee. I sincerely hope that as a result of their work they will be able to hammer out some new form of Constitution for India which will be of advantage to India, of advantage to this country and of advantage to the Empire as a whole.

Viscount Elibank.

THE MARQUESS OF DUFFERIN AND AVA: My Lords, I beg to move that the debate be now adjourned and be taken as the first Order to-morrow.

Moved accordingly, and, on Question, Motion agreed to.

House adjourned at seven o'clock.

HOUSE OF LORDS.

[From Minutes of April 5.]

BARKING CORPORATION BILL. [H.L.]

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn: Read, and ordered to lie on the Table. The Orders made on the 8th and 14th of March last discharged, and Bill committed.

CANTERBURY EXTENSION BILL. [H.L.]

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn: Read, and ordered to lie on the Table. The Orders made on the 23rd of February last and the 14th of March last discharged, and Bill committed.

CALVINISTIC METHODIST OR PRESBYTERIAN CHURCH OF WALES BILL. [H.L.]

Report from His Majesty's Attorney-General received and ordered to lie on the Table.

DURHAM CORPORATION BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

HOUSE OF LORDS.

Thursday, 6th April, 1933.

The House met at three of the clock, The Lord Chancellor on the Woolsack.

MERSEY TUNNEL BILL.

Read 2ª.

INDIA.

Debate resumed (according to Order) on the Motion made by the Lord Chancellor on Tuesday, That this House do concur in the Resolution communicated by the Commons, viz.: "That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India, be appointed to consider the future government of India and, in particular, to examine and report upon the proposals in the said Command Paper."

The Marquess of Dufferin and Ava: My Lords, there are a great number of very highly qualified speakers to follow me and I do not propose to detain your Lordships longer than I need. I trust it will not be considered impertinent if, at this stage of the debate, I remark that its length has only been justified by the very high standard at which it has been maintained; for it is difficult to conceive of anyone in his senses opposing the Motion to which this debate is ostensibly directed—namely, that the outcome of more than four years of continuous deliberation is worthy of consideration by a Joint Select Committee. We are all agreed on that issue, and I think it may be worth while saying, although hardly necessary, that we are all agreed on another issue, and that is that we intend to retain the British connection with India. I actually noticed the other day that a Committee had been set up which proposed to oppose any abdication of British rule in India. I can only say that on those terms of reference every member of the House was fully entitled to be a member of the Committee and to endorse its recommendations.

But although we are all agreed on those issues and although there is no doubt as to the outcome of this debate, it is only natural that this White Paper should have been criticised very severely both as to its principles and as to its details. I propose very shortly to deal with some of those criticisms of principle, and I apply this test. I feel that the only relevant criticisms of principle of this White Paper are those which are backed up by constructive proposals. We all know that we have got to do something in the fairly near future. We all know that dyarchy has not been altogether successful in the past, and is likely to be less successful in the future. Therefore, a lot of general arguments fail when this test is applied: Do they lead us to any conclusion as to what we are going to do now?

The two cardinal points of principle on which there are definite alternative proposals seem to me to be these. In the first place, that we are going to transfer law and order in the Provinces to a responsible Minister; and secondly, that we are going to give some measure of responsibility, with safeguards, at the Centre at the same time as we are conferring provincial autonomy. I will deal with those two points of principle if I may. Let me deal with the Police first, because I feel very strongly that this is the weakest link in the chain of the White Paper, and it is the one to which we should devote our most earnest attention. It is in every sense the *crux* of the whole matter. We all know that there are great risks involved in handing over the Police to Indian control. I am not going into them here. They are known to all of your Lordships. We are always being asked to face up to the facts of the Indian situation. I suggest that there are other facts involved, and one of those which we have got to face, however unpalatable it may be, is that Indian opinion is going to fix on two key subjects which are going to determine its acceptance of these reforms. In the Centre, it is going to fix on responsibility for finance, and in the Provinces on the handing over of law and order. It is of no use blinking at that fact, because it seems to me so vital and true that I earnestly believe that it will be far better, if we do not intend to transfer law and order in the Provinces, to abandon the whole scheme and see if we cannot find some alternative proposal.

The Marquess of Dufferin and Ava.

I think it was Whyte Melville who said that it was pluck which got you into difficulties and nerve which got you out. It is pluck and past pledges which have got us into these difficulties, but one certain way in which we can transform those difficulties into disaster is by losing our nerve at the last moment, and trying to hedge ourselves round with unacceptable safeguards. If we are going to do this thing at all we have got to do it in the grand manner, and I feel very strongly that it is no use trying to back out now. If you do so I feel that you will isolate the Police and, to to speak, put them in the stocks. All the odium and ill-will will be concentrated upon them and you will impose an intolerable strain upon their loyalty. That is why I feel that we have got in this matter to accept the finding of the Simon Commission. I believe that in the handing over of the Police in this matter the wiser course is also the bolder course and, in my opinion, the safer course for us to pursue. So much for the Provinces.

Now there comes the other great question of principle as to whether we are going to give responsibility at the Centre at the same time as in the Provinces. At first sight it seems to me that the arguments of those who would set up eleven Provincial Governments and retain control at the Centre are paradoxical, because it seems to me that arguments which will apply against granting responsibility to a Legislature composed largely of Princes and Moslems, with a strong Second Chamber of equal powers to the Lower House, elected on a property franchise consisting of only 3 per cent. of the population—arguments which would apply to such a Legislature must apply *a fortiori* to a Provincial Legislature where few of these internal safeguards exists. The paradoxical is only saved by a misconception, it seems to me, because the answer of those who put forward this proposal is that at any rate you will have a strong Centre, uncontaminated, as it is put in another place, by Indian influence, which is able to exercise direction and control over the Provinces and rescue them from mistakes.

I think that that is based upon a misconception of what provincial autonomy means. It does not mean merely that Indian Ministers are going to be respon-

sible to the Indian Legislature, but it means that the Provinces are going to be really autonomous, and that over their sphere the Centre will not be able to exercise any control. If one thinks about it at all I think one has got to make up one's mind that with provincial autonomy, even if the Police are withheld, the whole of Central direction and control is gone for ever. If we pin our faith to that we are pinning our faith to something which will betray us, and I think we shall be betraying our trust to the millions of Indians who depend upon the Provincial Legislatures. I think that if we believe we can control these Legislatures by a strong English Centre, we shall be betraying our trust to those millions of Indians, and the Government has faced that fact very fairly. It has not relied upon a strong Centre. It has relied instead upon the Governor and through the Governor directly upon Parliament. It is this House and another place upon which the White Paper relies to rescue the Provinces from their mistakes, and it seems to me a far more certain method of doing it, and one which gives us far more control over the destinies of those millions, responsibility for whom ye can never forget. Those are two points of principle, as it strikes me, on which there are alternative proposals.

There are, of course, also details which are criticised. We have been told that the franchise is too large. I have little to add to what the noble Marquess said about that, but I would like to remind your Lordships of the strong exhortation addressed to us by Lord Lloyd a little before he went to India. He said:

> "May I suggest that you pause awhile in your present programme, and change the direction of your present march; that you stop building from the top, and begin building from the bottom like all good builders do. Extend your franchise, widen your basis, deepen your foundation. Then you will begin to find out what the great masses of the people in India really think. Then you will find out, by interpreting their needs, what the real masses of the people, not the minute and urban fraction, need."

The noble Lord went on in the same strain but I will not detain your Lordships longer with that. It was a great consolation to us when sometimes we thought that our proposals might be criticised on the ground of liberality to know that Lord Lloyd would always be ready to leap to our defence in the face of any such attack.

I do not think that it is my duty at this stage to offer any constructive suggestions for consideration by the Joint Select Committee. There are a number of points on which I think the White Paper naturally might be improved. I will mention just one, because it leads on to what I intend to say. I think it would be better if the seats of those Princes who have not joined the Federation through their own will or because the State is ruled by a Regent, were filled during the transition period by nomination. Of course, I am fully aware of the theoretical incompatibility between nomination and responsible government. But I think we delude ourselves if we think that responsible government, as we know it in England, is going to spring up in India in a night as the result of this White Paper. I think that for a long time you are going to have a very fluid sort of Constitution indeed. There is going to be a great deal of inexperience floating about, and I think that inexperience will be only too glad to take the advice of Viceroys and Governors, if they are good Viceroys and Governors, even though those Viceroys and Governors are not really responsible for the subjects on which the Minister takes advice.

I feel that it is a very good omen for the future that the other day in the Federal Assembly in Delhi members of every Party, members who for years have been shouting irresponsible criticisms at the Finance Member were unanimous in asking that his term of office should be extended in order to help them over the very difficult period of transition. I feel that that is a good omen of the sort of way that this Constitution is going to work in the future. But because the Constitution will not give immediate self-government or responsible government I am very glad that in it there are all the seeds of that responsible government. The noble Lord opposite referred to the safeguards as a cage. I think that is a fundamentally wrong way of looking at it. It is another way of putting the old dilemma that you cannot have both responsible government and safeguards. It seems to me that the whole virtue of this White Paper is that it answers that dilemma. In a sentence, what we have done is that we have made responsible

government a certainty and we have made the safeguards a contingency.

If your Lordships will excuse me I will put it in the form of a simile which seems to me far more apt than that of the noble Lord opposite. It seems to me that for years we have been promising that when India grew up we would teach her to fly, and for years now she has been sitting in the cockpit behind us screaming wild denunciations about our conduct of the machine. Now we are going to hand over the controls to her; but, because we have a great respect for our own life and for hers, we are going to put her into a dual-control machine. As long as she obeys the necessary laws of aviation so long will she be able to a very large extent to control both the pace and direction of her flight. But the moment she forgets or ignores those laws and danger looms ahead, our hands can grasp the controls once more and restore her to safety. I feel that that is how we ought to look at this Constitution and that if we look at it in that way we shall destroy the *raison d'être* of the agitator and the extremist. His salvation will be in his own hands. The *onus* of proof is for the first time put upon the Indian. If he governs well there is no limit to what he can do. If he governs badly we are there to rescue him from chaos.

We lose all that, of course, if we take the alternative proposals of the noble Earl, Lord Lytton, and I feel also that fortune has very greatly favoured us at this vital juncture in Indian history at which we by some strange chance have to play so large a part. We have got a Parliament peculiarly well fitted, both by its talents and by its character, to deal with the situation. We have a Secretary of State and a Viceroy worthy of the high traditions of their offices. We have British India weary of struggle, longing only for peace, her politicians only anxious to get on with those great schemes of social reform which they feel, and I think rightly, that they alone are competent to perform. And we have the Indian Princes ready to take their part in what we are all agreed is to be the ultimate solution of the Indian problem —namely, Federation. That argument is not conclusive, but I feel very strongly that that fortunate conjuncture of circumstances may never come again, and we have to think twice before we deprive Parliament of its opportunity, before we rebuff the Princes, and before we bitterly disappoint British India.

This is a very grave matter, and it not only transcends the bounds of Party politics but it also goes far beyond the bounds of a generation. Others in time will succeed to these vast duties and resposibilities in this matter which your Lordships now possess. We can only build for our own time. I would entreat your Lordships to consider very carefully which of the two sets of proposals before you—the proposals of the noble Earl, Lord Lytton, or the proposals incorporated in the White Paper—are not merely going to enable you to patch up a settlement which may serve your immediate purpose but will enable you to bequeath a heritage of which you will be able to be proud to those who will come after you. Another generation left the burden on your Lordships which even the talents that won the War were not able to withstand; and it is because I see in the alternative proposals before you the seeds of that same dissension and that same decay which has blossomed so fruitfully in Ireland, and because I see in them something which is going to lay an intolerable burden on another generation that I accept the proposals of the White Paper, believing as I do that they rise above the exigencies of the moment, and offer a good chance of a lasting settlement between India and England.

THE MARQUESS OF ZETLAND: My Lords, I find myself very largely in agreement with the noble Marquess who has just sat down, and whom we are all so pleased to find taking what may be described as an hereditary interest in the problems of Indian government; that is to say, I find myself in agreement with the main principles upon which the scheme set forth in the White Paper is based. But let me also say that there are certain features of the scheme which appear to me to be objectionable; and, that being so, it necessarily follows that I applaud the procedure which is proposed—namely, the submission of this scheme to a Joint Select Committee, since it is obvious that a Committee of the kind contemplated will be the most convenient body to take into consideration, and, if it is thought desirable, to suggest alternatives to, those aspects of the scheme which may be thought to be susceptible of improvement. I shall

hope to mention some features of the scheme which I dislike and to give my reasons for so disliking them. But before, I do so, may I state briefly why it is that I support the scheme as a whole? In doing so, I do not propose to argue the case on this occasion on any moral grounds, though I think the moral grounds are very strong. I propose to argue the case on strictly practical grounds.

To begin with, then, I am satisfied that a federation of the Provinces of British India and of the Native States is the only sound basis on which a self-governing Constitution for India can be built up, and, since the Princes have made it clear that they will not agree to federate unless some measure of responsibility is granted at the Centre, I naturally accept the proposal in the White Paper that the Federal Executive, with certain important reservations, should be responsible to the Federal Legislature. But that is by no means the only reason why I support this particular part of the scheme. I do so because I am convinced that by granting a measure of responsibility you will be far more likely to secure a reasonably strong and stable Government than you will be if you merely perpetuate the existing system. There seems to be an idea in some quarters, and, unless I have misunderstood noble Lords, it is an idea which is shared by the noble Marquess, Lord Salisbury, and the noble Lord, Lord Hardinge, that the Government of India as at present constituted possesses the elements of strength and stability. That is not my opinion, and it is not the opinion of the Provincial Governments in India. After all, the Provincial Governments in India are in the best possible position to form a sound opinion upon that point, because the strength or weakness of the Central Government reacts directly upon them.

Let me then remind your Lordships of the views which are held by the Provincial Governments in India on that point at the present time. In their Despatch of August 13, 1930, the Government of Bombay wrote as follows:

"The last ten years have witnessed the anomaly of an irresponsible Executive faced by an elected Legislature armed with extensive powers, with the result that, though in theory the irresponsible Executive should have been strong, in actual practice its position has been very considerably weakened."

And in the opinion of the Government of Bengal:

"Good administration has been hampered in recent years by weakness in the Central Executive *vis-à-vis* the Central Legislature."

And then again, the official members of the Government of the United Provinces, Sir Malcolm Hailey and his colleagues, when commenting on the proposal of the Simon Commission to increase the size of the Central Legislature without conferring upon it any degree of responsibility, wrote:

"The picture which we see is that of an Executive which must inevitably be in a position of pathetic impotence within the Legislature, which is bound to be in perpetual quest of means to reduce and, if possible, nullify the authority of the Executive. So far from gaining in strength or stability by the change proposed"—

that is to say the change proposed by the Simon Commission—

"the Central Administration will occupy a position inferior to the markedly unfavourable position in which it stands at present."

And finally the Government of the Central Provinces wrote:

"Unless it is recognised that the responsibility to the Central Legislature in some form must be conceded, it seems idle to proceed with the Conference in London at all. The demand for responsibility in some shape is so widespread among Indians of all classes that it will be hazardous in the extreme to hold a Conference at which it would be rejected."

My Lords, these are weighty opinions, but if anyone doubts, or wishes to challenge, the correctness of the view expressed in them, may I invite him to study the proceedings in the Indian Legislative Assembly in connection with any important measure or controversy in recent years. If he rises from his study impressed either by the strength or the stability of the Central Government, I shall be very much surprised. Take, for example, the proceedings in connection with the Rupee Ratio Bill in 1927, or, still more significant, perhaps, the proceedings in connection with the Cotton Textiles Industries Protection Bill in the spring of 1930, a Bill devised to increase the Customs Duties on cotton goods imported into India, while at the same time giving a small preference to goods of British origin. Let me remind your Lordships of the circumstances in connection

with that Bill. A number of Indian members of the Legislative Assembly had withdrawn earlier in the Session, with the result that the Government, with the aid of their official members, were able to pass the Bill by a small majority. Now observe what followed. A further number of Indian members of the Assembly, with the Pundit Malaviya, at that time the Leader of the Nationalist Party in the Assembly, at their head, withdrew and at once threw themselves into the civil disobedience movement, an outstanding feature of which was a boycott of British trade.

And, if noble Lords will further study the statistics of British Indian trade during the year of 1930, they can only come to this conclusion, that the damage done to British trade by the boycott far outweighed any possible benefit which might have been expected to accrue to it as a result of the preference granted by the Cotton Textiles Industries Protection Act. Let me give your Lordships only one figure to illustrate that. The annual value of the imports of British goods into India during each of the five years preceding 1930 was £83,000,000 sterling. In 1930 that figure dropped to £53,000,000 sterling. I do not say for a moment that the whole of that calamitous fall in British trade was due to political causes; it was not. There were economic causes at work as well, but if you take all the relative factors into account you can come to no other conclusion than that the boycott of British trade was a substantial factor in that very disastrous fall.

It seems then that the Government of India as at present constituted is not capable of safeguarding the interests of British trade. What is the best safeguard for British trade? Surely, a contented India. I can assure your Lordships that you will have anything but a contented India upon your hands if anything far short of the advance which is now proposed in the White Paper is all that you are prepared to concede to the people of that country. Does it not follow, does it not stand to reason that in India, as in other countries, public men are far more likely to show a sense of responsibility in their actions if you make it possible for them to accept responsibility than if you withhold that possibility from them? I could give your Lordships examples from my own personal experience illustrating that well-known truth. I could give you, for example, the case of an outstanding Nationalist of Bengal, the late Surendra Nath Baunerjee, a man who throughout the greater part of his life was a vehement critic of British rule, a man who, because of his fiery leadership in the Indian Nationalist cause, was for long known as the uncrowned king of Bengal. With the responsibility for an important Department of Government which I was able to offer him, his whole political outlook underwent a remarkable change, and in the interests of good government he undertook, at the very outset of his career as a Minister, as disagreeable and unpopular a task as could well have fallen to his lot.

The revenues of Bengal were at the time unequal to the expenditure of the Province, and I was obliged to tell Surendra Nath Baunerjee that by far the greater part of the money which was available was required in the interests of good government for reserves—that is to say, the irresponsible part of the Government, the maintenance of the Police and so on. Now that man could easily, had he desired to do so, have courted and acquired immense popularity by attacking the reserved half of the Government on the ground that they were starving the Transferred Departments. He did nothing of the sort. He went to the Legislature and, with great courage, boldly supported a proposal for increased taxation, and, more remarkable still, with the aid of his powerful advocacy the proposal was carried by the Legislature. That is a very good example of the great change which is brought about in the outlook of a man when once you put him in a position of real responsibility, and it is for that reason largely that I have gradually, not easily but gradually, and none the less with conviction, come to the conclusion that by far your safest course is to grant a measure of responsibility not only in the Provinces but at the Centre.

I must pass on, for I wish to say something upon those features of the scheme in the White Paper which, as at present drafted, seem to me to be open to objection. I dislike intensely the position in which it is proposed to place the Viceroy and the Governor-General. My complaint against the authors of the

White Paper in this connection is the complaint which is often made against the Greek tragedian Euripides—namely, that he made an untimely use of the *Deus ex machina* device by which an act was abruptly brought in at the end of a play to set right a confusion which was beyond human powers to control. That is precisely the part which the authors of the White Paper have designed for the unfortunate Governor-General and also for the Governors in the Provinces. Whenever anything goes wrong the Governor-General will be expected to step in and set it right. I think you are placing far too great a burden upon the shoulders of one man.

Let us take as an example what are described in the White Paper as the "special responsibilities" of the Governor-General and the Governors for safeguarding the interests of the minorities. The Prime Minister, in his final statement at the conclusion of the second session of the Round-Table Conference, laid great stress upon the necessity of including in the Constitution Act provisions for safeguarding minorities. Perhaps I had better read his own words. On December 1, 1931, the present Prime Minister said:

> "A decision of the communal problem which provides only for representation of the communities in the Legislatures is not enough to secure what I may call 'national right'."

He went on to say:

> ". . . the Constitution must therefore contain provisions which will give all creeds and classes a due sense of security that the principle of majority government is not to be employed to their moral or material disadvantage in the body politic."

I have searched the White Paper for these provisions and I have found only one—namely, proposal No. 101 on page 64 of the White Paper, which lays it down that a three-quarters vote will be required in any Provincial Legislative Council before an existing grant-in-aid on account of the education of the Anglo-Indian or domiciled European community can be reduced. I do not under-estimate the value of that provision. I heartily applaud it, but I observe that the only other provision for safeguarding the interests of the minorities is the declaration that they constitute a "special responsibility" of the Governor-General at the Centre and the Governors in the Provinces.

I confess that I am a little curious to know why, if this is regarded as an adequate safeguard in every other conceivable case which may arise, it has been thought necessary to introduce this one very special provision in the case of the education of the Anglo-Indian and domiciled European community. But I would ask this question: Will the Governor-General and will the Governors be in a position to discharge their special responsibilities under the provisions of the White Paper as they at present stand? I confess that I have the gravest doubts. Let us put this matter to the test of a concrete case. I will state a case which my past experience in Bengal leads me to suppose is almost certain to arise sooner or later under the proposals set forth in the White Paper. The Inspector-General of Police sends up through the Secretary in the Department to the Minister in control of it a request for an increase of pay for certain branches of the Police force. The Minister in charge turns down the request on the ground that funds are not available for such a purpose. What is the Secretary in the Department to do? Has he access to the Governor? To begin with, would that touch upon the special responsibility of the Governor to prevent a grave menace to the peace and tranquillity of his province? I do not know whether it would or not, but let us suppose that the Secretary in the Department is of opinion that it would. As I have asked, what is he to do? Has he access to the Governor or has he not? I do not know, and unless it is specifically laid down in the Act he will not know.

I know quite well what will be the answer to this question. The noble Lord, Lord Irwin, if he touches upon this question in winding up this debate, will refer me most courteously to the proposal which says that the Governor shall have the right of drawing up rules and procedure for the conduct of business. Yes, my Lords, but he will draw up his rules only after consultation with the Minister, and the Minister will be vehemently opposed to any proposal which gives the permanent officials in the Department an independent *status*. I know that because I raised this very point in the Provincial Sub-Committee of the Round-Table Conference. I pointed out that if the Gov-

ernor was to be able to discharge his special responsibilities the secretaries in the Departments under the Ministers must have free access to him. That proposal was vehemently opposed by every Indian member of that Sub-Committee on the ground that it was a grave encroachment upon their responsibility and calculated to undermine their authority. So it seems to me that you must lay down in your Constitution Act, not only that every secretary in every Department of Government has the right of access to the Governor-General or to the Governor as the case may be, but you must do more than that. You must lay down in the Act that, in any case which in the opinion of the secretary touches upon any of the special responsibilities of the Governor-General or the Governor, it shall be his bounden duty to submit the matter to him. I am satisfied that unless some provision of that kind is made these safeguards under the head of the special responsibilities of the Governor-General and the Governors will prove wholly illusory. Surely it would be better to have no safeguards at all than to have paper safeguards which will prove entirely illusory in practice.

I come for a moment to my other criticism of the position which is to be occupied by the Viceroy and by the Governors, my criticism as to the manner in which they are expected to discharge their special responsibilities and to exercise their special powers in the face of a disagreement with the Legislature. If noble Lords will read Paragraphs 35, 36 and 37 of the introductory part of the White Paper they will see that what the authors of the White Paper apparently contemplate with complete equanimity, if not with actual satisfaction, is a sort of gladiatorial combat between the Viceroy and the Legislature, heralded by a blast of trumpets to attract public notice to the entertainment, and staged in the full glare of the limelight. I think it is more than undesirable that in India the representative of His Majesty should be thrust ostentatiously into the arena of controversy, and that when he is there he should be expected to proclaim from the house tops that he is the man—he, and no other—who is riding rough-shod over the will of the duly elected representatives of the people. It seems to me that that is a most undesirable position in which to put the representative of His Majesty the King, and I hope the Joint Select Committee will consider very carefully whether there may not be some less objectionable means by which the purpose in view may be attained.

There is only one other feature of the scheme which I think will be objectionable and to which I should like to refer—objectionable, because I believe it to be altogether impracticable. That is the proposal that the representatives of British India in the Federal Legislature should be chosen by a system of direct election. I cannot understand how the Committee under the Chairmanship of my noble friend, the Marquess of Lothian, ever succeeded in persuading themselves that it was a practicable proposition to lay down that in a country of the size of India the members of a small central body should be chosen by a system of direct popular vote. They admitted that considerations of practical wisdom and practical statesmanship required that they should limit severely the numbers of electors, but they seem to have overlooked the fact that while it is possible to limit the number of electors it is not possible to reduce the size of the country. Let us see where the considerations of practical wisdom and practical statesmanship to which they appeal have carried them. This is their own description of the effect of their proposals:

> "The constituencies under our proposals, while varying greatly in size, will, in the country districts, average between 5,000 and 10,000 square miles in area and will contain between 25,000 and 35,000 electors."

They go on—I was almost going to say a little superfluously:

> "This will impose a heavy task upon the candidate and the Party organisation and we are satisfied that it is the course of practical wisdom and practical statesmanship to go no further at present."

I would ask your Lordships particularly to notice the words "at present." We all know there are persons in India who believe that adult suffrage is a practical proposal and that the "at present" will not stay where it is.

But even the picture which the Committee itself paints and the result of its recommendations do not give the full facts as they actually will be. A large number of the constituencies will be very much larger than the average. Take the case of the Punjab. In the Punjab there are to be six general constituencies send-

ing representatives to the Federal Legislature. What will be the average size of the six constituencies in the Punjab? They will be on an average, and some may be larger, no less than 16,200 square miles. In other words, each constituency will be rather more than twice as large as the whole of Wales and Monmouthshire, which are represented in the House of Commons by thirty-five members. Unfortunate candidates who have to seek the suffrages of the general elector in the Punjab will have to canvass the electors who live in an area as large as that which would be represented in the House of Commons not by one, but by seventy members. Comment is almost superfluous, yet I feel constrained to add this—that whereas in Great Britain communications are highly developed, in India, where the vast majority of the people live in small villages scattered over the incredibly large countryside, very few of the villages are served even by a metalled road, fewer still by a railway; and since the vast majority of those living in the villages are illiterate the unfortunate candidate will have to rely on the spoken rather than the written word when he sets out to woo them. It seems to me that if you wish to reduce the representative system to a farce it is almost the best way to create constituencies of a size impossible to work in practice.

There are alternative methods, but this is not the time to develop them. There is a system of indirect election which, in my view, would be far more suitable to the conditions of India. I will not elaborate that point, but there are other comments which I would like to have made on the scheme as a whole. I would like to have asked what is going to be the cost, the estimated cost, of the scheme. New Provinces are going to be created and new Legislatures are going to be established and, of course, the cost is going to be very great. I have been quite unable to find from one end of the White Paper to the other the smallest indication of what the cost is likely to be, but I cannot but suppose that some sort of estimate must have been made by those responsible before they sat down to draft proposals. I have already detained your Lordships too long: let me in conclusion express to your Lordships my appreciation of the great courtesy with which you have been good enough to listen to the observations I have ventured to make.

THE EARL OF MIDLETON: My Lords, I am sure from the rapt attention with which you have listened to the noble Marquess that what he has said has not greatly advanced the probable success of the White Paper in the tribunal to which it is now to be referred. Even if the ship is still afloat it has encountered very heavy weather in your Lordships' House. I should not venture to trouble your Lordships by attempting to follow the noble Marquess upon details regarding which he has such great knowledge, except that there are one or two points on which I would urgently ask for some reply from the Government before the debate ends. The noble Marquess made it quite clear that he regards a system of government of India by a succession of checks which must either be paper safeguards, or what he termed gladiatorial combats between the Viceroy and the Legislature, as exceedingly difficult; indeed I do not think he will contradict me if I say he regards it as unworkable. There are one or two points on which I think it may be unworkable and on which it would be well, before we send the proposal to a Committee, that we should hear from the Government that their minds are still open.

My noble friend, although speaking with such force on points which had come under his particular jurisdiction, said nothing or very little on the question of law and order. The problem of law and order under democratic Governments has led in the last few years to very considerable reactions. If you look East you see difficulties in two great democracies; if you look West to the United States of America you see, even in that highly-organised community, difficulty with regard to law and order in the cities which is certainly phenomenal and, to us, astonishing. What I ask His Majesty's Government to consider is this: You may put the check of the Viceroy on the Legislative Assembly or the Administrative Government in matters which are recoverable. The noble Lord, the Marquess of Zetland, spoke of trade. You may lose £40,000,000 of trade owing to bad government or bad administration, but if the matter is ultimately taken out of the hands or put beyond the discrimination of those which have brought it about that loss may be recovered. The point I ask your Lordships, and the Government especially, to consider is that

there are some losses which you can never recover. If you allow law and order or the Police to be thrown over—if you allow in any Province disorder to arise owing to lack of judgment or courage in administration, you may take that matter into your hands, but you will never restore the confidence you have lost. I do not see here any of the leading soldiers who have seats in your Lordships' House, but I would say that I do not believe there is a single man who has served His Majesty for long in the Army who would believe that you can carry out discipline by spasmodic efforts, and I put it to your Lordships that it is quite impossible to carry out the policing of India by spasmodic effort—to take it out of the hands of the Assembly one day and to set it up afresh, when every Police officer knows that when he goes back to the Assembly, or to the Minister, his number will be up.

I promised not to engage your Lordships' attention for long or to stand between you and those who know more than I do, but I wish to ask the Government to give us an assurance that this particular question will be considered without prejudice. At this moment there is in existence a Federal Criminal Investigation Department. I ask the Government to assure us that the continuance of that Department will be considered. It is not vouched for in the White Paper. There is at this moment no headship to the Police to which the Provincial Police will be able to appeal. In the Army you have the Governor-General. This is not my opinion alone but it is put forward by those with far more experience—I venture to think that in every Province the Governor of the Province should also be head of the Police, and that he should have in close touch with him some official, included in the Ministry, to represent the interests of the Police. Unless some step of this kind is taken the growing fear that the White Paper may lead to a continual battle—to a gladiatorial exhibition—between the Governor and the Legislature will, I think, be increased.

There is one other point. The Lord Chancellor, in a very careful and considered speech, in which he introduced this Motion, asked that your Lordships' opinions should be carefully given, and he gave us to believe that they would be carefully weighed. What I ask is this: that this Committee, if it is set up, will follow the precedent of the Committee that sat under the Chairmanship of Lord Selborne on the Montagu-Chelmsford Reforms. If you care to look back you will find that that measure, which no doubt it may be argued had not been the subject of so many months and years of care and thought as the White Paper has had, went before the Joint Committee a very different measure from the measure which emerged from it. We ask that the Government, who will no doubt have a majority for the White Paper on the Committee, will go into that Committee with an open mind. I do not think that Lord Selborne, even in the services which he rendered to South Africa, did a greater service to the country than when he succeeded in carrying that measure through the Joint Committee and bringing it out with a practically unanimous verdict.

I only hope that the present Government may be as fortunate in respect of these proposals. But, my Lords, most undoubtedly if the whole of these grave questions are to be put in the same correlation as between the Assembly and the Governor, then I believe that those of us who most doubtingly have had to take a step forward at a moment when, as Lord Lothian—perhaps the most vehement of all those who have supported the White Paper—said, you have had 30,000 persons in prison under the present Government and 50,000 during the period of office of my noble friend below me—at a moment also when not one single member of this House is willing to get up and say that the White Paper, even if it went through this moment in the words in which it is presented to us, will give satisfaction to the people of India, will feel that you should not make sacrifices which you cannot go back upon. Law and order is one of them, and I hope that the Government will go into this Committee with an open mind.

LORD LLOYD: My Lords, I am at a disadvantage through having been unable, owing to indisposition, to listen to any of the speeches during the last two days, but I am already very much compensated for this loss by having been able to listen to the eloquent and instructive address which the noble Marquess, Lord Zetland, has just made in this House. He has already sketched skilfully to you a few of the administrative dangers and difficulties of the

White Paper, and I make no doubt that as that highly complicated and amazing document is further studied this House and the House of Commons will realise that a policy founded on that White Paper is not likely to bring order or content to the people of India. I had the advantage, however, of hearing a very important though very disappointing speech made by the Secretary of State for India in another place, and I should like to refer, if I may, to one important remark which he made in the course of that speech.

Many noble Lords and others, who have felt grave doubts about the policy pursued by the Government, have yet felt that they were hemmed in in all honour by a long series of inescapable pledges. My noble friend Lord Irwin, whom I am glad to see here to-day and to welcome after his bad accident, has himself in his speeches, I think, referred to the difficulty with which we are confronted by reason of past pledges. I, on the other hand, whilst not losing sight of the statements made by eminent people, have always contended that the only thing by which we were bound in practice and honour was the Government of India Act of 1919; that that was the pledge to which we were fully committed, and only that. I was therefore glad to hear the Secretary of State for India, speaking with the full authority of his office, quite clearly telling us that that was the correct view. It is quite true that while Sir Samuel Hoare counselled us to take into consideration the long continuous history and teaching of the last hundred years of British rule in India, yet he declared clearly that "the pledges of the past leave full liberty to Parliament in the choice of the time and manner of constitutional advance." This formal and considered declaration of the Secretary of State for India comes exactly at the right moment, when the Joint Select Committee is going to embark upon the consideration of these proposals. We are then, let us make no doubt about it, absolutely free in the light of the last ten years' experience to extend or restrict the Constitution's liberties, and, indeed, we are bound under the Preamble of the Act of 1919 to act in the light of our own knowledge of the co-operation given by Indians during the last ten years and of their proven capacity or otherwise to have self-government.

The Secretary of State then, very rightly, if I may say so, invited us to look round and to put this picture of Indian constitutional reform into a world setting, to get our perspective right. He asked us to look on and see what was happening in other parts of Asia, but, wisely I think, he did not pursue that theme very much further. If he had lived in the Near East, as I have in the last few years, he would have seen the chaos and turmoil caused by the immature systems of Parliamentary Government and the wreckage and ruin they have left to the unfortunate peoples. Take the case of Syria. The Constitution of Syria under the firm and able guidance of the French had not been going for many months—I will not pledge myself to the extent of time, but for a very brief time—when there was a collision between the elected representatives and the Governor-General, and the Parliament was disrupted and has never again, so far as I know, been able to function. In Palestine, where we are utterly pledged to give a system of representative government, we have never been able to produce it because of the communal difficulties that confront us there.

Talk about pledges! There is an unredeemed pledge in Palestine, where we are confronted by the very same difficulties as we are in India. Who would think that we were told a little time ago by our leaders that nothing could happen till the communal question was settled in India? We seem to have heard nothing about that lately. It has not been settled, it is more acute than ever before, but we are gaily marching ahead. Take Turkey, Persia or Iraq. In each one of those countries, as in Egypt, there is nothing but a travesty of Parliamentary government. Such Parliamentary institutions as exist are mere cloaks for autocracy. That is not what we want in India. Nothing could be worse than a sham democracy or a sham Parliamentary government in India. I was glad to hear the noble Marquess, Lord Zetland, say that, because to me there is no greater crime than misleading the people of the East into thinking we are giving something which, in fact, we are not.

And may we not, if I may follow the Secretary of State's own thought, con-

sider still more what the European picture is, whether it be in Germany, Italy, Russia or elsewhere? In facing the great economic and political difficulties that confront us all, what has been the tendency? Not the diffusion of power, but the concentration and centralisation of power into fewer hands, the drawing closer together of Provinces and States under the cloak of a common authority. That has been the tendency in those countries in confronting their difficulties. And yet the Secretary of State advised us to do nothing to weaken the Central Executive. What is he doing? Does he think for a moment, does anybody in either House or any member of the public think, that what we are contemplating doing can possibly strengthen the Central Executive? There is an even worse feature. What is true of Parliaments or authorities within a country is surely equally true of units in a great commonwealth of peoples. Should we not, in face of our common difficulties, be drawing closer and closer together, especially to India, with its vast and overwhelming strategic importance to the whole Empire? My main criticism of the White Paper is that it weakens and does not strengthen the connection between the Mother Country and India.

We are told that this scheme is a scheme of self-government with safeguards. I am afraid I am one of those who feel that there is no reality in democracy unless that democracy has in its hands the powers of law and order. It is a perfect sham to tell people they have got self-government if they have not got the Police or the Army under their control. And yet there is no reality in self-government without that transfer, and there is no security for anybody if you make it. There is the dilemma before you. If I may venture to refer to myself, I think I may say I have had perhaps almost more experience than any other member of your Lordships' House in dealing with the policy of independence and safeguards. Quite apart from the Montagu-Chelmsford Reforms in India, for the last four years I have been wrestling with the policy of independence and safeguards in Egypt, and if any noble Lord in this House thinks that system is going to bring peace to troubled India I can tell him he will be gravely disillusioned. Nor does Sir Samuel Hoare's assurance that his scheme "is the most complicated scheme that has ever been proposed in any country of the world" alter my view. It confirms my fears. The Secretary of State tells us that "safeguards are necessary if stable government is to continue." Put conversely, it means—it can mean nothing else than that if Indians at this stage are left to govern themselves government will become unstable.

And in the same paragraph the Secretary of State boasts that he is going to hand over without safeguards to an Indian Minister—and here I quote him—

"practically every single matter which affects the 230 millions of Indian villagers."

Does it not matter that they should have no stable government? Safeguards for Imperial interests, safeguards here and there, but no safeguards for all that appertains to stable government for 230 millions of Indian villagers. What is to happen to the whole complex and well worked out famine organisation in India, which, I verily believe, would fall to bits unless it had the assistance of highly expert and loyal officers? What is to become of our vital network of irrigation, of well and tank, catchment and reservoir and all the vital arts of the distribution of water to the people? There are to be no safeguards for any of those things; they are to be handed over without a single safeguard. And yet without safeguards, says the Secretary of State, there can be no stable government. I think that is a terrible indictment of our sense of responsibility for the 300 million ryots and helpless people up and down India. Is there to be no safeguard for the masses of the people?

What about the Princes? I feel terribly concerned at what is being done in regard to the Indian States. The Princes' treaties, as I read the White Paper, remains absolute in only two respects, firstly, in regard to the non-transferred powers—and we do not know what those are going to be, they apparently will differ in every State—and in respect of residuary powers, that is to say, new powers; but all transferred powers are to be subject to the Federal Courts. What does that mean? It means that the solemn treaties and sanads, under which the Princes have enjoyed complete security in their relations with the Crown and under which their treaties and rights have been safeguarded, are all to be given up for a

lesser and a much more shadowy suzerainty. We must suppose, of course, that their Highnesses are free to accede to Federation or not as they choose, and I earnestly trust that the Government are putting no pressure of any kind upon the Princes to join the Federation. That would indeed be disastrous. I say that, because I think we were all made a little anxious the other day when we saw that free speech even in their Highness's own Chamber through the mouth of their own Chancellor was not encouraged but met with a stern rebuke from the Viceroy. His late Highness the Maharaja of Nawanagar was a Prince with whom I had direct official relations for several years, and I think there is no one in this House who remembers him who will not feel deep sorrow at the story of his last visit to, and departure from, the Imperial capital of Delhi.

Well, it is true, of course, that their Highnesses will have the amount of security that the seats they occupy in the Upper House in the Federal Legislature will afford them, but I would like to ask the noble Lord, Lord Irwin, when he comes to reply later on, if he can assure us that this Constitution, if and when it passes, is going to be a Constitution of an absolutely permament character. I do not suppose he can. Professor Keith tells us that Parliament can even alter the Constitution of Ireland in spite of the Statute of Westminster. I do not see what is to prevent noble Lords opposite, if and when they enjoy power again, modifying the Federal Court. I do not see what is to prevent them from giving more seats to Hindu members or from taking some away from the Princes, altering thereby the complete balance of power possibly, and weakening the Princes' position. After all, this is a Socialist measure in origin. The Socialist Party certainly look upon it as only a step. I suppose the noble Lord who sits opposite will scarcely deny that. He would like to develop and expand it. What guarantee is there, therefore, for the Princes in entering this Chamber that they are going to exchange their treaties for a seat which will have the same value?

What is certain is that their subjects who have owed allegiance only to the Princes in the past are now going to have a divided allegiance. I do not know if you have read the Oath of Allegiance which is to be taken in the White Paper by representatives of a State. The representative of a State takes this Oath:

"I, A.B., having been appointed a member of this Council [or Assembly] do solemnly swear [or affirm] that, saving the faith and allegiance I owe to [my Prince] I will be faithful and bear true allegiance in my capacity as member of this Council [or Assembly] to His Majesty the King-Emperor of India. . . ."

I never heard of a more fantastic dualised Oath of Allegiance put before any Assembly in the history of the world. In my view, State subjects and their Princes will have their positions gravely modified, and, for that reason, I do beg and entreat the Government that they will be careful of inviting the Princes to come into a Federation at this juncture before the autonomous units of the future British Indian States are settled and determined.

I do not want to delay your Lordships by going into all the questions of safeguards, but I think any one who reads Paragraphs 122 to 124 will consider that the commercial safeguards provide a most ineffective security for British trade. In Paragraph 124 you will notice it is actually provided that bounties may be given to Indian trade as against British; and Paragraphs 122 and 123, which discuss the question of discrimination, are highly complex, but give me and the lawyer I consulted no satisfaction at all if their meaning is the only meaning we can read into them. We are finally told that we are to rely upon the Army as a safeguard. Well, in Egypt, we had a large occupying Army, and we learned there what the value of the Army was as a safeguard in dealing with day-to-day erosion of a particular position. It is of course of very little value. You cannot march an Army up and down the streets every time some of your safeguards are needed in operation.

All through the whole period of Egyptian reform we never found one single Egyptian Minister who accepted a single safeguard which we offered when we gave them the policy of 1922. They took the independence, they refused the safeguards. I make a prophecy to-day that you will find in India exactly the same course pursued by the Nationalists there. They will accept whatever they must accept, if they can get no more, of

independence. They will refuse, and always refuse, to accept any safeguard you put into operation. I do not want to weary you with the long history from 1922 to 1927 of the way in which Lord Allenby and others as well as myself tried to operate the safeguards which we were bound to operate, and the bitterness which was engendered in the minds of the Nationalists, and the hopeless impossibility of doing it. Each time you engender vexation and humiliation, and you get practically nothing of your way. Your position is eroded. It is an impossible policy. Independence with safeguards has never operated successfully in any country of the world, and indeed all that happened in Egypt was a long and tragic history of murders and troubles.

May I read what is the reception to-day of your "independence-with-safeguards" policy by the Nationalists themselves in India? Here is one. Mr. Patel, the late Speaker—the noble Lord, Lord Irwin, knows him well—obviously a very extreme Nationalist, one of the most extreme, but still likely to be a leader again——

LORD IRWIN: No.

LORD LLOYD: Possibly. The noble Lord cannot prophesy with certainty any more than I can. We have both prophesied wrongly in our time. Mr. Patel is reported as saying:

"As soon as India got anything in the nature of the freedom that Ireland had got, the cards that de Valera had played there to-day would be played in India to-morrow."

You say that is an extremist, but listen to your moderates. One of your most brilliant moderates in India is Sir Tej Bahadur Sapru, and this is what he said in a speech at Allahabad on January 18:

"There may be men who may say that the Constitution is not worthy of our acceptance because it falls short of our expectations. To them I will hold up the example of men like de Valera in Ireland and Hitler in Germany. De Valera was not half the nuisance that he is to-day before he entered the Government. Hitler is dying to capture office. It is not only good law but ordinary common sense, I say with all respect, that possession is nine points of the law."

That is one of the leaders of the Moderate Party. That is the reception which he gives to your policy of independence with safeguards. I venture to prophesy with the certainty of conviction that you will never get that policy accepted by the political leaders in India.

May I ask, in conclusion, how it is we find ourselves where we are to-day? If it is really true that this system of Parliamentary government has brought misery and chaos to every country, if it is really equally true, as the Secretary of State has told us, that we are perfectly free to do what we think best at the present time, how is it at this critical juncture when almost every Treasury in India is depleted and the communal strife is grave, that we are proceeding at this pace with so advanced a policy? We are told by the noble Lord, Lord Strathcona, and Mr. Baldwin made it the main burden of his speech in the House of Commons, that the reason for pursuing this policy is that India has changed. It is that new India, they said, with which we have to deal. That was the only justification I could see put forward in Mr. Baldwin's speech. That is, of course, a matter of opinion. As a matter of fact, I believe that India has changed less in fundamentals than any other country in the East in the last ten years, but I may be wrong. But let us assume that Mr. Baldwin is right and I am wrong and that India has undergone very great change. Surely, it is not going to be said that this enormous and sudden change has taken place since the Simon Commission reported? No one contends that for a single moment. Here is the Report of the Simon Commission which was acclaimed on all sides as a document of unparalleled importance. Its findings on the facts were admitted by everybody to be absolutely impeccable. The recommendations which were based upon it commanded universal respect and a large measure of agreement.

Surely here was the path for the genuine Conservative leader to tread—the path of constitutional progress, carefully plotted and worked out by a Royal Commission representative of all Parties in the State. Yet this masterly and universally acclaimed Report was suddenly flung out without discussion or argument. Why? In deference to Indian political opinion. Moderate opinion in India refused absolutely to accept as a basis for discussion even, a Report which recommended an immense step forward and which based that recommendation upon facts which were never disputed. One hoped that people would come back to

the Simon Report, but now even the distinguished author of that Report has decided to discard some of his recommendations. Still the Report was praised. We were told it was a mine of accurate and careful information. Its lucidity was such, it was said, that they could not think what they would have done without it. And they put it straight back into the waste-paper basket and asked us to consider proposals which run counter to every premiss the Report contains. I justify that statement by saying this, in case the noble Lord wishes to take that point up. I say it runs counter to every premiss of the Simon Commission Report, because if the facts as stated in the Simon Commission Report as to the situation in India were true, then India is certainly not fit for self-government in the measure you are going to give it to-day.

So curious is this phenomenon that it is worth while to examine for a moment why the Government behaved in this extraordinary way. I believe we are going to hear the noble Marquess, Lord Reading, immediately I sit down. I remember that the noble Marquess himself based his change of attitude upon the same reason. Everything changed, he said, when the Princes suddenly decided to come into the Federation. I am not quoting his words but that is about what he said. Let us look at that for a moment, if I am not detaining your Lordships too long. Let us recall for a moment what has happened, and see what validity there is in this contention. The contention, of course, was that the situation was fundamentally altered by the decision of the Princes to enter the Federation. Let us recall what the Commission recommended. The Commission recommended a Federation of All-India as an ultimate goal and autonomous Provinces as the first step towards that goal. As to Federation, the Commission said it was outside their terms of reference, and they could not pronounce upon its possibilities but recommended, as far as I can remember, that it should be investigated. When therefore the Princes accepted the principle of Federation, the logical and the practical conclusion should have been not to depart from the Simon Commission's Report but to accept it more confidently than ever. It was not a reason for accepting something else.

Surely, the one thing upon which the Commission could not pronounce with certainty was the ultimate goal of Indian development, but now that goal was made clear the distant horizon was obvious to everybody. The goal could be clearly envisaged. Autonomous units were to be created which could then agree among themselves and with the autonomous units of Indian States as to the degree of self-government which each would surrender in order to achieve the strength and unity of Federation. Here was a policy in consonance with the best traditions of Conservatism, steady and ordered progress to a visible and practicable goal. You would have thought that was the ideal moment for a non-Fascist Conservative leader to come in and make everybody happy. But, unfortunately, that did not occur. The slogan of "Safety first" was taken down from the hoardings, and "Don't miss the 'bus" put up in its place. What was the reason for this new and unpopular slogan being put forward? We were told that the Princes would not enter any Federation or any Government which was wholly in the hands of Whitehall, and this was advanced as an imperative reason for abdicating at once from the Central Government and setting up another Government in its place. Whoever thought for one single moment that the Princes were ever going to abdicate their position in favour of a Government in Whitehall? Anybody who knew anything about it knew that it was an entirely irrelevant consideration.

What force could possibly be found in such a reason? Are we to understand that the Princes held a pistol at the heads of the British Government and said: "Federate now or we will never come in at all"? They never said anything of the kind. If they had the British Government should have had the right answer to it. But, of course, they never made it. When the Princes said "We will enter into Federation," it was implicit enough from the statement that federation would not be controlled entirely by Whitehall. There was no conceivable reason, as far as I can see, why that statement should have had any bearing at all upon the existing situation.

The whole case for the proposals in the White Paper is, in fact, built upon the foundation of such statements. What we naturally should have suggested to the Princes was: "That is splendid, you will now come in and join Federation. Autonomy is complete. Let us now start and give autonomy to the Provinces. You will have the advantage then of coming in a little later when the autonomy in the Provinces is complete. You will see how it is working and then we will put on the splendid coping stone of your allegiance and adherence to the venture." That is what we normally should have said to the Princes, and they would glady have waited until the initial steps were taken.

We are now told that everybody is in favour of this alternative. We are told by the Secretary of State that the European commercial community are enthusiastically in favour of it and that all the Governors are in favour of it. I might say a good deal about the Indian Civil Service view, but I do not want to discuss that. All the Governors, we are told, are in favour and the European commercial people are in favour, and the Princes are in favour, and the Indian nation, we were told the other day, was also in favour. As far as I can make out not a single one, except quite possibly, some of the European business people, is in favour of it. I do not believe the Indian Princes in any large numbers are in favour, or are anxious for it. They are naturally frightened and they do not know whether to come in or stay out. But if the Government have all this enormous support behind them why is the Secretary of State despondent? Why did he the other day display symptoms that were almost hopeless? Why does Mr. Baldwin consider the risks very great. The real explanation, as I venture to put it before you, is that the Simon Commission Report is still the true Report and still holds the field. It was jettisoned in order to buy Indian political opinion. Indian political opinion wanted more and the Report must be thrown over in order that they might get it.

Those are the facts, as we all know. Indeed, the Secretary of State said as much. He said there was no chance of political autonomy starting in a reasonable atmosphere of good will if we did not at the same time make proposals to cover the Centre. Now you have made this huge concession what good will have you got? You have anxiety in regard to the Princes, you have definite hostility on the part of Congress. Not one of them will touch it. The whole Assembly turned it down. You are in danger of weakening your position. Your prestige is less and you are no further advanced on the path than you were before. Quite the contrary. We must consider history. There is nothing in recent history or present evidence to warrant the hope that these White Paper proposals will secure that good will which they are designed to secure.

The sponsors of the Montagu-Chelmsford Reforms told us that if we passed those reforms we should secure the good will of the politically-minded people of India. We know now that in that respect they failed utterly. The Milner Mission in Egypt gave us exactly the same assurance with regard to their proposals. "Grave is the sacrifice," they said, "but make that sacrifice. Without good will nothing is worth anything. With good will any machinery will work. Give away your position and you will have the swelling gratitude of all the people that now oppose you. Make the sacrifice, and all will be well." Was all well in Egypt? What happened after the Milner Mission's Report? Never in any country has there been such outbursts of ill will, bitterness, murders, assassination, general decline of government, corruption and the like. Must we not take history into consideration when dealing with so vast a unit as India? Think of the collapse that there will be there. Think of a collapse on the scale of Egypt reproduced in India. Think not only of the effect on the peoples of India but think what would happen to the factories and the workpeople in this country, because the scale of civilisation in this country has been founded for 150 years on East-Indian trade. Take away that and where are you? Read your history books and drop your tear too late.

The real fact is that by the policy inaugurated by the last Socialist Government we have been lured into desperate straits. I do not say that on any Party considerations. I will say "the last Governments" if you like. It is too big for Party considerations. We have been forced into a position when we must choose between two highly repugnant courses. On the one side there are these

proposals for advance which many of us believe—sincerely and deeply believe—are fraught with the very gravest danger alike to the peoples of India and the people of this country. On the other side there is the alternative, equally repugnant, of a sudden change of course which will lay us open to the charge of bad faith and of disappointing the hopes that for four years have been raised in the minds of political India.

We are often told that we are only critics, that we have nothing constructive to offer. May I venture in a few words to try to meet that criticism? I think there is something to be done, and a very definite thing to do if only Government will have the courage to do it. There is no doubt in my mind whatever that the right course is to go back to the Simon Commission Report now, to examine it and base our policy on it. That is the constitutional course, that is the honest course, that is the only course likely to give us results. If we adopt that course we shall be doing what is proved right by the facts and by the test of common sense. Some will say that it is impossible. The Government will tell us it is impossible. I do not believe that if we do the right thing with a clear conscience and firm purpose we shall meet with any hostilities that may cause us to hesitate or be afraid. But if we fear to face opposition then in heaven's name let us be honest with ourselves and admit the fact. Do not let us pretend any more that the facts are different from what they are, or that real responsibility does not conflict with real safeguards. It always did, it always will, it always must. You cannot have real responsibility and effective safeguards. It would be better in my judgment to write *finis* now on the page of our history than to embark on a course which, as our recent history clearly shows, can only end in a series—an ignominious series—of rearguard actions ending in our ultimate surrender. I do believe that this is the honest course and that it is the course which, if followed, would approve itself to the vast majority of your Lordships' House. I believe it may be open to the Joint Select Committee—that it is open to the Committee—to consider any course for the better government of India. If I may venture to make a suggestion to those who may be privileged to serve on that Committee it is that the Simon Commission Report, prudently conceived, carefully worked out, and honestly put before the people of the country, is more likely to give us lasting results and the respect of the peoples whom we may still have to govern.

THE MARQUESS OF READING: My Lords, I am sure your Lordships will be of opinion that we have had a most interesting and informative debate during these three days. One of the most interesting reflections upon reading the Report of the debate, especially when one knows the speakers who are to follow, is to realise the wealth of administrative experience and knowledge contained in your Lordships' House. It is particularly interesting to note the part taken in the debate by those who have devoted time and study to Indian affairs. I do not know whether it has struck any of your Lordships that allowing for the two speakers who are to follow me, including the noble Lord, Lord Irwin, who I am very glad to see back in his place, we shall have had twenty-four speakers in the debate. I know that the noble Lord the Leader of the Opposition, Lord Ponsonby, will follow me and in what I am about to say I am allowing for that.

Amongst those twenty-four speakers, so far as I am aware, there are only three who have not taken an active part in Indian affairs. All the others are either past Governors or Viceroys—Lord Hardinge, Lord Irwin and myself—or those who have been members of Commissions and Committees. One of the three to whom I refer is my noble friend the Marquess of Salisbury I think that he, with Viscount Elibank and Lord Ponsonby, are those who have had no part in Indian administration and have taken no part in Commissions and Committees. I am not for a moment suggesting—I am sure your Lordships would never think that I would suggest—that for that reason we should not listen and weigh carefully what they say. What I do desire to impress upon your Lordships is that we have had during this debate a wealth of experience brought before us and detailed to us by those who have taken part, which is of immense value and which, I would venture to say, shows the strength and capacity of this House for the purpose of debating questions of

this character. What I desire to impress upon your Lordships is that that is of very great importance as an outstanding and noteworthy feature of this debate.

We are discussing now the most important problem of the future Constitution of India, and I agree with every word that fell from the noble Marquess in impressing upon us all the responsibility which is upon us, and perhaps not least upon some of us who have taken part in administration and also in the Round-Table Conference; but as I make that observation I would like to say that I thought the noble Marquess was not quite as fair as usual in his references to the speech of the noble and learned Viscount on the Woolsack. He seemed to infer that the Lord Chancellor had made light of the responsibility and had tried to make the House believe that it was dealing with a perfectly simple matter. If I remember rightly his comment was upon the "facile optimism" of my noble and learned friend. Curiously enough, having made that observation, he went on to point out that the Lord Chancellor wound up by telling us what a risk we were running and that we ought to be most careful because, he said, as the noble Marquess put it, "nothing venture, nothing have."

I cannot think that was quite doing justice to the speech of the Lord Chancellor. I thought that what the noble and learned Viscount had done was, in a very concise manner, to give to your Lordships the picture of the Constitution as it was to be set up by the White Paper within the limits of the period properly allowed for debate in this matter, and that he had not, as far as I could understand, glossed over anything; but I do know this—it is only for this reason that I have ventured to refer to this—that no one can exaggerate the amount of work, thought and devotion that the Lord Chancellor has given to this subject ever since it came up for discussion at the Round-Table Conference. All who have been present at the Round-Table Conference have admired him. When the Lord Chancellor began he, like all of us probably at some stage, knew little about India, but he studied the subject and then he took his place as a member of the Government and presided at most of our sittings. I venture to say to the noble Marquess—and I make the observation as one who was present with a number of others, including members of his own Party, throughout something like 150 sittings of the three Conferences—the Lord Chancellor's patience, courtesy and understanding from the beginning to the end contributed almost more than anything, except the agreement which we were able to reach on many points, to the better feeling and to the more cordial regard that Indians had for us and took away from this country to India.

THE MARQUESS OF SALISBURY: I only rise to say that nothing I said, nothing I thought of saying, was an attack upon either the courtesy or the patience of the Lord Chancellor. Of course not. Everybody knows that his courtesy is unmatched, and I am quite certain that his courtesy and patience were equally displayed in the Round-Table Conference; but that does not interfere with the burden of the criticism which I offered that he made much too light, as I thought, of the risks we ran and much too much of what I thought to be a grotesque parallel between what happened in the Constitution of England and what is going to happen in the Constitution of India.

THE MARQUESS OF READING: I am obliged. I never meant to suggest that the noble Marquess had attacked the courtesy and patience of the Lord Chancellor, but I thought something was due to him after the observations that had been made and I thought also that some of your Lordships who had not been present at the Conferences ought to be made aware of the very great services the Lord Chancellor rendered.

May I come back to the problem we are discussing? I want, if your Lordships will permit me, to impress the fact upon you that throughout the whole of this debate from nobody who has spoken—from critics, from opponents, of course I leave out supporters for this purpose, or even from the noble Lord, Lord Lloyd—has there come the suggestion for one moment that there should be any retrograde movement in regard to India. No one has suggested that there should be merely a policy of stand-still. I do ask your Lordships to bear that in mind. It means that all of us in this House, all the members of this great Assembly, giving all their thought and attention to this question, are agreed that there must be a measure of advance in the govern-

ment of India. I make that observation not so much because I desire to impress it upon your Lordships or upon the people of this country, but because I am most anxious that India should realise that that is the attitude of this House, which has been depicted as merely the seat of all retrograde movement.

I have shown your Lordships what we are agreed upon to start with—the agreement as to an advance. May I go a step further? We are all agreed—even the noble Lord, Lord Lloyd, that there should be provincial autonomy. Undoubtedly there is a difference of opinion as to whether or not provincial autonomy should include the control and maintenance of the Police, commonly discussed under the term law and order, and I will come back to that; but let me point out another matter of extreme importance on which there is complete agreement, not only in your Lordships' House, but everywhere outside and in India—that what we are anxious above all to bring about is the Federation of All-India; that you should get the whole of India in this one Parliament and bring about what many of us have discussed again and again and thought was merely a dream, making it effective in a practical proposal. Therefore I come to this—that the only questions at issue at this moment are questions of pace and degree; nothing else is involved in the matter we are now discussing.

I agree those questions are very important. I am not belittling them. I am not anxious to make light of them. Those who have had to bear the responsibility of administration in India will never make light of the difficulties. I do not make light of them. I know them well. I know how baffling and perplexing they sometimes are, and I know equally that with patience and determination on our part in the right policy—conciliation, as far as you can, but with firmness in regard to everything you think essential—we shall come through and shall succeed in India in the future as we have in the past.

Let me call attention to this one fact, and I do not wish to delay your Lordships in discussing historical matters. Why is it that we have arrived at this stage? How is it that at this moment, in spite of everything, we are all agreed in this House that there must be advance? It is idle for the noble Lord who last spoke to speak as if everything was in the melting pot, as if we must go back, as if all measures of reform which we are discussing, and particularly those which involve any responsibility of government, should be discarded. It is idle to discuss that. We have already a system of government in force in India under the 1919 Act which gives certain rights. The reason why we are now agreed that advance has to be made is partly the condition of India and all that we know has happened. I will not go back to history, but there are the contributions of India to the War, India sitting in the War Cabinet, India signing the Treaty of Peace and the Covenant of the League of Nations, India attending the Imperial Conferences, signing the Ottawa Treaty, taking her part and coming to arrangements like the rest of the Dominions; and then eventually we have to take into account that great work of the Simon Commission and the three Round-Table Conferences, and the Committees, the Commissions and inquiries that have been instituted. The result of all this is to bring us to this point, that we are all agreed there must be an advance.

Now I will proceed to discuss the two questions which are really the vital questions in this matter. One is whether law and order, that is, the Police, should be transferred to the Provinces, and the other is whether there should be responsibility at the Centre. May I just draw attention to one fact which sometimes is forgotten in the discussion? The Simon Commission has reported upon the transfers, an dhas recommended that law and order should be transferred. As I understand it, with some few exceptions, there is general agreement on that subject. Almost the last words uttered by the last speaker was a recommendation to the Government that they should stand by the Simon Commission. I understand that to mean that we should adopt the Simon Commission's Report, especially in relation to provincial autonomy. Is that right?

LORD LLOYD: It is not qute right. What I intended to convey was that I should like to make the Simon Commission the main basis of the whole of our

examination. I do not say that I accept every detail of the Simon Commission Report.

THE MARQUESS OF READING: I do not think the noble Lord quite followed what I was saying, or perhaps I did not make myself quite clear. I am not suggesting for one moment that he said the whole of the Report should be accepted. What I was dealing with was provincial autonomy, and what I understood from the statement he made was that we should accept the Simon Report in regard to provincial autonomy. That means the transfer of all that is remaining of provincial subjects to the Provincial Governments. Your Lordships are aware that a great many of these subjects have already been transferred. The only really important one that remains to be transferred, to complete provincial autonomy, is what is usually termed law and order. Everything else, except land revenue, as to which no difficulty arises—everybody agrees it should be transferred—has been transferred, and the sole matter which remains open is law and order.

Lord Lloyd was Governor of one Province and Lord Lytton and Lord Zetland of others during my time. They were well aware of what was happening, and were well aware that there were these Transferred Subjects. All that will happen when you make over the rest of your subjects, assuming you make them all over to the Provinces and give them provincial autonomy, is in truth that you will be giving them law and order and land revenue. I understand that Lord Lloyd does not take the view of those with whom one generally associates him, in the matter of law and order, and I am glad of it—I thought from his experience that he would not, and that is why I asked a question as to his ultimate view, and I understand from him quite clearly that he accepts the recommendations of the Simon Report with regard to provincial autonomy, which means the transfer of law and order. Lord Lloyd differs, as I have said, from others with whom one generally associates him in this matter, because they have objected altogether to the transfer of law and order. I can quite understand that one who has had experience of administration will realise what it means if you have complete transfer to the Provincial Government and yet leave the Police segregated in a special corner of their own. They will be subject to bitterness and every reproach, and placed in an impossible position.

LORD LLOYD: I am sorry to interrupt the noble Marquess, but it is an important point, and I would like to make my position clear. He has stated my view perfectly correctly, provided that he will not forget the dilemma which I sketched to the House—namely, that I believed there was no reality unless you transferred, but I feared there would be no security if you did; and therefore, while I believed in the main that you have got to hand over law and order in the Provinces, it makes me doubly sure that the policy of devolution at the Centre at the same time is very dangerous.

THE MARQUESS OF READING: I quite realise that the noble Lord meant to make exceptions to the Simon Report, but assuming you make your transfer under the Simon Commission Report there were two conditions imposed. One was that there should be a European Minister appointed for the purpose. I do not believe a single supporter could be found for that proposition at the present moment. In saying that I was thinking of the opinion of the Indian Governors who have been requisitioned on the matter, and I understand that all have been against it. I am quite convinced that that would be an impossible situation, and that you could not speak of provincial autonomy and at the same time say that there was a European Minister appointed by the Government, in a responsible Legislature, who was to have the control of the Police and all that is involved in that matter. I pass from that. I think it was the noble Marquess who said that there was not so much importance to be attached to that proposition.

The other, which no doubt is more important, is this. The Simon Commission stated that whatever was done when this transfer was made it was subject to there being no substantial change in the responsibility at the Centre. The whole question turns upon that. That was the position when the Simon Commission reported. Up to that moment everybody who had studied Indian government ques-

tions had been hoping that one day there would be an Indian Federal Legislature and a Federal Government. We had all played with the idea. None could give effect to it because none of us could, of course, force the Princes' hands, none of us could even raise it; it was entirely a matter for them. I will explain in a moment why. That was the situation. The noble Lord, Lord Irwin, in a despatch of the Government of India, or some other document, carefully said, in discarding this as a matter for practical discussion, that it was a dream, it was not practical at that moment. Nobody thought that it was coming. Certainly I did not. The Simon Commission, however, composed of members of all Parties, were evidently very much impressed with the great importance of securing the federation of All-India, and they devoted a certain amount of time to discussing the subject. It does not emerge so much in the Report because it was not included in the matters upon which they were asked to report. But they came to the conclusion that it was necessary to ask the Princes to attend the Round-Table Conference which was about to take place, in order that the Princes should have the opportunity of expressing their views on the various subjects that would come up for discussion. Then they wound up the Report by pointing out that in all that they were recommending they had their minds upon Federation, and that no steps that were taken to carry out their Report should interfere in any way with Federation, but that they should all be conditioned by Federation when it happened.

Then came the Round-Table Conference, and there were some hundreds of us, the majority Indians. The Indian Princes for the first time made the dramatic announcement that they were willing to enter into Federation—not binding themselves of course, because they did not know the conditions, but definitely proposing that there should be a Federal Government for All India, in which they were ready to take their part. The noble Lord, Lord Lloyd, seemed to think that we must have been perfectly crazy to be impressed with that. I bow to him. He may be a very much better judge of what is being said by the Princes and what it all means. But those of us who were sitting in this room, some hundreds of us, and including the most distinguished politicians of India, who have very subtle brains—even, if the noble Lord will forgive me for saying so, perhaps as subtle as his own—were deeply impressed by it. I confess that my natural caution—perhaps my training as a lawyer, or it may be my experience as a Judge, or perhaps because I feared the gifts that the Greeks were bearing—made me refrain from observation at the moment, but it did not prevent a glow in my heart when I heard it. The Princes went on to say very quickly, having made that announcement that they wished us definitely to understand—this was first said by the Maharajah of Bikaner and repeated within a day or two by the Maharajah of Patiala, who happened to be Chancellor of the Chamber of Princes and spoke officially at that moment, and repeated again by numbers of others throughout our conference—that the one condition that they made and insisted upon was that there should be a change in the system of Government at the Centre, and that they would only consent to Federation if responsibility were granted at the Centre.

I admit that to me that was a very great surprise. I did not expect that the Princes would take that view. I was sitting near to the noble Marquess, Lord Zetland, and I think we exchanged our expressions of astonishment at the time. It was a surprise to me that the Indian Princes, who were so determined to retain their allegiance to the Crown and to make it, if possible, more intimate than it had been, and were demanding that they should be put under the *aegis* of the Viceroy and not of the Governor-General in Council, should take up that attitude. I pondered it, and the conclusion I came to, which I believe was the true conclusion, was first that they were disatisfied with the Government of India as it was then being administered, that they thought there ought to be a change, but, above all, that they remembered that they were Indians and were asking that this responsibility should be transferred to Indians instead of its being entirely in the hands of the British, who were controlling it from some thousands of miles away.

I happened to be at that time the leader of the Liberal Parliamentary delegation, and it took some time for us to think about it and discuss it, but eventually we came to a definite conclusion.

It was discussed with all the leaders of our Party who were not members of the delegation to the Round-Table Conference, and as a consequence I announced a policy which we were ready to adopt, which was substantially that we were prepared, provided that there was Federation, to grant responsibility at the Centre, subject to safeguards, provided again that the safeguards were effective. Bearing in mind, as I do, that this matter has to go before a Joint Select Committee, anybody who is a member of that Committee must keep an open mind and hear all arguments that may be adduced, either for or against, remembering also that the Bill when it is fashioned must come up before this House; but having said that, nothing that has happened from beginning to end since that announcement was made has caused me to depart one hair's-breadth from what I said then. I thought then that it was right, and I still cannot help saying that that is a policy—of course I am not suggesting a policy explained by me, but a policy which is now in the White Paper, after much discussion and formulation by Governments, many inquiries, and most anxious consideration—there is a policy in the White Paper which is the basis of a new Constitution, and which in substance I am prepared to adopt.

Reserving any consideration or elaboration that may be necessary—details are not completely filled in; all sorts of questions will come up for discussion no doubt when the Bill comes before us again—I do not propose to discuss to-day at any length the details of the various proposals which are made. All I desire is to ask your attention to one or two of the very important points that have been raised. It is said, and particularly by the noble Lord who last spoke, how ridiculous it is to have a Constitution with responsibility and safeguards included. Well, is it? I should really like to ask any constitutional lawyer or any student of constitutional history, or any one who has taken the trouble really to examine the developments of Constitutions, whether he can point to a single Constitution which has been put into a Statute which has not some safeguards. I do not know of any. I have always understood they were necessary, that they were essential. It is not so much because you are distrusting those to whom you are granting responsibility that you include the safeguards. It is very often because you want to keep the confidence of the people who were parties with you in making over the responsibility.

Let me illustrate what I mean. Take, for example, the important question of sterling loans, made on the invitation of the Secretary of State, legally, of course, upon the responsibility of the finances of India. They are a trustee security, subscribed and taken up by all those who are investors in gilt-edged securities. These people have lent their money. Supposing you transfer finance to the new Government, the question would immediately arise in these people's minds, that is, the minds of the lenders: "Where do we stand"? I pass over the question of whether or not the Secretary of State could be made responsible. That has often been discussed, though I should have thought legally he is not responsible. The real point is that the lender who has parted with his money does not want finance transferred to India, because he thinks that his security is lessened inasmuch as those who are going to administer the finances of India will be able to deal with the revenues, dispose of them as they please, and the lenders may think perhaps some revolutionary Party will come into power which might even refuse to pay the interest. It is not remarkable they should think so in view of some wild observations which were made at one of the meetings of Congress. Is it not apparent that you must have a safeguard for that, and you must introduce some system by which it becomes clear that the service of the loans, that is the interest on the debt, the Sinking Fund payments and redemption at maturity, the taking up of a short-term debt, and the finding of all the sterling that may be required will be met and without difficulty, so that the obligation is upon the Government to draw this money and to pay it out? It has not to be voted. So you have this safeguard that it is entirely outside the control of the Indian Parliament, and if they choose to say: "We are not going to pay," they could not withhold payment. That of course is an essential safeguard, and I should have thought it did not require discussion. I only quote that as an example of a safeguard, and I shall not refer to the others.

I want just to deal with the divisions there are in the powers. It is true the

noble Marquess, Lord Zetland, wrote a very important letter to *The Times* dealing with the powers of the Viceroy. The great point he made was that it was not possible for anyone to discharge all the functions which would fall upon the Viceroy under the conditions of this White Paper. I know the noble Marquess has had important duties to perform, but I can assure him that if he had had to perform the duties of Viceroy he certainly would not think that the duties would be any greater under the new system than they are under the present system. There are three ex-Viceroys in this Chamber, and I do not suppose any one of them will accept the view that the responsibilities now to be conferred on the Viceroy will be so great that he will not be able to undertake them. I read the letter of the noble Marquess with some surprise for that reason. He referred, among other things, to "gladiatorial combats"—a picturesque phrase which we are accustomed to get from one of his literary capacity; but "gladiatorial combats" was rather a strange expression to use with regard to what is to happen in the future. I could not help thinking it had never occurred to my noble friend that just these events which he describes in this picturesque phrase are events which have been occurring constantly during the last twelve years.

After all, I have been away from India now for seven years, and I am almost an old-stager, but even so I was the inaugurator of the new Constitution as introduced in 1921. My noble friend will remember we often had to discuss points that arose upon it, but these very difficulties did arise. I have had actually to "certify," as it was called, a Budget—indeed two out of the five that were passed in my time—these Budgets being the Finance Bills which were introduced into and thrown out by the Legislative Assembly, which refused to pass them. It is true the Council of States passed the Budget but the consequence was I was put into this position as Viceroy. I want to make it clear, because of a passage in the letter of the noble Marquess, that it is in no sense the responsibility of the Viceroy's Council; it is the responsibility of the Viceroy, the Governor-General. He then recommends the Bills to be passed, and if a Bill is not passed, as it was not in two instances at any rate with me, the Governor-General certifies it, and from that moment it becomes the law of the land, the taxes are collected—and they were collected—just in the same way as if the Bill had been passed in the ordinary course by the two Chambers without any difficulty. Those are events which are taking place. I was not conscious in India at that time that I was taking part in a gladiatorial combat.

THE MARQUESS OF ZETLAND: If the noble Marquess will forgive my interrupting him, the Viceroy will not have the Executive Council behind him as he has at present. If the noble Marquess will study Paragraphs 35, 36, and 37 carefully he will see that the Viceroy will be very much more in the limelight in the future than in the past.

THE MARQUESS OF READING: May I point out in regard to the observation just made that the Viceroy will not have the Executive Council behind him, that he has not now, under the present system, the Executive Council behind him. It is quite a mistake to think that is so. I remember several occasions when I had to make use of the powers which are entrusted to the Viceroy. Whenever I had to consult my Council, and I agree I did at times, I told them definitely in terms: "You can give your advice or not as you please. Whatever you say will never be conveyed to anybody, but the responsibility is mine, and I shall act as I think right, whatever you may say, because the duty is imposed upon me, and not upon me as Governor-General in Council, which means that it is the personal responsibility of the Viceroy." My noble friend Lord Irwin has had to deal with matters in the same way and he will agree that that is his experience.

May I take another instance in passing, that of the Ordinance? An Ordinance issued by a Viceroy, may I say, almost staggered me when I first discovered I had the power to do it. I do not think I knew it when I went there, and when an occasion arose and I had to look for the Statute, with my bringing up as a Liberal it was a little startling to find that I had the power to issue an edict, an Ordinance as it is called, under the Statute, which could override the law of the land and every Statute passed in the land, which had the force of a Statute and could not be discussed in the

Assembly or in the Legislature unless I chose to allow it. It remained the law for six months. We know from what has happened during the time since I left—but it never happened in my time—that after that six months had expired another Ordinance had to be issued. Of course, these are very exceptional powers, and they are only necessary in cases of great emergency. I remember the first time it happened to me to resort to them was on the occasion of the rebellion in Malabar. I had to declare Martial Law. But there have been other instances, in fact there have been a great many since. All I desire to point out dealing with the Ordinance is that that again is the responsibility of the Viceroy and Governor-General, or the Governor-General to use strict legal phraseology, but of course it is the same person.

One final instance I will give to point out what the duties are and what they have been, certainly even since this Act of 1919 has been in force. Even though the majority of the Executive Council—the equivalent of the Cabinet of the Viceroy—is against him, if the Governor-General thinks it is essential either for the peace or tranquillity of India or in the interests of India, that he should override them all, not only is he entitled to do it, but, under the law, he is bound to do it, because the obligation is placed upon him of determining and doing what he thinks right in the circumstances. There again not only has he not the Executive Council behind him, but he has a majority against him. I bring this to your Lordships' notice because I do want to stress this point. In the position which you are creating for the Governor-General under the new system there is no real difficulty. I agree that there is a tremendous responsibility, but as one who has held the office, may I say that its greatest attraction is that very burden of responsibility which is placed upon the Governor-General, and the power which is given to him to implement the decisions he chooses to take? It means nothing more than this, that when emergencies arise, when conditions exist in which it becomes necessary for him to take action, he has the power to take it, and he ought to do so; indeed, he is bound to do so.

These proposals place no greater burden upon him that he has now. The only relief that I concede to him is that he will be relieved of a great many of the matters which are now brought to him in his daily ordinary occupation—matters brought to him for the purpose of getting his orders, as must happen in India before anything of importance takes place. He has to deal with all the affairs of Departments. Ministers and secretaries of Ministers are coming to him constantly for orders. He will be relieved of a very great deal of that. He will not have that to do as his daily work, because there will be a Cabinet there. I cannot myself see that he will be in a worse position that now, especially when you bear in mind that he is to have three counsellors, who are to be his counsellors responsible to him, unfettered in their responsibility to him. They will be there to advise him in the different Departments in which he has to take decisions, so that he is not left without counsel. He has special advisers of his own. He has also the assistance of a financial adviser. May I point out that he is not bound to take part in a Cabinet if he does not so choose? Certainly, as I understand the position, it would be the consequence of this White Paper becoming law that the Viceroy and Governor-General will remain the head of the Executive in India. There can be no question that, as the head of the Executive, he is entitled to have the right, whenever he deems is possible, to preside at Cabinets, notwithstanding that the Cabinet is responsible to the Legislature and is no longer in the position of being merely responsible to him and to Parliament here.

That is the position. But in addition he has these various duties. It was asked among other things: How can he attend to the affairs of the Political Department or of the foreign department? I would point out, to show how little is being added in this respect, that at present the Viceroy is the Minister of the Foreign Political Department. There is no Foreign Minister who sits in the Viceroy's Cabinet, commonly called the Executive Council. There is no Political Minister sitting in the Political Department. That is the Department which deals with the Police and the Princes and the affairs of the ruling States, a very important Department. There is no Minister there, because the Viceroy himself acts as his own Minister for both Foreign and political matters. It is right I should

say, for the purposes of accuracy, that up to the present moment, although the Viceroy is Minister for the Political Department, the matters constitutionally are decided by the Governor-General in Council, that is by the Viceroy. That is how it works in practice. I am sure I am not giving away any secrets, for I have said it over and over again in India, when I say that nearly all these matters are decided by the Viceroy himself and only upon any question that he thinks of great importance does he consult the Council. What is now desired by the Princes—and it will be done if the proposals in the White Paper take effect—is that that should be simplified. All these questions will be dealt with by the Viceroy. The Cabinet—that is the Ministers responsible to the Legislature—will have nothing to do with the question. That is what the Princes have asked and what is conceded. It really adds nothing to the work of the Viceroy because he has been doing it for a number of years and is doing it at the present moment.

That being so, may I ask your Lordships to consider another point. It has been said on various occasions—the noble Lord, Lord Lloyd, said it to-day—that the communal trouble is worse now than ever. I wondered what the authority was for that statement. I do not mean for a moment to say that the communal trouble has disappeared—nobody has suggested that—but the Communal Award has been made by the Government and we know that that Award has been accepted. I will not say it has been accepted with pleasure, but it has been accepted and is being worked as far as I can gather. It is meant to be only a temporary Award. It was given by the Government with great reluctance, leaving it open to the parties whenever they choose to come to an agreement which would take the place of the temporary Award. I really do not understand what is the foundation for the statement made to your Lordships that the communal trouble never was worse or greater than it is at the present moment.

May I conclude on this part of the matter by asking you to remember that Federation is essential to the whole matter we are discussing? I have myself always made it a condition of granting responsibility to the Centre that there should be Federation. Federation depends in the main, of course, upon the Princes. If the Princes do not choose to enter into this new scheme, of course we cannot force them. Your Lordships will appreciate the reason for that. The Princes are independent ruling sovereigns. That is their legal *status*. It is true there are limitations upon the sovereignty, but that nevertheless is their political position. They have treaties with the Crown and the result is that we cannot force them. In their position of Rulers they would have to be agreeable to any proposal and consequently would have to enter into Instruments of Accession. It is no use speculating upon what would be the result. All I will say is that it would be extremely regrettable if the Princes, after the pronouncements they have made and the work they have entailed upon this country and upon India, nevertheless do not agree to enter into Federation in sufficient numbers to enable us to start this scheme. No one will suggest that pressure should be brought upon them. It is a matter for themselves. But it is not we, it is not the Government or the British people who initiated this idea. It is the Princes who did it and the Princes who are responsible, and they will have to understand in consequence if Federation fails that failure is caused by them.

Now may I say in conclusion that throughout the whole of this discussion what has struck me very much is that it has been assumed that always in the future we are to have exactly the same kind of difficulties as have happened in the past. If I understood the noble Marquess, Lord Salisbury, and the noble Lord, Lord Lloyd, they assumed that we are going to have a constant conflict between the authorities who administer the safeguards and those who are entrusted with responsible government. I venture to say that that is really quite a wrong picture to present. If it happens, then I agree the whole thing is a failure. What I have assumed, and I think what the Indians who will have to work this scheme have realised, is that they cannot go on as things have been going on. They feel now that something must be done and of course they want both responsibility in the Provinces and responsibility with safeguards at the Centre. If they once get that they know

well that their attention will have to be concentrated upon carrying on their own domestic affairs.

At the end of my time in India, when I had leisure for a short while to reflect upon all that had taken place there during that very active and sometimes very acutely troublesome period full of anxieties, I remember well saying to myself again and again that if only we had not been so hampered by this constitutional question and agitations throughout the whole of the period we might have been able to do something to improve the conditions of the ryot, something to improve the social welfare of the poorer people in India, something to make these unfortunate poorer people more contented and happy. I confess that I have always regretted that it did not fall to my lot to have the opportunity of devoting time and attention to that subject. I am perfectly certain from what I know of my noble friend Lord Irwin, that he must have had exactly the same feeling at the end as I had. Now, if we succeed, if we carry through a measure of this kind, I do believe that we shall have an opportunity of directing attention more to the condition of the people of the country during a period in which the Indian population will cease to be agitating all the time for constitutional reform.

The picture as I see it is quite different from that depicted to you. I see this Cabinet getting to work, a Cabinet headed by someone from the Party which has the largest number of votes, entrusted with the formation of a Ministry. I see him getting his Ministry together and going to the Legislature to deal with the various questions which arise. During the greater part of the time there will be no question of safeguards. The question of safeguards will only arise if an attempt is made to break away from the Constitutional position. Take, if you please, the question of the Army of which so much has been said. I cannot go into a detailed discussion of it now because there is not time. The money required for the Army does not have to be voted at all under the present system. The Viceroy has the power to draw it. He has his Commander-in-Chief and his own Council with regard to it. What is contemplated, and what I hope will happen, is that there will be discussion with the Cabinet. That is to say, that the Viceroy's advisers, his Council, will not keep within a water-tight compartment and have nothing to do with the Cabinet that is appointed. They have different responsibilities, it is true, but they will try to get together to work together in the interest of India—those councillors responsible to the Viceroy and those councillors responsible to the Legislature—and if they do that these difficulties will, in the main, not emerge at all. Most of the safeguards put in are for the purpose of meeting emergencies in case they should arise. In most Constitutions where you have safeguards you hear little of them afterwards because, once there, they limit the powers of Parliament and consequently delimit the constitutional powers entrusted to Ministers.

I believe the system will work. I look forward to a much happier time than some who have addressed your Lordships. I believe that if we can carry out this Federation and get this new system of government adopted—I do not mean exactly as is suggested in the White Paper, but subject to the wisdom of Parliament when Parliament has had time and opportunity to examine the Report from the Joint Select Committee—we shall have taken a tremendous step in advance. I do not hesitate to call it that—a tremendous step which will give Indians the hope that they may be able to manage their domestic affairs, nevertheless remaining in partnership with the British Empire, and I believe they will come to take as much pride in that as we take in recalling, as I never fail to do during times of great anxiety, what we have achieved in India. I believe this vast Continent with its population of 353,000,000, which has been governed, administered, guided, into the paths of rectitude and incorruptibility, with justice administered according to British ideals, will take pride in the association just as we take pride in what we have done. I recall that in those 353,000,000 people there are less than 200,000 British, counting all officers, soldiers, civil servants, men, women and children, and that with these small numbers we have managed through 170 years to govern India and to bring it to its present condition. I do venture to say to your Lordships that if you remember all that that means, the truth

will be impressed upon you, as it always has been upon me, that it is not the armed force, which is and must always be the ultimate recourse in case of trouble, that really has given you your power in India, but the character of the British people who have been there—their reputation for honesty, for fair dealing, for justice properly administered, and for carrying out any promises which they may have given.

LORD PONSONBY OF SHULBREDE: My Lords, I should certainly not have ventured to intervene in this debate if I had been left to my own inclinations and had it not been for the official position which I have the honour to hold in your Lordships' House. The noble Marquess who has just sat down, analysing the speakers in this very important debate, was able to discover only three who were not closely associated with Indian affairs. He labelled me as one of the three. Now I find myself sandwiched between two ex-Viceroys. It is a difficult position, but there is this to be said—that an ordinary member of your Lordships' House without special acquaintance with an intimate or expert nature of this problem has at the same time a great responsibility. So has the ordinary member of the House of Commons, and those of your Lordships who have served in another place, and there are many, know that that responsibility was difficult to discharge owing to the lack of interest which was so conspicuously shown in Indian affairs.

Members of the House of Commons know quite well that the debate on India, which only takes place once annually, is not a debate which is attended by any large number of members. Yet all the time we have had this great responsibility and in these days, of course, a very much larger number of members of our two Legislative Assemblies have been forced to take a very close interest in the problem as it now presents itself. I have sat through this debate and, while the noble Marquess has classified those who have spoken as those who have knowledge and experience of Indian affairs and those who have not, may I in passing make another classification which is a comment upon the speeches of the three younger members of your Lordships' House—one on the Front Bench opposite and two on the Back Benches—because I think those speeches were as good contributions to the debate as any that were delivered?

As we look back upon the past we are able to see the mistakes that have been made. As far back as 1865 John Stuart Mill said:

> "A free country which attempts to govern a distant Dependency inhabited by a dissimilar people by means of a branch of its own Executive will almost inevitably fail."

Our consciousness of the possibility of failure has been shown by our attempts in the last fifty years to adjust matters in such a way as to give India a greater share in her own government.

The Party which I have the honour to represent in your Lordships' House has decided to serve on the Joint Select Committee mainly for three reasons. In the first place, it is obviously the duty of the Parliamentary Opposition to take its share in a Parliamentary stage, which this is, of the gradual evolution of a Bill brought before Parliament. Secondly, we feel that the presence of our members on the Joint Select Committee may be of assistance to the Government when they are being pulled very much towards the Right direction—I mean Right as distinguished from Left, not as distinguished from wrong, and that is important, because I notice that the Government are in far greater fear of the pull from the Right than they are of the pull from the Left.

That brings me to the third reason why we have determined to join in the Committee. Our presence there is of importance. It is of exactly equal importance to the presence of the Government itself, and it is of far greater importance than the presence of any group, either of the Right or the Left, and for this reason, that we represent, although it may seem strange to your Lordships for the moment, the future government of this country. Nobody would laugh at that, because we know that a perpetual or eternal Government is something which has never happened. That being the case, we shall find ourselves confronted with this problem, because it is not going to be settled at the termination of the sittings of this Joint Select Committee. There is a long road to travel yet. In the course of time a Labour Government will find itself with the burden of this great responsibility upon it, and it is only right that it should take its share in the deliberations which

are taking place now. May I say in passing that I hope the Government will bear in mind that, considering what the responsibility of the Opposition is, they must have full and adequate representation on that Committee?

Of the speeches, to which I have listened with the greatest attention and the greatest care, and which have been of intense interest, even the most critical have not produced an alternative. The noble Lord, Lord Lloyd, did say he was going to tell us his alternative at the end of his most effective speech, but really when it came to the alternative it amounted to nothing more than going back to the Simon Commission Report. I really cannot believe that that can be seriously put forward as an alternative to-day. There have been criticisms, and some damaging criticisms, but no one has pretended that he has a solution of this very crucial problem up his sleeve. It is baffling. We have had to write down a Constitution on paper. I should like to say a word with regard to Lord Salisbury's speech but he has just left the House. He made some remarks in his speech with regard to the folly of comparing this Constitution that we are discussing with the British Constitution, and with regard to the British Constitution he said: "It moves," that is to say, it works. We all admit that, but put the British Constitution into a White Paper. It would not get a Second Reading in this House or the House of Commons

Constitution making is a very difficult business. You have got to construct a frame, a skeleton, you have then to clothe it with flesh and blood, and even then you have not done your task, because the best of all schemes, the most watertight of all Constitutions, the most carefully drafted in all its details of schemes, will not operate unless there is a spirit in it which gives the people to whom it is accorded a desire that it should work. Our Constitution works because we desire that it should work, not because it is a good one. Take, for instance, the rules of procedure in this House, which I venture to think are extremely good and businesslike. I do not think they are written down anywhere. They are accepted by consent, and we get through our business in that way, but attempt to write them down and you will find your difficulties and criticisms impossible. That is why I do not think it is entirely fair to think that you come to the end of your business when you write down your Constitution, and I do not think it is entirely fair to take out this or that clause and to say this or that will not work, and therefore this Constitution is of no use at all. You have got to look beyond that.

Some people have referred to the move as a leap in the dark. It may be the dark, but it certainly is not a leap. We never leap. That is one of the great characteristics of the British race. We do not leap. We go very quietly forward, step by step, and what we have to take care of in this connection is to see that the steps we do take are in the right direction. I really think that the criticism that we are going too fast, the criticism that our steps are too rapid, is really unfounded, when one thinks of the stages that have already been gone through and the stages which are in front of us, which must operate for at least two or three years.

Much has been said of our contacts with the Indians. The contacts of our administrators and of our soldiers are obvious enough; the contacts of finance, of commerce, economical contacts, are also often referred to; but what are not sufficiently often referred to are the intellectual contacts. We are talking as if the people in India, of their own initiative, were making certain demands. We have been teaching them to make those demands for a number of years. My old college at Oxford, Balliol, is responsible for turning out scores of Indians who are saturated with the idea of Western institutions. Are we going to turn to them now and say: "Oh, you must not have that, it is only for us," when they have been studying our text books and our constitutional histories, and pouring the knowledge of the West into themselves, and, with their eager intelligence, assimilating it, and have gone home to spread the news that Parliamentary and constitutional institutions are a good method of government for a country? Are we going to say to them: "Your time is not yet; you are not up to it; it is only for us"? We must remember that we have taught them to make this demand, and now we cannot in all justice refuse them.

Then it is said that this is the wrong moment, when representative Parliamentary institutions are falling and dictatorships being set up. I have drawn attention to that fact more than once, but I really would also emphasise this fact, that these dictatorships that we see in the world, to-day, whatever country we look upon—there are a good many of them—are in their very nature only episodes. However much we may look with anxiety at the operation of a dictatorship in one country or another, there is something which we regard with very much more anxiety, and that is the inevitable termination of that dictatorship, because it must end with the life of the dictator. Then comes the chaos, then comes the confusion, then comes the revolution and the strife. A dictatorship is not a form of government that can ever be durable. We may look with regret on what is going on in so many countries of Europe to-day, but we know in our own minds that it is only a matter of years when they will fall back once again on what seems now to be going through a severe trial—the representative institutions which will allow an intelligent people to bear its share in the government of its country.

A good deal has been said with regard to whether this scheme will work. Expectations, it is said, may be raised too high; will this very complicated machine work smoothly? We cannot tell. But the smooth working is not really the point. I think it was Sir Henry Campbell-Bannerman who once said that "good government is no substitute for self-government," and I believe that is perfectly true. There is no doubt about it that Indians will have to work out their salvation for themselves, with ups and downs, and we cannot have people wringing their hands directly there is trouble and saying "We told you so," as I think the noble Marquess, Lord Salisbury, said with regard to Ireland. Ireland is going through an episode. Ireland has to work out its salvation for itself. In our brief little span of life here when we see things going wrong in a country, surely we must keep our sense of proportion and remember that the life of a country extends far into the future and that there is great hope of revival when we are in a depression.

No, do not let us say that smooth working or immediate success of this machine is to be expected, or very much to be desired. What we want is to see that the foundations are truly laid, and that not too much account is taken of the façade of the structure. We want to see the foundations well laid. And that is where I want to make one or two criticisms. I read this White Paper through directly it came out with the greatest possible attention. It is a very difficult document to absorb, because constitution making in itself requires a draftsman's knowledge, a constitutional lawyer's knowledge, and in this case a knowledge of India and its problems. But what occurred to me as I read it through was that the emphasis was wrong. The emphasis seemed to be all on the safeguards, and not sufficiently on the grant of self-government. We seem to be taking away with one hand whatever we give with the other, and I think that that has been noticed very much by Indian opinion. The noble Marquess, Lord Linlithgow, said in his interesting speech that bold advance was better than over-caution, and the noble Marquess, Lord Dufferin, in the admirable speech he made to-day, went so far as to say that if you are going to do it at all do it in the grand manner. I feel certain that he is right. This stiffening up of the Constitution in so many directions is due, I think, to fear of the noble Marquess, Lord Salisbury, the noble Lord, Lord Lloyd, and those who follow them. I think the Government are genuinely frightened of them and want to placate them, and that note is noticeable in the proposals of the White Paper.

I want very quickly to go through and emphasise once more our attitude towards these proposals. The most important point is that we want to see the promise of Dominion *status* implemented. We want to see a culmination and a hope given that at a certain date and in certain contingencies Dominion *status* will be accorded to India. At present that is not mentioned. The date for the establishment of a Federal Government seems to be indefinitely postponed. I would draw your Lordships' attention to a phrase used by the Secretary of State for India in the Conference on December 24 last when he was answering Sir Tej Bahadur Sapru:

" Let me also say to you [said Sir Samuel Hoare] we do not intend to inaugurate any kind of provincial autonomy under conditions which might leave Federation to follow on as a mere contingency in the future. We shall, as I say, between now and the passage of the Bill do everything in our power—here I am speaking, I think, not only for the British Government but for the British delegation as a whole—to remove any obstacle that may at present stand in the way of the Federation coming into being at as early a date as possible."

That is not reflected actually in the White Paper, but that assurance of the Secretary of State is important. We consider that there is too much limitation of the powers of the Legislature, and the fact that a Bill can be stopped in its initiation seems to be going too far. But if that power is given it ought to be given for a limited period only. We believe that the safeguards are liable to nullify the responsibility. The whole of the machinery of safeguards ought to be used for adjusting differences, and not thwarting any progressive move.

The noble Lord, Lord Lloyd, made a reference to the Government of Egypt. I should not like to have made the remark I was going to make unless he had been here. He emphasised a good deal in his speech the analogy between what had taken place in Egypt and what might take place in India, but may I very respectfully say to him that the unfortunate years through which Egypt passed have not been a proof of the failure of representative Parliamentary institutions, but they have been an instance of the wrong and maladroit operation of the safeguards? Therefore I think it is not in the institution that we shall find that there is very much to alter, but that in the safeguards we might find ourselves tripped, and we may find a conflict which will produce friction between the Governor-General and the Legislatures of the Provinces.

Finally, I should like among those points I am emphasising to say how much I desire to support the noble Marquess, Lord Lothian, in his plea that the women's franchise question should be reconsidered. No words of mine can add to the force of his remarks. We know that the desire of the educated women in India to see their sex freed from the often disastrous bonds of degradation to which they are now subjected is one that should be listened to, and the recommendations which the noble Marquess made when he was on that Committee should, I think, be listened to. I think that above all this we desire to launch this policy with the best possible feeling. I would plead with the Government that they should consider once more in the course of these next months, while this is being discussed, the question of the release of the political prisoners. I think that that is a very important point. You want to get the right atmosphere, and so long as we have men in prison, and especially young men, who are going to remember these years in future, you do not create the soil that is proper for the seed which you desire to sow.

I am going to be followed in this debate by the noble Lord, Lord Irwin, who is going to sum up for the Government. He has had a share in the development of this idea of Indian self-government unequalled, I think, by any of your Lordships, even those who have held such prominent positions in Indian administration. He played a very memorable part, and, if he will allow me to say so, a very noble part in the time that he acted as Viceroy. He had the great courage and wisdom to pursue the path of conciliation. It required very great courage, and I think that when he gave up his office at the end of his term there were many who very greatly regretted that he was not able to continue there in order to see the accomplishment of his ideals. When he left, and when the Labour Government fell, the policy of the " strong hand " was recommended and commended. My Lords, the " strong hand " is an absurd expression for the action of people who are frightened. It is merely an admission that you are possessed by fear. I am certain that the path of conciliation is the only one which is likely to offer happy results, and is the only one that can produce the spirit of co-operation without which no scheme in the world can work.

During these three last days we have had the most important debate in your Lordships' House for many a long day. I have attended the debate, and read the speeches that I have not been able to listen to, and I have read also every one of the speeches delivered in another place during the three days debate there. Having done that, as I have no doubt many of your Lordships have done, one is enormously struck by the sense of responsibility that has been shown in

every one of the speeches, and by the keen desire displayed in varying degrees that a form of government should be given to India which would allow the great Oriental peoples in that Continent to express themselves, to express their desires and their needs so that they may become willing and sympathetic partners in the great brotherhood which has been called the British Commonwealth of Nations. We shall make mistakes. In the nature of things we must make mistakes; but do not let us allow fear, suspicion, overcaution, and timidity to deter us from according the fundamental right of self-government to the expectant millions whose destiny is our most sacred charge.

THE PRESIDENT OF THE BOARD OF EDUCATION (LORD IRWIN): My Lords, I owe a word of apology, I think, to your Lordships' House for venturing to intervene in a debate of which I have only been able to hear one day, but your Lordships know my absence was due to circumstances over which I had no, or only very partial, control, and I have sought to redeem my deficiencies in that respect by reading all your Lordships' debate, and by endeavouring to inform myself as accurately as I might on what has passed. I have been fortunate indeed to-day to hear a succession of speeches like, I imagine, those which preceded them on the two earlier days, in all of which, as the noble Lord who spoke last reminded us, there has been evident a great spirit of restraint and of recognition of how important was the subject with which the debate dealt, and how widely the speeches made in this place echoed outside of it.

There has, of course, been no difference of opinion, or so I gather, with regard to the actual Motion on the Paper. It was not to be expected that there would be, inasmuch as the procedure there outlined has been generally accepted, I think, among all those who reflected on what the most appropriate procedure should be for some years past, and has on the whole commanded general approbation. I noticed that the noble Lord, Lord Snell, made a special appeal to me to develop, if I could, somewhat further on behalf of the Government what would be the precise position of the Indian representatives and what I thought would be the facilities enjoyed by British representatives who might sit on that Committee. I am afraid with regard to neither point am I able to carry this information further than I hoped I had carried it on an earlier occasion. He will remember that on that occasion it fell to me, on behalf of His Majesty's Government, to say that the question of the procedure of the Select Committee both in regard to the collaboration of Indians and in regard to the other point which he put, which I think was a new one, with regard to the admission of advisers and assistants to the British representatives, was and must be a matter for the discretion of the Committee. It was quite evident that it would not be possible for Indian representatives over here to vote on the Committee, or sign the Committee's Report, but subject to these limitations it was the hope of the Government that the Committee would be prepared to avail itself to the utmost of the freest possible consultation with Indian representatives, and to allow them, in what I think was the sense originally proclaimed by Lord Birkenhead, to voice their objections and give free expression to their criticisms in the Committee room.

So far as I have been able to judge I think that the opinions expressed in this debate have tended to fall into two main groups. Perhaps it would be more fair to say three main groups, because I must not overlook that body of opinion for which the noble Lord who spoke last speaks, which feels generally that the White Paper proposals do not go nearly far enough, and are unduly marked throughout by hesitancy and caution. But, leaving that aside, I think I would say that the rest of the opinion, to put it perhaps not unfairly, is divided into two groups. I would put first of all those who, perhaps, like my noble friend the Marquess of Zetland, are prepared to accept in general the White Paper proposals, or, at least, are not disposed at this stage to differ from them in principle, but are yet apprehensive about this or that particular aspect of them, and who wish to have this or that aspect of them more particularly explored in the Committee. That is one view. The other, I think, might be not perhaps incorrectly represented by either my noble friend Lord Salisbury or my noble friend Lord Lloyd. They, I think I do them no

injustice when I say, are quite frankly disposed to range themselves on principle against the whole suggestion of making any advance at present in the direction of Central responsibility, and they also, in their turn, support that attitude by reference, with great force and great conviction, to their particular distrust of particular provisions. If I may I would deal for a moment or two with each of those broad positions.

May I deal with the second first, that which rejects on principle, or is disposed to reject on principle, any conception of moving towards responsibility at the Centre at the present time? I do not think that it is untrue to say that those who attack that view are really disposed to deny the reality of the problem of the settlement, and they are disposed to regard others like myself, or like the noble Marquess opposite, Lord Reading, who spoke to-day, or the noble Marquess, Lord Lothian, who spoke a day or two ago—indeed, I think Lord Lytton would not disagree with me here—they are, I think, somewhat disposed to regard those of us who feel that there is a problem at the Centre very much like children who were afraid of the dark and were victims of a quite unreal and quite unsubstantial fear. I want, if I may, in a few sentences to tell your Lordships why I, for my part, am unable to take that view, and, if I may, I will tell it, I hope briefly, against a background of personal experience, following the example here of my noble friend Lord Linlithgow a day or two ago.

Before I went to India, and when, indeed, I first had the pleasure of sitting in the House of Commons, I sat there, I think I may claim, as an impeccable Conservative, a member of the Conservative Opposition. My principal concern in life was to employ my energies in resisting the movement for the granting of Home Rule to Ireland. I spent weary days and nights in resisting those claims to self-government. Moreover, when it fell to me to join the ranks of a Government at a later date, I had the great advantage and the great privilege of serving my novitiate in Government under Mr. Churchill, and the value of that apprenticeship, I have no doubt, was in no way impaired by the fact that it happened to overlap the period during which he was taking so prominent a part in the Irish Treaty, which seemed to me in those days a direct contradiction of everything I had at first been elected to oppose.

At all events I only tell your Lordships those few sentences of biography to show I went to India at least with an equal disposition in favour of either accepting or opposing Indian claims, but I found, as the noble Marquess, Lord Reading, who spoke earlier, said, conditions in India that compelled me to reconsider at least my attitude towards the constitutional arrangements that I found in operation at the Centre of Government. What did one find there? Political intelligentsia, of course acute, subtle, highly-trained in political method, trained, as has been said over and over again in this debate, and said with profound truth just now—trained by ourselves in all the opinions that we pride ourselves on having given to the world. The story is familiar enough to your Lordships and I do not repeat it. But all that is reinforced by the fact that in India, as I think—and I think noble Lords who have served in India will agree—education has vastly distributed the technical and industrial development of the country, with the consequence that everybody who comes out of the Universities and out of the educational process and cannot get a technical or a professional job to-day drifts into politics and is a great reinforcement of the political class, supported as that class is by the often very unscrupulous and always very active and almost ubiquitous vernacular Press.

There is part of the problem. It is quite true that that particular political intelligentsia is a practical minority of the whole, but it is not a minority in the sense that we often use the term—namely, a minority in contra-distinction to a majority which is *ex hypothesi* opposed or likely to be opposed to-day. That great majority in, I think, the judgment of many whose opinions would carry weight is far more sure of potential support if the right appeal can be made to prejudices, race sympathies and the like. If I may I would like to quote some sentences on that matter from the Report of the Statutory Commission. Sir John Simon's Commission said, and I think it is worth remembering:

"The politically-minded in India are only a tiny minority, but they may be able to sway masses of men in the countryside."

Then the Commission go on to say:

"While the experienced Indian member of the Services will admit the benefits of the British *Raj* and realise the difficulties in the way of complete self-government; while the member of a minority community, putting the safety of his community first, will stipulate for safeguards; and while the moderate may look askance at extremist methods which he will not openly denounce; all alike are in sympathy with the demand for equal *status* with the European and proclaim their belief in self-determination for India."

I believe that to be true. It is true not merely of Congress, which I agree with the noble Marquess, Lord Lothian, is rather of an umbrella type. It is not merely Congress who are concerned with this idea, but a great many who are most loyal and firm-hearted friends who are anxious to see India moving towards management of her own affairs.

Whilst of course it is true, as the noble Marquess, Lord Linlithgow, said yesterday, that there have been analogous movements across Asia, what I have always thought about India is that this movement is going on in a country which, for good reasons or bad, you have chosen to equip with a regular Parliamentary outfit by which they can focus the whole thing and bring the whole thing into practical politics—a Council, a Legislature, members and constituents and all the rest of it. It is very different from anything that is happening in other parts of Asia that may occur to our minds. At the Centre, of course, is the Legislature predominantly elected, with a Government divorced from it and in no way responsible to it, with the result—as I am sure the noble and learned Marquess, Lord Reading, would agree—that although the Legislature in India has often behaved with great restraint (it has just passed, for instance, the Ottawa Agreement and passed Bills to supplement the civil power and so on) yet always there is recurring friction and frequent exhibitions of regrettable irresponsibility.

It is not because they have a dose of original sin greater than yours or mine, but because of the system—exactly the same system which impelled Lord Durham to write those words which many of us have so often read in relation to Canada. I confess that when I had been in India a short time I did form in my mind a definite view after reading the constitutional works as one did, that when you have conditions such as I have described, once political conscience is aroused, any structure based on this foundation is bound to lack political stability and could not for long be expected to rest upon a basis of consent. If India had not reached the stage where such a Constitution was unworkable we were within sight of it. That is why I was so pleased to hear the noble Marquess, Lord Zetland, say what he did with regard to strong government. I am not going to repeat what he said, but with every word that he said on that point I profoundly agree.

When the noble Lord, Lord Lloyd, says we should go right back and stand pretty well all square on the Simon Commission's Report, I feel bound to ask whether he is satisfied that the Centre proposed by the Simon Commission would be a strong Centre. I do not think so, and I will tell him why. What is the position to-day? You have 145 members at the present time in the Assembly of the Central Legislature. Of those 145 some 105, if I remember rightly, are elected. The other forty are partly officials and are partly nominated by the Governor-General. The Simon Commission recommended, if I recollect rightly, that the Assembly should consist of something like 250 members in which there should be six members of the Viceroy's Council and another twelve nominated members. That is eighteen out of 250. As against that he has to-day forty of what I may call reasonably probable Governor-General votes. Noble Lords will observe at once that the position of difficulty in which, as the noble Marquess Lord Reading, rightly said, the Governor-General may frequently find himself to-day, would be indefinitely aggravated if he were asked to work a system of that sort with the support of only eighteen out of 250 members. Therefore do not let us have any vision of a strong Centre being secured by the Report of the Statutory Commission. The Report has great merits, and reading and re-reading it I am struck with admiration of it, but it has not the merit of providing a strong Centre.

It is not on account of pledges—and I do not suppose that I should interpret pledges differently from the noble Lord,

Lord Lloyd—but it is because of hard facts that I think that going back is not going to get you on. It is because of hard facts that I am driven to the conclusion that going on is the only safe way of meeting the situation. I say going back, because when you look into the question there are two alternatives and two only. One is to go back and create a subservient creature in the shape of a Legislature or abolish it altogether. The other is to go forward towards a measure of responsibility. I think that logic and facts drives you forward towards responsibility, and that not only on account—as was said, I think, earlier in the debate—of the attitude of the Princes, which they took, as has been said, greatly to everybody's astonishment at the First Round Table Conference, but because going forward to responsibility is the only way you can fit the facts and meet the situation that has developed.

It is no answer to all this to say that the reforms associated with the names of Mr. Montagu and Viscount Chelmsford—whose loss we so greatly deplore—have worked unutterably badly and have failed. In the first place what is meant by failure? It is quite true, I think, that the Montagu-Chelmsford reforms have led to increased communal difficulties. It was quite natural that when people saw power passing from one set to another they began to ask into whose hands it was going to pass. It is quite true, I think, that in some places and in some directions there has been a certain loss of efficiency, but that might happen wherever there is transfer to popular management of any efficiently run bureaucratic institution in any part of the world. It is also true that it was somewhat expensive. But the point is that the Montagu-Chelmsford Reforms were always recognised to be transitional. I think that on the whole, as I believe the Commission found—Viscount Burnham will correct me if I am wrong—it is surprising that they worked as well as they did.

I venture to think when discussing their pros and cons, and whether they have done well or ill, there is a great deal to be put on the other side. They have brought new classes into politics, developed the civic sense, trained people in public spirit and so on, and in the Provinces of Madras and the Punjab they have definitely brought new Parties into existence which have been able to challenge Congress on their own ground and defeat them. That, I think, is a very definite contribution that the Montagu-Chelmsford Reforms have made. Therefore the broad conclusion I draw from all this, and I apologise for inflicting it upon your Lordships, is that although I am sure any one who has had the honour of serving the Crown in India would be always willing to admit mistakes in the conduct of affairs, although not always perhaps the mistakes with which they are most commonly reproached, it is really quite unhistorical to attribute present difficulties in India to the fault of this, that or the other man, instead of seeing in those difficulties the broad result of what has followed from bringing India within the constitutional governing ambit of British India.

If I may tell a personal anecdote, I remember meeting, at the Gersoppa Falls, the most lovely falls in India, a collector of twenty-five years' standing. It was in 1929 when great attention was being paid to Indian affairs in England. I asked him, after luncheon, when we were smoking a cigar, whether in his judgment we had all made a great mistake in regard to what had been happening recently, and he said: "If there has been a mistake it was made long ago." I said: "You mean Mr. Montagu and Lord Chelmsford?" He said: "No, further back than that." I said: "You mean Mr. Morley and Lord Minto?" "No," he said, "if we had had prescience we should have seen that to tie up India with a developing democratic country over the whole field, as was done when we took over from the Company, would have the inevitable result of forcing a democracy upon India that was unsuitable to India; we should, after the Mutiny, have recreated and extended the Indian States, preserved standards of administration by our Residents, and ourselves run things like railways, harbours and so on—if we had done that it would have been a possible policy and would have avoided probably the extreme difficulties into which we have fallen later." But you cannot do that now and therefore it is, I suppose, that you have drifted, not through the fault of individuals particularly, but through the pressure of events, into the situation where you now find yourselves.

The recent history of the stages by which the matter has been treated are sufficiently familiar and I will not repeat them—the action of the Princes, the Round-Table Conferences, the conviction implicit throughout the Simon Report that the only real way of dealing with the thing is by Federation, and the bringing of the question of Federation more prominently forward during the last two years. The noble Marquess, Lord Salisbury, made a complaint, as I read it, that the Joint Select Committee would be invited to approach the matter blindfold.

THE MARQUESS OF SALISBURY: That is with respect to the Princes.

LORD IRWIN: They would not know, he said, how many Princes would come in, or upon what terms they would come in. The noble Marquess may think it right or wrong, but surely he cannot say that the Government have not given him a perfectly clear answer on the first point because, in the White Paper, it is proposed that a minimum of 50 per cent., I think, of the greater Princes enjoying seats in the Princes' Chamber should be a minimum for bringing Federation into existence; and with regard to the terms on which the Princes should accede he will remember that in the White Paper—I believe it to be in the introduction—it is stated that, of course, His Majesty's Government or the Viceroy would exercise their own discretion as to whether any State sought to impose conditions that were destructive of the conception of Federation and, therefore, it will be, I should suppose, one of the most natural subjects that the Joint Select Committee will explore—namely, what should be the conditions of acceptance and should they be varied from those of the Government proposal.

A point in that connection was made by the noble Lord, Lord Lloyd, that seemed to be astonishing. He found great fault with the form of Oath, which he described as the most fantastic Oath that he, with his knowledge of Oaths, had ever come across. Surely it will not have escaped his memory that the subjects of the Indian States are not British subjects and, therefore, if they are for certain purposes to take an allegiance to the King-Emperor as the head of the constitutional machinery, it is not unreasonable that they should be permitted to save the allegiance they owe to their territorial Sovereign.

LORD LLOYD: It was precisely my point that there was always a danger in a divided allegiance. Previously the subjects of Native States had only one allegiance.

LORD IRWIN: I do not want to enter into an argument. Any constitutional lawyer would be able to resolve our difference in a moment. But the fact does remain that to-day no subject of an Indian State is technically a British subject. He owes allegiance, or whatever is the right phrase, to his own Maharajah and through the Maharajah is in relations with the Crown and the King-Emperor. That I believe to be the correct statement. I would therefore claim on the whole that the policy of Federation, on the basis of defined responsibility, and supported and buttressed by provisions through which Great Britain may still continue to lend her assistance to India in those matters where India needs it, fits the facts better than anything else and is complementary to rather than alien from the Simon Commission. Indeed I think it is very hard to say, if that sort of scheme were discarded, what other scheme you could find to fit the facts more satisfactorily. As has been repeatedly said, it will be the duty of the Joint Select Committee to examine every one of these proposals with the utmost liberty and full discretion and if they can improve on them no one will be more glad of it, no doubt, than the authors of the proposals themselves.

But I would not have you think that the fact that the Government have reached these conclusions embodied in the White Paper means that they are blind to the difficulties involved in the execution of the policy outlined. It does not mean, for example, that they have overlooked what the noble Marquess directed attention to last night—that India still has communal difficulties and is unable wholly to defend herself. All those matters are in mind. But the conclusion we propose to draw from them would differ from that drawn by the noble Marquess. He would see that as an argument for doing nothing or being ultra-cautious. I would draw the conclusion that I was the more bound to try to assist India to overcome these difficulties

and, by overcoming them by joint effort, to assist her to realise her aspirations for a greater measure of self-government. If the noble Marquess were to pursue the logic of his argument he would be driven to say that until India had ceased to be communal or until the whole Army had been Indianised, he could not regard India as fit for any central responsibility. I think he would be reluctant to commit himself so far as that.

I do not wish to fill up your time unduly, and I want to go on to one or two points that have been more particularly taken in debate. The noble Earl, Lord Lytton, made a speech which must have impressed, I think, very strongly all who heard it. He made the point that it was an unprecedented approach to a great federal problem to try and start your Federal Centre simultaneously with the establishment of the federated units. We have often been told when approaching from the other side what an incongruous business it is to try to create a federation of on the one side autocratic States, and on the other side self-governing autonomous Provinces; but not many people often seem to have observed what a greater incongruity it would be to attempt to have a bureaucratic Federal Centre as the apex of self-governing Provinces, and as an apex not detached and removed from the Provinces, but bound to use provincial machinery for federal purposes. I cannot believe that that would work for a day.

THE EARL OF LYTTON: I beg the noble Lord's pardon. I did not suggest the establishment of a bureaucratic Federal Government at the Centre. I suggested the creation in the first instance of autonomous Governments in the Provinces of British India and a subsequent agreement between such Governments and the autonomous Governments of the Indian States as to the conditions for the establishment of democratic Federal Government for the whole of India.

LORD IRWIN: The noble Earl is talking of what he has ultimately in view, but I am speaking of what would be the position during the transitional state, until they have come together. It would be a Central Government for All-India purposes and having to rely for those purposes on machinery in the autonomous Provinces. The Central Government would continue to send orders to the autonomous Provinces and the bureaucratic Centre would be likely for the transitional time to have real difficulties. That is one of the difficulties in the whole matter which I have always felt.

THE EARL OF LYTTON: It will continue as it is during the interval.

LORD IRWIN: With great respect may I be allowed to say this. I cannot help thinking that a good many people who distrust the federal proposal see the creation of the Indian Federation rather in the terms in which in history we read of the terms of the creation of the American Federation by Alexander Hamilton, who was creating something out of nothing. Here in India there is a Centre, and our problem is to make arrangements for distributing from this Centre into the Provinces. I think it is an entirely different problem, and it makes the argument from the other side a little unreal. It is entirely true that the history of India and the British connection has had the result of creating something which is perfectly unique, and for which no scaled pattern treatment is possible, and it is of course on the special features of this Constitution, and the much discussed safeguards, that discussion tends to concentrate.

The British criticism is that the safeguards are worthless, that they will not work, and that all power will drift into the hands of the Indian Ministers. The Indian criticism is that the safeguards are destructive of safe-government and that the power will drift into the hands of the Governor-General and Governors. They cannot both be right, and as usual I imagine that the truth will lie between them. Incidentally, Lord Lloyd, I think, did an injustice to the proposals of the Government when he said that there were no safeguards whatever proposed to secure stable government for the 300,000,000 humble dwellers in India. I think if he had read the White Paper he must have known that he was falling into error. The truth, as I have said, lies between the British and Indian criticisms, and I agree with Lord Reading. I do not believe that the Governor-General will often find himself compelled to exercise his powers. A Constitution is not only an instrument of government but it is a document which shapes human relationships between individuals, and I cannot imagine that the Governor-Gen-

enral, who will be entrusted with these powers, will often find himself compelled to use them. He will be working with his Ministers, and they will be anxious to work with him. He will be guiding them, and they will not want to go out of their way to lose their jobs and to pick quarrels with their best adviser and friend.

I do not for one moment believe that the Indians will desire to invade any of the special purposes for which the Governor-General is given special responsibility. I do not believe that Indians at the Centre will want to see Indian credit damaged, or India inadequately defended, or minorities disturbed, and the like. If any noble Lord differs from me in that estimate of probability, let him remember, as the Secretary of State reminded us in another place, that the composition of the Central Legislature is such as to ensure that all these stable elements in India can make their voices very effectively heard. The safeguards will be there, and the knowledge that they are there will, I am prepared to believe, be a powerful factor against their being used, and even if the Ministers resign, in the case put by the noble Marquess yesterday, and the Governor-General cannot get another Ministry and the minority cannot carry on, it is then in the power of the Governor-General to take over the Government and appoint responsible Ministers, as he has power to do to-day. Unless we are going to contemplate a general strike of the Civil Service, which is as unlikely in India as it is in this country, I have not the smallest fear of these safeguards being found inoperative or unable to be worked.

I have, I am bound to say, given much more anxious thought to the point developed by Lord Zetland, with regard to whether you are putting too great a burden on to the Governor-General in all these matters. As Lord Reading said, of course it is true, admittedly, that he has a very heavy burden to-day, and therefore the point is whether it is going to be heavier or lighter than it is to-day. I do not want to travel over the ground that Lord Reading travelled over. I agree with everything he said. In addition to what are constitutionally his personal powers I think the Governor-General does get the credit, or blame, for whatever happens in any part of India. If anybody drops a brick anywhere in India it is on the Governor-General's toes that it falls. And therefore his personal powers are not in the least measured only by what appears in the Statute as being his personal powers, and I think it is no exaggeration to say that there is no part of Indian administration from which the Governor-General can disinterest himself to-day.

My noble friend said that the Viceroy now has a Council and in future he will be a lonely figure. But the trouble, as my noble friend knows, is that the Council does not always give the Viceroy unanimous advice. I think most of us know cases in which there have been acute difficulties between the Commander-in-Chief and the Finance Member, and the Governor-General has ultimately to make up his mind and decide it. And it will happen in the future, as to-day, with only this difference, I think, that when the Governor-General does decide and has to act against his responsible Ministers he will at least be acting with the knowledge of the responsible Ministers, and not solely in the face of a totally irresponsible Legislature, as he is to-day. And therefore I do not think that he will find it unduly arduous as compared with the present day.

I want to say one word or two to Indian critics of the general proposals, if my words may be so fortunate as to reach them. It has been said that the assertion of the principle of responsible Government in this White Paper occupies only a clause or two whereas the assertion of the safeguards occupies pages. The noble Lord opposite, I think, complained that it was so prominent. Well, it is legitimate to remind our Indian critics that the one plea that they have been putting forward, as far as I know, for the last twelve months was: "Let us see exactly these safeguards on paper, let us see exactly what you want." As far as I know, there is nothing now in the safeguards which has not been discussed, if not accepted, but they have been reduced to absolute drafting form. I do not think that I ever expected an enthusiastic reception for the White Paper. That is not, I think, the way in which things generally happen in India, but the criticism to which it has been

subjected in no way shakes my conviction that, if and when a scheme on these lines were passed, plenty of responsible Indians would come forward to work that scheme.

I say that for these reasons. First of all, every one of these safeguards in the White Paper is demonstrably in the interests of India. I say that without any hesitation at all. Minorities, law and order, Indian credit during the transition period, whatever that be, the help of British Services—all these are demonstrably in India's interest; and, as I remember saying quite plainly to Mr. Gandhi when in India, it is equally demonstrably in India's interest that there should be no commercial discrimination. There you have a country crying out for capital to develop it, and what worse advertisement could there be for it than commercial discrimination? Therefore, every one of these things flows from what we try to do—namely, to construct a practical and balanced partnership between the two countries. And I am not the least impressed by the statement that the fact that the Governor-General has these special powers need in any way impair the real responsibility of Indian Ministers any more than it did in any British Dominion which has progressed from limited to complete responsibility.

Either the safeguards will not be required, in which case responsibility is not limited, or they will be required, in which case all reasonable opinion, both here and in India, will think it was right to have them, and that they should be exercised. Do let us get away from the conception of safeguards as a kind of bunker, round which or over which careful and skilful players have to make their way. That is not the idea of safeguards. Still less, if the noble Lord, Lord Snell, had been here, would I have commended his simile of the safeguard as a bird-cage. That really is not the idea of what a safeguard is. It may be compared to the fence on the side of a dangerous roadway, by which the unwary or inexperienced traveller may be protected from what may possibly be a false and fatal step, but, as long as he goes straight on, there is no restriction of his liberty, and he can go at whatever pace and as far as he likes.

India criticises the financial safeguards. She would, in my judgment, be profoundly ill-advised to criticise the presence of a financial adviser who is likely to be of the greatest possible assistance to the Government of India when they take these responsibilities. She would also, in my judgment, be ill-informed to criticise the financial arrangements on the ground, as I have seen it stated, that so large a percentage, up to 80 per cent. of Indian revenues are mortgaged to fixed charges, debts, and so on. The answer that I would suggest would be that they should analyse the Budget of the British Chancellor of the Exchequer as I have done, and see how much of his money is really free for him to do what he likes with without obligations to meet.

The only other subject on which I want to say a word is provincial law and order. After reading the speech of the noble Marquess, Lord Salisbury, I re-read the Report of the Statutory Commission, and I found that, perhaps not unnaturally, the noble Marquess had taken the noble and learned Viscount on the Woolsack somewhat to task for having been in danger of misleading the House on the actual recommendations of the Simon Commission. I think that he himself unwittingly fell into error by suggesting that what the Simon Commission had said was that they recommended the transfer of law and order, subject to the fact that there would be a strong Centre (which I do not argue about for the moment) and subject to the fact that there would be a European officer to take the portfolio of law and order in the Provinces.

THE MARQUESS OF SALISBURY: I am afraid I must interrupt my noble friend. I was not referring to the Simon Commission Report, I was referring to the speech of the Foreign Secretary in the House of Commons on March 28, and in that speech my right honourable friend said that the Simon Commission only recommended law and order being transferred in the Provinces subject to two qualifications. He then mentioned the two qualifications. The important one was that there should remain responsibility at the Centre, and, having said that, he himself said that it might alter the views of any of us—himself included—having regard to the fact that these qualifications no longer obtain. I was quoting from his speech.

LORD IRWIN: I apologise if I have misinterpreted my noble friend, but I do not honestly think have. I perhaps used the wrong phrase, but what I had in mind was this sentence in his speech yesterday:

"In the first place there was the qualification that in its Report the Simon Commission contemplated that there should be a special European Minister in each Provincial Government to look after this particular side of the question."

It is that sentence which I challenge as not having been the recommendation of the Statutory Commission. My noble friend Lord Burnham is here, and will no doubt bear me out that the Statutory Commission said, if my memory serves me correctly, that there should be an official Minister in Provincial Governments.

VISCOUNT BURNHAM: The Commission said it should be open to the Governor of any Province to hand the portfolio of Official Minister outside the Legislative Council.

LORD IRWIN: Quite; but that was at the discretion of the Governor, and the Statutory Commission expressly said they hoped it would be done in two or three Provinces, but they made it perfectly plain it was by no means certain he would be a European; he might be an Indian. That is why I ventured to correct the noble Marquess, for, after all, it is a point of some substance, when he quoted the Simon Commission as saying there will always be a European Minister in every Province.

THE MARQUESS OF SALISBURY: I must apologise to my noble friend if I said that the Official Minister must be a European. He is perfectly right. He is an Official Minister, but necessarily a European. But I also want to remind him that I did not dwell upon that side of it. The real point was that there must be no responsibility at the Centre: that is the important point. The White Paper says you must hand law and order over to the Provinces and you must have responsibility at the Centre. The Foreign Secretary says in his Report you must hand over law and order to the Provinces without any responsibility at the Centre, and the Foreign Secretary went on to say, now that he is a colleague of my noble friend, in the House of Commons the other day, that the fact that that does not appear in the White Paper makes a tremendous difference, a difference which not only affects the minds of everybody but his own mind as well.

LORD IRWIN: I do not, of course, challenge what my noble friend has said with regard to the change that has been made. It is a change that I think is justifiable on its merits. He would hold a different view, but it is a change that will be properly examined by the Joint Select Committee. With regard to the other matter, I very gratefully acknowledge that he accepts my correction on the minor point, and for the rest I have no wish to fall into any controversy with him on the matter. May I say a word on the general question? Let there be no misunderstanding about this. With or without change of Central Government, if the attempt were made to withhold law and order from the Provinces, I would agree with my noble friend who spoke first, and regard it as perfectly useless to proceed with the reforms at all because all we should have done would have been to transfer land revenue or service, and you would have got into this plight and only impaired the whole position for nothing. In the next place, let there be no doubt that the Moslem community would be as bitterly opposed to the refusal to transfer so-called law and order in the Punjab as the Hindu community would be anywhere else. Lastly, I cannot believe that the plan of reservation, making the Police a concentrated target for irresponsible criticism, can possibly be considered by anybody as a secure means of protecting them from maladministration. On the other hand it is, of course, perfectly evident that if you lay on the Governor the special responsibility of preserving tranquillity in his Province, if you tell him, as he will be told, in the Instrument of Instructions that he is to be alive to maintaining the tranquillity of his Province and the internal administration and discipline of the Police, you must also see that he has the means of adequate information as to what is going on to enable him to act.

My noble friend began earlier in the debate by asking me that question, and I would only say to him that if he or anybody else on the Joint Select Com-

mittee is able to show that in that direction the Governor has not sufficient powers, then that would be an evident flaw in the White Paper that would have to be made good. But, on the general question, I think I may be permitted to observe, with regard to the opinion of the Home Member which the noble Marquess quoted yesterday, that as far as I am aware the Government of India does not take his view and that no Provincial Government, not even Bengal, which might be expected to be as alive to these difficulties as any Provincial Government, associates itself with it, even in the changed conditions to which the noble Marquess referred in the view that he has pressed upon your Lordships' House. All these matters are of course proper matters for the Joint Select Committee, which I hope will be fully representative of all important sections of opinion, and I hope will discuss these matters calmly and with great deliberation.

One of the major tragedies of all this business has been the extent to which protagonists here and in India, so it seems to me, constantly play into one another's hands, creating new misunderstandings, and constantly digging deeper the foundations of old suspicions, thus immensely aggravating the task of moderate men, of middle opinion, in both countries. For my own part, I have never doubted that with a reasonable amount of good will on both sides it would be quite possible to reach a solution through which the Indians would find a reality of constitutional freedom, and we on our side would find British interests resolved and allayed, and I would therefore hope that in the next stages of this business we may, all here and those who come from India, approach it not in the spirit of men engaged in a grim struggle whether to acquire or retain power, but rather as partners in a great, most difficult, but most honourable enterprise, through the solution of which each country, Great Britain and India, may be able to do much for the assistance and strength of the other, and both much for that great society of which I hope each will always be proud to call itself a partner.

On Question, Motion agreed to.

Ordered, That a Message be sent to the Commons to acquaint them therewith.

Lord Irwin.

ARMY AND AIR FORCE (ANNUAL) BILL.

Order of the Day for the Second Reading read.

THE UNDER-SECRETARY OF STATE FOR WAR (EARL STANHOPE): My Lords, last year in moving the Army and Air Force (Annual) Bill, I had to explain to your Lordships there were a large number of amendments to be made. I am glad to say that this year, particularly at this late hour, I have to tell your Lordships there are only two amendments, neither of which is of very great importance. They will affect the Air Force Act and not the Army Act, and they are both contained in Clause 4 of the Bill. As your Lordships know, the Government of India have decided to raise an Indian Air Force, which will be entirely Indian in its composition, although in its earlier stages it will be assisted by a loan of a few Royal Air Force officers and men in an instructional capacity. In consequence of that, under Clause 4 (1), it is proposed to give mutual powers of command to the officers of the two Services when units of the two Services are serving together at the same station or engaged in joint training or operations. The actual powers to be given in any specific circumstances will be decided between the Air Ministry and the India Office, and laid down in the regulations for which the clause makes provision.

In Clause 4 (2) it is proposed to provide that when the *personnel* of the Indian Air Force are attached as individuals to the Royal Air Force outside India they shall, subject to exception in special cases, become subject to the Air Force Act. If attached in India, they will remain subject to the Indian Air Force Act which, I understand, was passed in 1930. The remaining parts of Clause 4 are entirely consequential, and there is a clause which brings these changes into operation on the 30th day of April, instead of when the rest of the Act comes into operation outside the United Kingdom, the reason being that the Indian Air Force starts, I understand, its existence from that day. There is nothing else in the Bill which differs from the normal form in which the Bill appears before your Lordships every year, and I do not think, therefore, that

I need say anything further about it. I ask your Lordships to allow this Bill to be read a second time.

Moved, That the Bill be now read 2ª.—*(Earl Stanhope.)*

On Question, Bill read 2ª, and committed to a Committee of the Whole House.

BUSINESS OF THE HOUSE.

LORD PONSONBY OF SHULBREDE: My Lords, perhaps the noble and learned Viscount the Leader of the House will tell us the business for next week?

THE SECRETARY OF STATE FOR WAR (VISCOUNT HAILSHAM): My Lords, before we get to next week we have to finish this week. To-morrow morning there is to be a formal sitting of your Lordships' House in order that we may receive from another place the Bill with regard to trade with Russia which, I understand, is expected to reach its concluding stages there to-night. That meeting will be a purely formal one to give a First Reading to the Bill, and arrangements will be made to constitute a House.

On Tuesday next I propose to suggest that once again your Lordships' House shall meet at three o'clock. We have rather a heavy programme to get through, but I think it will probably be more for the general convenience that we should meet earlier on Tuesday than have a special sitting of the House on Monday. Monday is not a convenient day to many of your Lordships unless full notice is given. If we meet at three o'clock on Tuesday, first of all there will be a Motion in my name in similar terms to the Motion in another place with regard to the memorial tablet to the late Earl of Oxford. That will not take very long, and naturally will not be controversial. Then I propose to ask your Lordships to take the Russian Bill through all its stages on Tuesday. I shall propose that that be the next business on the Order Paper. The next will be a Motion for setting up the Joint Committee to which your Lordships have just agreed. The names will be moved in another place, I believe, on Monday, and I propose that we should move our names on Tuesday so that the Committee may come into being before the Easter vacation. Finally, if my noble friend Lord Danesfort is still going to move it, there is the Performing Animals (Regulation) Amendment Bill which stands in his name for Second Reading on that day. I am afraid I shall have to ask the House to give precedence to the Government business. I am not quite sure whether in those circumstances Lord Danesfort's Bill will be taken on Tuesday, or whether it may possibly go over the Easter vacation.

On Wednesday there is the Committee stage of the Housing (Financial Provisions) Bill. There is also a Motion by my noble friend Lord Dudley about railways, and there is the Committee stage of the Protection of Birds Bill. I ought to have said that the Committee stage of the Army and Air Force (Annual) Bill will be taken on Tuesday, and the Third Reading will be taken on Wednesday. Those, I think, are practically formal stages in this House. Then on Thursday we meet at half-past eleven. It is possible, but I want to consult in other quarters first, that I may ask your Lordships to take on that day the final stages of the Housing (Financial Provisions) Bill. I think it depends a little on what happens in Committee on the Wednesday. Subject to that there will be no business except formal business on Thursday, and the Royal Commission.

It may be convenient if I go on to make a statement with regard to the adjournment. We adjourn on Thursday. In another place they are reassembling on Tuesday, April 25, and, I understand, they are taking the Budget on that day. I think it will probably be for the general convenience if we adjourned till Tuesday, April 25, so that in the event of any special business arising the House will be in session, but unless something unexpected occurs I would propose on Tuesday, April 25, to have merely a formal sitting and adjourn for a week until Tuesday, May 2.

LORD PONSONBY OF SHULBREDE: I am much obliged to the noble Viscount for his statement.

LORD RANKEILLOUR: My Lords, with regard to what has been stated about the Joint Committee, I understand there are two or three distinct formal Motions as to place and time and so on. I would like to ask when they will appear on the Paper?

VISCOUNT HAILSHAM: I am much obliged to the noble Lord. I did not know there were Motions beyond the Motion in regard to the names. If there are any other Motions which are purely formal I will take them as soon as I possibly can afterwards. I will look into that matter, and the Motions, if there are any, will be put down at the earliest possible moment, on Tuesday or Wednesday as the case may be.

House adjourned at a quarter before eight o'clock.

HOUSE OF LORDS.

[From Minutes of April 6.]

ADELPHI ESTATE BILL. [H.L.]

Petition of Messrs. Horne and Birkett, of 4, Lincoln's Inn Fields, London, Solicitors, praying for leave to present a petition of the Metropolitan Public Gardens Association, the Society for the Protection of Ancient Buildings and the London Society, praying to be heard by themselves, their Counsel, agents and witnesses against the Bill, although the time limited by Standing Order No. 106 for presenting such Petition has expired: Read, and ordered to lie on the Table, and Standing Order No. 106 to be considered on Tuesday next in order to its being dispensed with in respect to the said Petition.

DOVER HARBOUR BILL. [H.L.]

The King's Consent signified; and Bill specially reported from the Select Committee, with Amendments.

KNUTSFORD URBAN DISTRICT COUNCIL.

Petition of the Urban District Council of Knutsford praying for leave to introduce a Bill to provide for the acquisition by the Knutsford Urban District Council of the undertaking of the Knutsford Light and Water Company; to authorise that Council to supply water and gas; and for other purposes: together with a copy of the proposed Bill annexed thereto: Read, and referred to the Examiners.

MERSEY TUNNEL BILL.

Committed; The Committee to be proposed by the Committee of Selection.

HOUSE OF LORDS.

Friday, 7th April, 1933.

The House met at eleven of the Clock, The LORD CHANCELLOR on the Woolsack.

MIDDLESBROUGH CORPORATION BILL. [H.L.]

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills; namely:

M. Bath (Chairman),
E. Poulett,
L. Auckland,
L. Erskine,
L. Bayford;

Agreed to; and the said Lords appointed accordingly. The Committee to meet on Wednesday, the 10th of May next, at eleven o'clock; and all Petitions referred to the Committee, with leave to the Petitioners praying to be heard by Counsel against the Bill to be heard as desired, as also Counsel for the Bill.

BOOTLE CORPORATION BILL. [H.L.]

DEARNE DISTRICT TRACTION BILL. [H.L.]

TORQUAY AND PAIGNTON TRACTION BILL. [H.L.]

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills; namely:

E. Lindsay,
E. Radnor,
L. De Ramsey,
L. Hardinge of Penshurst (Chairman),
L. Russell of Liverpool;

Agreed to; and the said Lords appointed accordingly: The Committee to meet on Tuesday, the 9th of May next, at eleven o'clock; and all Petitions referred to the Committee, with leave to the Petitioners praying to be heard by Counsel against the Bills to be heard as desired, as also Counsel for the Bills.

ESSEX COUNTY COUNCIL BILL. [H.L.]

SALFORD CORPORATION BILL. [H.L.]

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bill; namely:

E. Shaftesbury,
E. Rothes,
L. Redesdale (Chairman),
L. Rathcreedan,
L. Woodbridge:

Agreed to; and the said Lords appointed accordingly: The Committee to meet on Thursday the 4th of May next, at half-past eleven o'clock; and all Petitions referred to the Committee, with leave to the Petitioners praying to be heard by Counsel against the Bills to be heard as desired, as also Counsel for the Bills.

SUNDAY ENTERTAINMENTS ACT, 1932 (BOROUGH OF MARGATE ORDER).

Order made by the Secretary of State for the Home Department extending Section 1 of the Act, to the Borough of Margate:

Laid before the House (pursuant to Act) for affirmative Resolution and ordered to lie on the Table.

SUNDAY ENTERTAINMENTS ACT, 1932 (GRAYS THURROCK URBAN DISTRICT ORDER).

Order made by the Secretary of State for the Home Department extending Section 1 of the Act to the Urban District of Grays Thurrock:

Laid before the House (pursuant to Act) for affirmative Resolution and ordered to lie on the Table.

RUSSIAN GOODS (IMPORT PROHIBITION) BILL.

Brought from the Commons; read 1ª; to be printed and to be read 2ª on Tuesday next.

House adjourned at seven minutes past eleven o'clock.

HOUSE OF LORDS.

Tuesday, 11th April, 1933.

The House met at three of the clock, The LORD CHANCELLOR on the Woolsack.

HOUSING (FINANCIAL PROVISIONS) (SCOTLAND) BILL.

Brought from the Commons; read 1ª, and to be printed.

LONDON PASSENGER TRANSPORT BILL.

Returned from the Commons, with the Lords Amendments agreed to and a consequential Amendment to the Bill.

CALVINISTIC METHODIST OR PRESBYTERIAN CHURCH OF WALES BILL. [H.L.]

THE CHAIRMAN OF COMMITTEES (THE EARL OF ONSLOW): My Lords, I beg to move the Motion that stands in my name that Standing Order No. 105 be considered in order to its being dispensed with in respect of the Calvinistic Methodist or Presbyterian Church of Wales Bill.

Moved, That Standing Order No. 105 be considered in order to its being dispensed with in respect of the said Bill, and that the Bill be now read 2ª.—(*The Earl of Onslow.*)

On Question, Motion agreed to: Bill read 2ª accordingly.

LONDON OVERGROUND WIRES, &c., BILL. [H.L.]

Read 3ª, and passed, and sent to the Commons.

OXFORD CORPORATION BILL. [H.L.]

Read 3ª, and passed, and sent to the Commons.

ADELPHI ESTATE BILL. [H.L.]

THE EARL OF ONSLOW: My Lords, I beg to move in respect of the Adelphi Estate Bill that Standing Order No. 106 be considered in order to its being dis-

pensed with in respect to a Petition of the Metropolitan Public Gardens Association, the Society for the Protection of Ancient Buildings and the London Society. This is to give an opportunity that was desired at the time of the Second Reading of the Bill to enable the opposition to present their case.

Moved, That Standing Order No. 106 to be considered in order to its being dispensed with, in respect to a Petition of the Metropolitan Public Gardens Association, the Society for the Protection of Ancient Buildings and the London Society.—(*The Earl of Onslow.*)

On Question, Motion agreed to, and ordered accordingly.

PROCEEDINGS IN RELATION TO SPECIAL ORDERS.

THE EARL OF ONSLOW: My Lords, in moving the next Motion I ought to explain, perhaps, the points which I think it is desirable should be examined by a Select Committee. In regard to Private Bills the Chairman of Committees has power under Standing Orders to refer unopposed Bills to a Select Committee and it is a question for consideration whether Special Orders should not be able to be referred to a Committee, although unopposed, in the same way. I also think it would be desirable that Standing Orders should be extended so as to give the Special Orders Committee power to report where important questions of principle are concerned or new precedents created. With regard to Special Orders partaking of the nature of Public Bills there are certain anomalies of procedure. Some requiring an affirmative Resolution come before the Special Orders Committee, others do not, and it is a question for consideration whether the Standing Orders should not be altered so as to include all the Special Orders of the same nature. I think it is desirable that these points should be looked into and the Standing Order considered. Perhaps there might be one or two other small points which the Committee might go into as well.

Moved, That a Select Committee be appointed to consider and report whether any, and if so, what amendment of Standing Order No. 212, relative to Special Orders, is desirable.—(*The Earl of Onslow.*)

BUSINESS OF THE HOUSE.

THE SECRETARY OF STATE FOR WAR (VISCOUNT HAILSHAM) moved, That Standing Orders No. XXI and XXXIX be considered in order to their being suspended for this day's sitting. The noble Viscount said: My Lords, in moving the suspension of these two Standing Orders I ought, I am afraid, to apologise to my noble and long-suffering friend Lord Danesfort because he has a Bill down which would normally take precedence of Government business. I am sure my noble friend will appreciate that there is real urgency in this matter as there is business put down which it is essential to take before the adjournment and which can only conveniently be accomplished by taking it this afternoon. If your Lordships should be good enough to pass the Motion, it may be for your convenience if I should name the order in which I should propose to ask you to take the business. The first business which I should propose to submit would be the Motion with regard to the memorial tablet to the Earl of Oxford and Asquith. The second would be the Motion with regard to the appointment of the Joint Select Committee on Indian Constitutional Reform, with regard to which I understand a Message has been received from another place. Thirdly, we would take the Russian Goods (Import Prohibition) Bill through all its stages, and the fourth business would be the Committee stage of the Army and Air Force (Annual) Bill. The Church of Scotland (Property and Endowments) Amendment Bill is not, I understand, going to be taken to-day, and therefore the next business would be the Tribunal of Inquiry in Glasgow. Then, if Lord Danesfort is still anxious to have a debate on his Performing Animals (Regulation) Amendment Bill, that can appropriately conclude our afternoon's entertainment. I beg to move the Motion standing in my name.

LORD DANESFORT: My Lords, may I say in reply to my noble friend that I entirely agree with him and shall support his Motion, although it may involve the postponement of my Bill until after Easter. I realise that Government business is so exceedingly important that no private business should compete with it.

On Question, Motion agreed to, and ordered accordingly.

MEMORIAL TO THE EARL OF OXFORD AND ASQUITH.

VISCOUNT HAILSHAM: My Lords, I beg to move that an humble Address be presented to His Majesty praying that His Majesty will give directions for a memorial tablet to be erected in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right Honourable the Earl of Oxford and Asquith and to assure His Majesty that this House will concur in giving effect to His Majesty's directions.

It is unnecessary to remind any meeting of his countrymen, least of all a meeting of your Lordships' House, of the public life of the late Earl of Oxford. He became a Member of Parliament as long ago as 1886. In 1892 he was a Secretary of State; and it is just a quarter of a century since, in April, 1908, he formed his first Administration as Prime Minister and leader of a Cabinet containing many men of outstanding distinction, some of whom are present in your Lordships' House this afternoon. This is not the time to appraise his place in history; I would only mention that he was the Prime Minister on whom fell the supreme responsibility of exercising a decisive influence in perhaps the most difficult decision which any Cabinet has had to take, the decision in August, 1914, on the part we should play in the Great War. His countrymen will not soon forget the courage and the patriotism with which he faced those difficult days.

It may be said that Lord Oxford was mainly a House of Commons man. It is true that he only came to this House in the autumn of his days, when his life-work had been largely achieved, but he brought to its membership the same pride in the greatness of its tradition, the same recognition of its dignity and its responsibility which he had so long developed and displayed as a member of the House of Commons. His contributions to our debates were characterised by the same force of thought and majesty of expression which have made some of his speeches classical examples of English prose. I am quite sure that I express the wish of every member of every Party in this House when I say that we desire to be associated with the petition which has been presented to His Majesty from another place, that a memorial tablet to the Earl of Oxford and Asquith should find a place beside those of other Prime Ministers in Westminster Abbey, which is hallowed by the memory of so many of the greatest figures in our history. I beg to move.

Moved, That an humble Address be presented to His Majesty praying that His Majesty will give directions for a memorial tablet to be erected in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right Honourable the Earl of Oxford and Asquith and to assure His Majesty that this House will concur in giving effect to his Majesty's directions.—(*Viscount Hailsham.*)

LORD PONSONBY OF SHULBREDE: My Lords, I desire on behalf of the Opposition to support the Motion which has been moved by the Leader of the House in such moving and appropriate language. Lord Oxford was a statesman of outstanding intellectual gifts, and his name will be associated with many of the achievements of the Liberal Government when it was at the height of its power. His talent for marshalling his arguments and for getting to the very heart of the debate with terse and cogent phrases was unrivalled, but the quality for which I think he will be most remembered is a quality which is not too common in the diversities and collisions of political life. It was his unfailing personal loyalty. Lord Oxford, or Mr. Asquith as I like to remember him, had a very great reverence for friendship, and no provocation ever tempted him to throw over or let down any colleague or any friend. This personal reliability and constancy drew to him a very large circle of firm friends. Lord Oxford held the position of Prime Minister with dignity and with a high sense of duty, and he did not relax his efforts to assist in our Parliamentary deliberations when he ceased to hold that high office. On behalf of my noble friends around me I very readily support the Motion now before the House.

THE MARQUESS OF READING: My Lords, on behalf of those who sit on the Liberal Benches I wish to associate myself with all that has fallen from, and has been so well expressed by, the Leader of the House and the Leader of the Opposition. We on these Benches were

closely associated with him, and some of us intimately associated with him, during the important years when he held the highest office in the State. It is not a time, as the Leader of the House has said, to indulge in a survey of all that he achieved, but, as has already been stated, it cannot be unduly emphasised that he will stand out as a great Parliamentarian, a House of Commons man especially, because most of his active period was passed in the House of Commons. He was particularly distinguished by massive intellectual power, trained and equipped in a way which enabled him to use it to the best advantage, and he set an example of classic English to which reference has already been made.

To those of us who were more intimately associated with him he will always remain a very human figure, more easily moved perhaps than many thought, singularly generous and magnanimous both to his opponents and to his friends, and of undoubted loyalty and sincerity in everything that he did. And may I add that he scorned everything that might savour even of the meretricious; he had nothing small or mean in his composition. He was on the whole a grand figure of a man, very typically English in his qualities. In an experience of many years of public life I have never known any man who was freer of jealously or vanity than the great Parliamentarian of whom we are speaking to-day. We shall always cherish his memory with deep reverence and profound affection. We are convinced that neither this tablet which is to be erected in Westminster Abbey nor any great monument which may hereafter be erected to him can be so lasting and fitting a memorial as the recollection of his achievements, qualities, and fame as we will cherish them.

On Question, Motion agreed to *nemine dissentiente*: the Address to be presented by the Lords with White Staves.

INDIA.

Message from the Commons to acquaint this House that they have appointed sixteen members to join with a Committee of this House, with power to call into consultation representatives of Indian States and British India, to consider the future government of India and, in particular, to examine and report upon the proposals contained in Command Paper 4268; and to request their Lordships to appoint an equal number of Lords to join with members of the Commons in that Committee.

VISCOUNT HAILSHAM: My Lords, I beg to move that the Message from the Commons be now considered.

Moved accordingly, and, on Question, Motion agreed to.

VISCOUNT HAILSHAM then moved, That the Lords following be named of the Committee to join with the Committee appointed by the Commons, namely:—

Lord Archbishop of Canterbury,
Lord Chancellor,
Marquess of Salisbury,
Marquess of Zetland,
Marquess of Linlithgow,
Marquess of Reading,
Earl of Derby,
Earl of Lytton,
Earl Peel,
Viscount Burnham,
Lord Ker (M. Lothian),
Lord Hardinge of Penshurst,
Lord Irwin,
Lord Snell,
Lord Rankeillour,
Lord Hutchison of Montrose.

The noble Viscount said: I have now to move the Motion which stands in my name on the Paper. It is not an easy matter to make an appropriate selection for the membership of a Committee such as that with which we are now dealing. Quite obviously the ordinary methods of appointing a Committee to choose names to be submitted would hardly be appropriate in a case in which such tremendous political and constitutional issues are involved, and in which it is of the very first importance that every point of view and every section of public opinion should as far as possible be represented. My right honourable friend the Secretary of State for India devoted to my knowledge a very great deal of time and thought and care to the endeavour to find such a constitution for the Committee in both the other place and in this House as would achieve that result. I am not concerned this afternoon with the membership which has been agreed to in the House of Commons, but the names which I have put down after consultation with my right honourable friend, and I may

add, after consultation with some other people as well, will, I hope, commend themselves to the great body of opinion in your Lordships' House as being the names of persons eminently qualified to help in these deliberations and as being representatives in the sense which I have indicated of all sides of opinion in your Lordships' House.

I do not want to go into all the names in detail. Of the sixteen, four only did not take part in the debate which led to the setting up of the Committee. Those four were the most rev. Primate, Lord Derby, Lord Rankeillour and Lord Peel. Of those four, Lord Rankeillour comes as an ex-Chairman of Committees in another place, and his name has been put forward at the special request of that section of opinion which is most hostile to the proposals of the Government. Of the other three I can honestly say that I have not any idea what view they take about the proposals in the White Paper, but they are Peers who from their public service and position seem to me beyond doubt the sort of persons that we are fortunate to obtain to consider and to advise upon questions of this kind. There is, first of all, the most rev. Primate, who will bring a point of view which he is peculiarly qualified to express, and which will be of the greatest value in considering some of the problems at any rate which will have to be dealt with. There is an elder statesman, Lord Derby, who has served in high office as Ambassador and as a Secretary of State, and there is my noble friend Lord Peel who was himself once Secretary of State for India.

Of the twelve who spoke during the debate, one is put forward as representing the official Opposition and is the person whom they selected for the post. Two come from the Liberal Benches opposite and, if they will permit me to say so, they almost choose themselves in a Committee of this kind. A fourth represents that branch of the Liberal Party which I believe is associated with the name of my right honourable friend Sir John Simon and I believe incidentally that Lord Hutchison is the only representative of that branch of Liberal opinion except Sir John Simon himself. Of the other eight who are members of the National Government or its Conservative supporters two are Cabinet Ministers, one the noble and learned Viscount on the Woolsack, who also is peculiarly qualified as having acted as Chairman throughout the series of Round-Table Conferences which have led up to the present Committee, and the other my noble friend Lord Irwin who in any event would be a necessary member, I should think, of a Committee such as this, forming the third of that great triumvirate of Viceroys whom we are fortunate to be able to contribute to the deliberations.

Of the other six, three definitely expressed themselves as hostile to the Government proposals. Two were, I think, inclined to favour the Government proposals in principle but objected to them a good deal in detail, and the third was a supporter of the Government. I think at any rate it may fairly be said that an effort, and a successful effort, has been made to represent all different standards and every point of view, and when I remind your Lordships of all the qualifications which are included in this Committee—three Viceroys, three Governors, one ex-Secretary of State, one Lord Chancellor, one Archbishop and I think four or five members who have taken part in important Commissions to India within the last few years—I think that to be able to put forward a list of names such as these is in itself a great tribute to the quality and position of this House. My only trouble is that perforce there have to be omissions of names which we should very much like to have included. I do not like to be so invidious as to mention many of them, but your Lordships will remember that during the debate we had contributions, and very valuable contributions, from such speakers as my noble friend Lord Strathcona, my noble friend Lord Hastings and my noble friend Lord Dufferin—I could go on and make quite a long list of people who have qualified themselves to deal with this problem. My noble friend Lord Ampthill is another who also brings the qualification of an ex-Governor of great experience. There are a number of noble Lords whom we should have been very glad to see included in this Committee, but the number is already as large as it is at all practicable, and it was impossible therefore to give place to all those who might well have claims to be considered for inclusion.

My Lords, it is no light task which we are laying upon these noble Lords whom

we are asking to represent us. I know that it may be said that you can count how many are in favour of this proposal, and how many are in favour of that, and you should try to see whether you cannot reach a balance under which the Committee would be exactly evenly divided and never agree on anything. I do not think that would be a practicable thing to do, and I do not believe it is in that spirit that the Committee are going to approach their deliberations. I do not believe the method by which we are going to bring their labours to a successful conclusion is by conducting their debates on purely Party or sectional lines. I hope, and believe, that in contributing men of this rank and calibre and experience to the deliberations of the Committee we are ensuring that its debates will be carried on in the spirit we should wish, with an earnest desire to do the best for this country and for India, and I claim that in the names I have put forward we have made a real effort which is likely to succeed and achieve that result. I beg to move.

Moved, That the Lords following be named of the Committee to join with the Committe appointed by the Commons, namely:

Lord Archbishop of Canterbury,
Lord Chancellor,
Marquess of Salisbury,
Marquess of Zetland,
Marquess of Linlithgow,
Marquess of Reading,
Earl of Derby,
Earl of Lytton,
Earl Peel,
Viscount Burnham,
Lord Ker (M. Lothian),
Lord Hardinge of Penshurst,
Lord Irwin,
Lord Snell,
Lord Rankeillour,
Lord Hutchison of Montrose.

(*Viscount Hailsham.*)

THE EARL OF HALSBURY had given Notice of an Amendment, That the Lords following be named a Select Committee to propose to the House the names of the Lords to join with the Committee appointed by the Commons, namely: Lord Chancellor, Marquis of Salisbury, Marquess of Reading, Viscount Hailsham, and Lord Ponsonby of Shulbrede. The noble Earl said: My Lords, I rise to move an Amendment to the Motion that has been put forward, and I am going to claim your Lordships' leave to alter the particular Amendment that I have on the Paper. I put it down after rather hasty consideration as the best Amendment I could move to raise this question without doing it in any invidious manner. But I did that before I had an opportunity of seeing the names which have been put down. I should desire, with your Lordships' permission, to move my Amendment in a different form, and this is the form I have put it in after consideration by those who are, I have no doubt, very much better qualified in drafting than I am. My Amendment will now be this, to reduce the number of Lords to be appointed to the Committee from sixteen to twelve. It is to omit all the words after "that," and insert "a Committee of twelve Lords be appointed to join with the Committee appointed by the Commons." With your Lordships' approval, that is the Amendment I desire to move.

When I saw the way that things had been left, if I may quote a phrase from the noble and learned Viscount on the Woolsack when he was speaking on this subject, I was filled with some apprehension, and when I saw the list I was filled with more apprehension, and I felt this was a matter that should be reconsidered. In the extraordinary and, if I may say so, wonderful speech that we had from the Woolsack on this subject, we were told really the whole history of the goverment of India from an early date, and when I say an "early date" I mean from 1857 down to the present time. But there was one thing that was omitted, and that was how the White Paper came into existence. The White Paper was brought before another place with the general idea that it was going to be accepted, but it was found apparently the acceptation of the White Paper was not going to be quite so popular as was thought, and the result was that after a short interval of discussion the next thing that came along was this: "Oh, please don't misunderstand us under any circumstances whatever. We are not trying to get you to criticise the baby; we are merely going to ask you to choose the nurse." That was the second attitude adopted in another place, and they chose the nurse, and we are asked to choose the nurse

to-day. Let us see whether the nurse is going to be a proper person to do the work. I do not think it is at the present moment.

The noble and learned Viscount who leads the House to my astonishment suggested that the Committee which had been suggested now was the very best for the purpose. I think it is the very worst. What are you doing? You are not asking a Committee to come in from outside to consider this matter, you are asking people who have spoken, given their opinions publicly in this House and in another place and before the public as to what they are pledged to do. And what is the answer? "Oh, well, we have more or less got them divided fairly evenly, although we have seen quite carefully that there is going to be a majority on the Government side as there is bound to be." What is the meaning of that? Have the Government no courage? Cannot they say whether they want this White Paper or not, without hiding themselves behind the petticoats of a packed Committee that they put in in both Houses? Are they going to the country to say: "We have got the courage to do this." Not a bit of it. If the thing goes right they will say: "Look what we have done." If it goes wrong, they will say: "Oh, it was the Committee." But they make the Committee.

It is a wrong principle from beginning to end to have no courage for what you mean. The Government should not appoint a Committee behind whom they can shelter themselves. You have only to look down the list suggested here. I am not criticising any one of the names. I have no doubt they are perfectly admirable people, but they have all told you what they think. Why are you wasting time? They have given you their report already. They have nothing else to report on. Why waste time by appointing these people here? It is perfectly ridiculous, and I hope the country will express itself very strongly on what they consider is a waste of time in asking these people to repeat their speeches. But it goes further. What is going to happen when the Committee come back? We shall have before us every speech that we had before, but we shall be told by the Government: "Oh, no, that is not the noble Lord speaking in the ordinary sense; he has spoken as one of the Committee, and therefore we are bound by what he said, and you must accept this." My Lords, it is a trick, an absolute trick, from beginning to end, and I say, without hesitation, it is meant to be a trick. It is a beautiful trick, if it is allowed to go through.

I ask you to say, by reducing the Committee, that your Lordships mean to have more say in the matter as to who ought to go on this Committee. Why should people go on who have already expressed their views and said they will not be altered in any way? Why should they be put forward for the very admirable work they have done for the nation and the Empire? Nobody suggested they had not; but because of that they are to go on this Committee and say: "We are now going to be the people to criticise what we ourselves have suggested." Sometimes in the Courts we find that a case reaches a point where it is a very excellent thing, and a very advisable thing, to refer some points, or the whole case, to a referee, or a court of referees. Who, before this Government, ever thought of appointing the counsel on each side who have been arguing the case to be the referees and to report on the case? If you have an equal number of advocates on each side, of course you get, as the noble and learned Viscount who leads the House suggested, a dog-fight. If you do not, what you will get will be a foregone conclusion. You have only to look at the list and at what the people on this list have said publicly in this House and elsewhere, to know perfectly well that you have a definite and absolute foregone conclusion of what this Committee is going to report.

For that reason, moving it in this particular way, I ask that this question might be discussed by your Lordships' House with some hope that we might get a different form of Committee. It would be a lamentable thing, considering that your Lordships' House consists of, I think, some 700 members, if it were quite impossible that the Government could find from them at least fourteen people who have the ability to understand questions of this kind when they are properly put before them, and who are people whose vote would not be an absolutely foregone conclusion before they have really gone into the question. For

those reasons I beg to move the Amendment.

Amendment moved—

Leave out all words after ("That") and insert ("a Committee of twelve Lords be appointed to join with the Committee appointed by the Commons.")—(*The Earl of Halsbury.*)

LORD BANBURY OF SOUTHAM: My Lords, after considerable experience in another place as to the method of appointing Committees I hope your Lordships will allow me to say a few words upon this very important question. If we lose India we shall find ourselves reduced to the position of Spain and Holland, who, when they lost their foreign possessions, became small nations on the Continent of Europe, and we shall become a small island in the North Sea. The loss of India will be far more important than the loss of the Southern part of Ireland, and it is the same people who, when the Irish Treaty was before this House and the House of Commons, told us that the result of the Treaty would be a union of hearts. Mr. Lloyd George—I heard his last words and I have never forgotten them—said:

"By this Treaty we win to our side a nation of deep, abiding and even passionate loyalty. In the future our successes will be their joy and our misfortunes will be their sorrow."

Sir Samuel Hoare, who was sitting by me, cheered that. I took the opposite view.

It is the very people who thought that by the Treaty with Ireland they were going to win a union of hearts who now say that by this White Paper we are going to satisfy somehing like 300,000,000 of people, the vast majority of whom are so ignorant that they are obliged to have coloured boxes in which to put their votes, an idea, I believe, of the noble Marquess Lord Lothian. A very clever idea no doubt, but it shows what his opinion is of the people to whom he proposes to trust the government of a great country like India. What is this White Paper? We are not asked to set up a Committee to consider the future government of India. We are asked to set up a Committee to deal with a Constitution which has already been set out, and the Committee is set up in the way in which all these Committees are set up. I do not for a moment say that there has been anything different in the way in which this Committee has been set up. I must say I do not quite see what the position of the most rev. Primate is on a civil Committee, especially, as I understand, the religious question is one of the reserved subjects in the White Paper.

But the Committee is being set up. How are Committees set up? In another place they are set up in this way. There is the Opposition—well, we must give a certain number to the Opposition. As a rule it is based upon the number of the Opposition. In this case the Opposition are all in favour of the White Paper, except those who think it does not go far enough. Therefore it is perfectly clear that those members of the Opposition who will become members of the Committee are already committed to the White Paper, and in this case I see, because they are so few in number, a larger proportion than would be given in the ordinary way is given to them. It is rather like Mr. Gladstone who said that Wales, being such a long way from Westminster, ought to have a larger representation, the real reason being, as they were all Liberal, he wanted more Liberals in the House. Now we come to the question of the method in which the Conservatives have been placed upon the Committee. Those of us who have been behind the scenes, as I was in the House of Commons, know perfectly well what happens. I do not say Sir Samuel Hoare, or anybody else said: "Now we must put on so-and-so because he is in our favour," but I noticed in the thirty years I was in the House of Commons that whenever a thing of this kind happened the Government always got a majority on their own side whichever Government was in power.

That being so, what is the position in which we are? We have been told by my noble and learned friend below me—and I am quite certain that he will carry out what he says—that when this Committee has reported we shall be perfectly free. No doubt he will say: "Your Lordships are perfectly free to do as you like, but you have not heard the evidence; the Committee have heard the evidence; and how can you go against a Committee which has devoted many weeks of labour to the matter? Moreover, do not forget that the Indians will have seen and read the deliberations of the Committee, and if you go against

the Committee you will stir up in India a feeling against this country. Therefore the only possible course for you to pursue is to support the Committee." It is as certain as I am standing here that, if not those words, something similar will be said.

Do not let us forget this. The world is composed of wicked people and the idea that if you surrender to a certain person or certain persons and give them something which they are asking for you will earn their eternal gratitude is a mistake. There cannot be a greater mistake. The only result of surrendering is that the people to whom you surrender ask for more. That has always been the case ever since, I might almost say, the world began. Therefore, my Lords, holding those views, and believing as I do that unless we are very careful we shall either lose India or have a revolution in India which with our small Army we cannot tackle—it will be very different from the Mutiny; the Indian Army is, I think, larger and has better weapons—I earnestly beseech you to remember that whatever the Committee who have been appointed for a special purpose report, you must hold yourselves free to do what you think right when the Report is before you.

LORD GAINFORD: My Lords, I would like to say one word on this matter because in another place I have been concerned with the appointment of many Committees over a number of years. My experience has been that the Whips on both sides, after consulting their leaders, have not nominated ignorant men who were incompetent to judge the situation, but have nominated men who were competent and had some knowledge of the subject that was to be considered by the Committee. I myself have never been in India and I never thought I could form any opinion in regard to what ought to be the future Constitution of India. I have never expressed an opinion myself, and I believe a great number of other members of your Lordships' House, like myself, would not desire to serve on a Committee of the kind we are appointing to-day because we have no knowledge of India which is sufficiently adequate to enable us to form an opinion by sitting on a Committee. What I feel is that the individuals who have been named by the Leader of the House and suggested to your Lordships for appointment are individuals who have knowledge of India and understand India better than anybody else that we could appoint. Your Lordships have accepted the principle of the White Paper and it is now for them, in consultation with any people that they desire to call into consultation, to examine and report on the principles contained in the White Paper. I do not think we could appoint better individuals than those named by the noble and learned Viscount, and I have great pleasure in supporting his Motion.

THE EARL OF GLASGOW: My Lords, perhaps some of your Lordships will think it almost an impertinence that I should get up and address the House on this subject. Many here have great experience of India and Indian affairs. I, having served as a sailor, have hardly any such experience. But surely the setting up of such an important Committee as this is a question which concerns us all. I think it is the aim of the Government—at least they have said so—to set up as far as possible an impartial Committee. It is a very difficult thing to do. Certainly last night in another place an honourable member was able to satisfy that place—judging from the cheers one heard—that he could produce only one impartial person amongst the whole of those suggested. To-day you have before you the names of those members of your Lordships' House who have been proposed to take part in the deliberations of this Committee. They are all distinguished members of your Lordships' House who have rendered valuable service to the Crown in various capacities in many parts of the world. Therefore in their individual positions no one could take exception to their being included as members of the Committee, but I venture to suggest that some of them have already committed themselves deeply on the main principles of the White Paper, and by their past acts and utterances are bound hand and foot to the proposals of the White Paper and are evidently prepared to see them carried out practically in their entirety. For that reason I welcome the Amendment of the noble Earl in the hope that some of the noble Lords who have so committed themselves will perhaps be precluded from taking part in the work of the Committee which, to my mind, should be, as far as possible, an impartial Committee, so consti-

tuted that members of opposing views may be equally distributed. I therefore support the noble Earl.

LORD PONSONBY OF SHULBREDE: My Lords, it was at my suggestion that the noble and learned Viscount the Leader of the House gave three days to the Indian debate. I think now that he ought to have made it four days because there seem to have been some undelivered speeches suitable for that debate which we have heard this afternoon. The noble Earl who moved the Amendment and the noble Lord, Lord Banbury, seemed to be making speeches against the White Paper and against the setting up of a Committee. I thought that the question of setting up a Committee had been settled and that we have already agreed to that. I only desire to make two comments on the list. I appreciate the extraordinary difficulty the Secretary of State and the Leader of the House have had in making up this list. It is perfectly impossible to please everybody and it is the people you leave out who always make the trouble. There are two points to which I should like to draw attention.

The noble Lord, Lord Banbury, said that the Labour Party were committed to this White Paper. They are not committed at all to this White Paper. The abandonment of the idea of proportional representation on this Committee was, I think, quite right. If there had been proportional representation so far as this House is concerned we should not have had one member. We should have had a very low decimal part of a member. It was perfectly right that that idea should be abandoned. But I do think that the point which I emphasised the other day ought to have been taken further into account. As time passes it is a Labour Government that is going to have the responsibility perhaps of passing the Bill, anyhow of trying to see that this great scheme works. For that reason it seems to me that greater representation should have been given to the Opposition, especially in your Lordships' House where we have only one member on the Committee. It seems rather hard that he should be isolated in that way. The other passing comment I would make on the list is that I think if your Lordships look through the list you will see that the age average is very high. Considering the importance of the question and considering that it is likely to be with us for many years to come, I think we might have had a younger member on that Committee, especially as one of the members of your Lordships' House, the noble Marquess, Lord Dufferin, has proved himself so very well versed in the subject. But I certainly shall not support the Amendment before your Lordships now.

LORD PHILLIMORE: My Lords, unlike the noble Lord, Lord Banbury, I have never been behind the scenes and I never expect to be there, but I would like to make one comment from the point of view of a member of your Lordships' House who is anxious to be instructed, and did not know very much about India to start with. It seems to me that the advocates of the White Paper made an unexpectedly powerful case during the three days' debate. That being so, I should have thought it would have been the intention that that case should stand on its own merits, to be examined by a Committee which would have been composed—I do not say entirely of non-experts, but certainly with a larger proportion of persons who had not already committed themselves to the principles of the White Paper. If the case is so good, as it certainly sounded to me, why should it not be examined by a more impartial body—you cannot get a wholly impartial body—and if such an examination were granted, as I think we were all led to suppose such an examination was to be granted, would not the nation, as a whole, be more satisfied with the result?

LORD LLOYD: My Lords, before I make any observations on the Amendment I should like to take this opportunity, if I may, to say a few words in explanation of the reasons why I was unable to accept the invitation given to me by His Majesty's Government to join the Select Committee. I need not say I looked upon that invitation as a very great honour and I did not make the decision I did make without the gravest heart searching and the most careful consideration and consultation. My main reason was that I consider, rightly or wrongly, the whole procedure adopted by the Government to be highly improper and wrong. The position surely is perfectly plain. We all of us—every one in this House, I think—accepted the Act

of 1919. We are all of us acting under it and guided by it, and our procedure should flow from the terms of that Act and nothing else. Your Lordships will remember that under the Act we were bound to send out a Parliamentary Commission to report upon what, if any, progress was made after a decennial period in the grant of self-governing institutions to India. It seems to me to follow, as night follows day, that the Report we should be considering to-day, and the Joint Select Committee should be considering to-day, is that Report of the Royal Commission sent out under the Act of 1919 and no other Report at all.

We have never had the smallest valid explanation from His Majesty's Government as to why that Report was jettisoned. The only reason given was that it was not palatable to Indian political opinion. But if that reason were valid for the rejection of so weighty a document as the Simon Commission Report, is it not valid as regards the White Paper which has been rejected by all public opinion in India to-day? Yet we are pursuing this unprecedented procedure and I, in however humble a capacity, thought we were bound to protest in some manner or other against this gross departure from all constitutional practice. Strongly though I feel on the impropriety of the Government's conduct and deplore its results, which I think very grave, if I had had any reason to suppose that my presence on the Committee could have served to deflect the Government from the pursuit of their main principles of policy my whole desire was to join that Committee, composed of so many with such great knowledge, and it is naturally a grievous disappointment from a personal point of view to have had to make the decision I did. It is improper to discuss private conversations, but I may say that I did the best I could to ascertain from those qualified to inform me whether there was any hope that the main principles of Government policy could really be altered. It was obvious they could not. His Majesty's Government are pledged completely to the main principle, to which I took grave objection, of the simultaneous grant of responsibility at the Centre and in the Provinces. They are pledged to Indians and the public and they are bound to go ahead.

Lord Lloyd.

I am not going to use any hard words about "packed Committees." Everybody must realise the extraordinarily difficult task of the Secretary of State in setting up a Committee of this kind and everybody must recognise also that by long tradition the Government have every right to have a majority on such a Committee. But I would echo the words of my noble friend who has just sat down. A strong case, if it be strong—I do not think this is—is gravely weakened by setting up a Committee so overweighted—not with prejudiced people; we do not complain; we do not call them impartial in any rude sense, but they are people who agree with the main principle of the Government's policy; and to have so many, and such an overwhelming majority, of noble Lords and of those in another place who are, to that extent, pledged to the policy of the Government, is, I think, a grave misfortune for the policy itself and diminishes very much the weight and authority of the Committee.

It was seen in another place yesterday how strong is the feeling on this question. I do not want to make too much of the combination of majorities that walk through Lobbies, but it is a fact that no less than two-thirds of the Conservative Party either refrained from voting or voted against the *personnel* of this Committee. I think it is a very bad start for the Committee. I feel we really have some complaint about the attitude of the Secretary of State in the last few months. Those of us who have a sincere and profound objection to the policy of the Government have been cajoled and told, from this Conference to that, that nothing we agreed to now would bind us in the future. The noble and learned Viscount who leads the House—and here I should like to refer to Lord Danesfort's remark, which I think must have been a slip, that your Lordships had agreed to the White Paper policy, for I do not remember this House ever having agreed to it—in a debate which lasted three days last December besought the House in general terms to pass his Motion because we were to be absolutely free to decide on policy in the future, because all we were doing was giving our sanction to further exploration in this matter.

We have been led on and, as my noble friend Lord Banbury said, we can see

absolutely for certain what is coming in a few months. I make no doubt that with the great expert knowledge of this Committee there will be dangers that will be averted and modifications made of great value; but do you believe for a moment that the main principles which are laid down in the White Paper will not be defended by the Government, and that then they will not come round to us and say: "Here are we pledged to this policy, here is a majority Report of your expert Committee, and here we are with Indians present as assessors to whom virtual pledges have been made"? I can imagine no greater danger, and no greater harm to the confidence reposed in your Lordships' House, if you are going to take the responsibility of going back on the decision made by the Joint Committee. Where is this to stop? I shall never, I suppose, have the satisfaction of knowing whether my decision is right or wrong—I can only do the best I can on each occasion—but I honestly believe that we are being led step by step, by these easy phrases and assurances, to the brink of a very grave and dangerous calamity. Again, I do not want to use hard words, and I will only ask for your Lordships' indulgence while I say that I did not refuse membership in any light-hearted manner, but because I thought, as one who had always opposed this policy on principle, that if I was sure my presence could not alter that principle I had better stay away, rather than join the Committee and be involved in its deliberations.

On the question of the Amendment itself I know it will be argued that if such an Amendment were carried in this House the numbers from this House would be inferior to those from another place. I think that would be regrettable—most things about this policy are regrettable—but my noble friend has, I believe, moved this Amendment in the hope that at the last moment, at any rate, three or four of those who are most pledged to complete support of the Government's policy might retire, and that therefore the total members of the Joint Select Committee would give a little less weightage to the supporters of the Government and a little greater opportunity for free criticism in this Select Committee. It does not very much matter whether the members are Peers or Commoners, as regards our deliberations, but the point is the combined feeling and activities of the Committee. I do not know whether my noble friend is likely to go to a Division, but as a matter of protest, and for the reasons that I have given, I shall support him if he thinks it necessary to do so.

VISCOUNT BUCKMASTER: My Lords, your Lordships have listened with your accustomed patience to a variety of speeches which have had but little to do with the Amendment before the House. It is quite plain that notwithstanding the fact that the debate upon this White Paper flowed in full volume through three days debate in this House, it has yet dribbled and overflowed into to-day. The noble Lord who has just sat down spoke of personal matters, upon which we are only too glad to hear him, but his speech, so far as it related to the Motion, was confined to a few sentences, and those few were not a little startling. It was to this effect that in order to secure fairness upon this Committee you should require certain people, who hold strong views about the White Paper, to offer their retirement and not to appear. That surely is the strangest method of obtaining fair and independent investigation of this matter.

If there be anyone who can suggest that there are other and better names than those which are before us I shall be glad to hear those names, but up to this moment there has been no one who has suggested that there was anything wrong in the names before us, excepting only this, that they were of men who by their long experience knew more about the matter than anybody else. Is that to be a reason why they should be excluded from a Committee which by its very nature and essence must be a Committee that knows what it is dealing with, and the nature and character, by personal contact, of the people for whom they are legislating? No one has suggested that any name should be added or struck out, and I cannot help thinking that it is a matter greatly to be regretted that noble Lords are unable to accept the defeat of their own personal opinions on the Motion to refer the White Paper to a Joint Committee, and should attempt to revive again a question on which a decision was come to without a Division.

LORD AMPTHILL: My Lords, I am not acting with the mover of the Amendment,

nor have I had any conversation with him, but I feel obliged to associate myself with him in order to show that I cannot approve of the Committee that has been proposed, and that I do not wish to be held in any way committed to voting for the policy which they may ultimately recommend. I do beg to advise your Lordships who wish to reserve judgment on this vitally important question of the future government of India, to take the same step, in order to show that you do not wish to be committed in any way until the real Bill is before you. We are being led, stage by stage, to a position in which we shall ultimately be told that we are committed to anything which the Joint Select Committee may propose. We shall be told, in effect, that we have submitted the matter to arbitration, that we have agreed to that, and that therefore we are bound to submit to that arbitration. That is what I think is unfair, and I am grateful to the noble Earl for having done something to enable some of us to show that we do not intend to be committed in that way.

I fully agree as to the eminent and high qualifications of those nominated by the Government. I admit that if you wish to choose sixteen of the most eminent and brilliantly qualified members of this House you could not make a better selection. They are the best members that we have got, and are men of fine achievement and reputation. They are also, I agree, experts, but you do not want experts for a Committee of this kind. You are making these experts judges in their own cause. That is what you should always avoid. The way to use experts in every walk of life is to call them into consultation and weigh the opinion of one expert against that of another, for which purpose you want men of ordinary common sense and sound judgment. I think that this Committee is unduly weighted in favour of the Government, and that is not what we were led to expect by any previous statement on the part of Ministers. I shall therefore certainly associate myself with the noble Earl, and if he goes to a Division I shall vote for his Amendment in order to make it perfectly clear that I do not feel that I am committed in any way to the decisions which this Joint Committee may ultimately place before us.

THE EARL OF MIDLETON: My Lords, I cannot help thinking from the discussions we have had that there are one or two points on which we are not quite clear. The assumption is made that the Government will go into the Committee on the White Paper, if your Lordships approve of the Committee as it stands, pledged to support the White Paper and to drive it through, whatever the opinions of other members of the Committee may be. Surely, that is not the position at all. If your Lordships held that they objected to the White Paper we ought all to have gone into the Lobby against the White Paper. What I understand is the decision of this House I understand also to be the position of the Government. You have had Commission after Commission and Committee after Committee, and as the result of all those deliberations the White Paper at this moment holds the field.

THE EARL OF HALSBURY: No.

THE EARL OF MIDLETON: I beg pardon. The noble Earl contradicts me, but the fact remains that as the result of the deliberations of these Committees the White Paper is put forward and holds the field as representing the deliberations of these Committees, but, as I understand, it is to be honestly put before this new and very strong Committee, not with the intention of arriving at a mass vote for the Government, on every aspect of the provisions, but as a general guidance to what in their view the Committee should aim at.

There is one other consideration which has not been mentioned. There has been much forceful argument against the inclusion of those who, nobody denies, have got the longest and, in the case of those who have sat on previous Committees, the most recent experience of this question. I do not believe you will ever get Committees to sit again or eminent men to sit on them for weeks and months together if the result of a conclusion arrived at by one Committee is that those who have arrived at it are to be excluded from further participation. In the case of this House that would be the more remarkable because nearly all those who have been put on who may be supposed to support the White Paper, are men of long experience of India, who have themselves criticised the White Paper in this debate. I would appeal to the Government to make it quite clear before we

go to a Division that they are not going into this Committee with the intention of driving through the White Paper as it stands now, but that they should keep an open mind to the arguments of a very large body of experience which they will have beside them. I earnestly hope that my noble friend who leads the House will leave us in no doubt as to the attitude of the Government in that respect.

LORD MOUNT TEMPLE: My Lords, may I recall to your Lordships' recollection what the Amendment is on which you are going to vote? It is that the number of members of the House who are to sit on the Joint Committee shall be reduced from sixteen to twelve. I do not think it desirable at all that your Lordships' representation on the Joint Committee should be twelve whereas that of the House of Commons is sixteen. No one in the debate has criticised any name put forward by the Government. Every speaker has borne testimony to the long service and ability of those sixteen members. It seems to me absurd and wrong for us to put forward twelve members whereas the House of Commons has sixteen, and that we should have the invidious task of eliminating four members of your Lordships' House from the sixteen names put before you.

VISCOUNT HAILSHAM: My Lords, as has been pointed out more than once in the course of this discussion a great deal of the argument which has been brought forward has been wholly irrelevant to the subject matter of the Amendment. The subject matter of the Amendment is whether or not we shall contribute sixteen members to join with the sixteen members of the House of Commons who have already been appointed, or whether we should content ourselves with twelve. The only answer that has been given to that somewhat startling disparity is that suggested by my noble friend Lord Lloyd, who said that perhaps some of the people in another place would resign their membership of the Committee if they saw that we have only twelve—I think a somewhat fantastic hope if he will forgive me for saying so.

For the rest, the greater part of the attack has been made by people who are avowedly hostile to the whole policy of the Government, and their attack has been based upon the assumption that we are now debating whether or not a Committee shall be set up. That was decided last week, and they did not then even challenge a Division—even those who have criticisms to offer on the proposals of the Government. None of them suggested that we should not join in the Committee, and indeed I think I am right in saying that they all urged that we ought to join the Committee and that that was obviously and manifestly our duty. I remember that the noble Marquess, Lord Salisbury, expressly said that we should join the Committee. Therefore, it having been decided by this House that we should join the Committee, we are now asked to decide that we should only have twelve out of twenty-eight members because some members of your Lordships' House do not like the proposals of the White Paper. It does seem to me the height of illogicality.

My noble friend Lord Midleton asked a question which I am grateful to him for putting. He asked me whether or not it was the fact as the noble Lords, Lord Halsbury and Lord Banbury, assume, that the Government were going to drive the proposals of the White Paper through regardless of what was said in Committee and regardless of the advice and arguments put forward. It has been stated quite explicitly before, and I beg to reiterate now, that the Government do not propose to drive the proposals through because they happen to be in the White Paper. The reason why we have invited representatives of every section in this House and in the country to take part in these deliberations is that we want to get the best possible advice and the best possible opinion from every point of view. We want to get each of these proposals discussed, criticised and examined from every point of view, and we hope that when we have got that examination completed we may be able to reach a scheme which is workable, fair and beneficial both to India and to this country.

It is no good my saying that to Lord Halsbury. Lord Halsbury is good enough to tell me that we are trying to shelter behind the petticoats of a packed Committee. If your Lordships look at the sixteen names, that is what Lord Halsbury calls a packed Committee. I regard that as an insult to these men whose names appear there. But he did not rest content with that. He said the

Motion to set up the Committee was a trick and was meant to be a trick. I have only to say that that observation is offensive and is meant to be offensive. I am not in the habit of being accused of trying to trick either the House of Lords or any other assembly with which I have had to do. If anyone believes that I am capable of that kind of conduct let him by all means vote against the Motion. We do not want his vote. If you believe that we are tricksters trying to trick this House and that I as the Leader of this House have come down here trying to trick this House you will vote against the Motion. We ought not to occupy our position for a moment if that were so. But I do not believe that that offensive observation and attitude of the noble Earl are accepted even by those who agree with him in disliking the policy of the Government. I do not believe that that view of the Government or the Government's policy is held by anybody else except the noble Earl, who seems to have brought his recollections of stories of low-class attorneys into the atmosphere of the House of Lords.

I do not desire to deal with the noble Earl, Lord Halsbury, any further. I only desire to say with regard to others that Lord Ampthill expressed his opinion in no uncertain language in the original debate. He dislikes the proposals of the White Paper and he believes they are wrong. That is a point of view which I can understand and respect. I am glad that some of those who share his doubts are accepting membership of the Committee and will be able to express those doubts and discuss them thoroughly. But I do hope and believe that the Committee are going to discuss all these proposals, with an earnest desire on the part of the members frankly and completely to state their own point of view, to discuss and to hear what is said on the other side, and, if possible, to reach an agreed solution of these difficulties, or, if not an agreed solution, at any rate to reach such measure of agreement as may be possible in order that the best possible Constitution may be set up.

I desire only to say one word in answer to Lord Phillimore. He asked: Why not put on the Committee people who are impartial? Well, apart altogether from the fact that the general practice with Committees of this character has been to put people on who take both sides and are able to express both points of view, there is this outstanding difficulty in the present case, that you are dealing here with vital matters affecting our great Dependency, the Empire of India. If we are going to get people to form a just judgment about the proposals, I think it is essential that they should mainly consist of people who have had practical experience of India, Indian conditions and Indian life, and have made a study of it, and if you are going to get people who know anything about India it is almost impossible to get people who have no opinion as to the provisions of the White Paper.

As to the noble Lord, Lord Lloyd, he has given his own explanation of why he did not wish to serve. I do not agree with him as to the reasons why there was a change in regard to the Simon Report. They are not the reasons stated by Sir John Simon or by the Government. As Lord Lloyd has told your Lordships, and as he has written to the Press, we invited him to serve. We profoundly regret his decision not to serve, but, although he has refused to serve, I am sure the considerations he urges and holds with such conviction will have the careful and honest consideration of His Majesty's Government.

THE EARL OF HALSBURY: My Lords, in rising to reply on the Amendment, on which I certainly propose to go to a Division, I have two observations to make. I think one may answer both criticisms which have been made by the noble and learned Viscount who leads the House and also by the noble and learned Viscount who sits opposite. It is suggested first of all that I have said nothing in criticism of any particular member of the Committee suggested, nor have I suggested any member who might be put on in place of another. It was never my intention to do either of these things. The first I should have thought was extremely invidious, and the second I am perfectly certain I should not be in a position to do. If your Lordships would condescend to look at the original Amendment I put down, and which after consultation I have altered, you will see that the last thing I was suggesting was anything to do with the appointment of any member of the Committee. My objection

to it was not from any individual point of view but, as the noble and learned Viscount who leads the House knows perfectly well, was to the fact that the majority of these people have spoken publicly in favour of the White Paper.

He has said that the Government never meant to drive through the White Paper. Of course they did not, but from the very moment it was received as it was in another place they had to go to a Committee. They knew they had to go to Committee, and the next thing to do was to appoint a Committee which would have a majority that would carry their views. I am not withdrawing one single word of what I said. The noble and learned Viscount may make any sneer he chooses about "low attorneys" or anything he likes. The country may possibly judge that these practices have been adopted not by me but by the Government. That will be for the country to decide. I am withdrawing not one word of what I said. What has happened here is what I said before. The Government brought in this White Paper into the House of Commons, and it was not well received from the first. What did they do? They said: "Oh we will send it to a Committee." Now, look at the names of the Committee, and put that against the names of the people who have definitely said that they were pledged to the White Paper, and see how many you have got. See what majority the Government know they must get.

They may get one or two little odds and ends altered, but the general principle of the White Paper, which is what the noble and learned Viscount has talked about, is the principle that the Government brought forward and which they are putting through in this way. I say it is a matter that your Lordships ought to consider whether or not, in accepting a Committee of this kind, you should accept this great majority of your Lordships' House who have spoken publicly for what the Government desire. I have only one other thing to say. The noble and learned Viscount who leads the House was good enough to say: "Oh, well, it was agreed we should go to a Committee on this White Paper. Why was not anything said then?" I will tell your Lordships why. For one reason, we thought we should have a better Committee than this appointed, and, when it comes to the question of whether we accepted the general question of the White Paper, I say we did not, because the Government did not dare to put it before us. It is for that reason that I ask your Lordships to say that the present constitution of the Committee ought to be revised.

On Question, Whether the words proposed to be left out stand part of the Motion?

Their Lordships divided: Contents, 65; Not-Contents, 13.

CONTENTS.

Sankey, V. (*L. Chancellor.*)

Wellington, D.

Bath, M.
Dufferin and Ava, M.
Reading, M.
Zetland, M.

Dudley, E.
Iddesleigh, E.
Lucan, E. [*Teller.*]
Lytton, E.
Midleton, E.
Munster, E.
Onslow, E.
Plymouth, E.
Rothes, E.
Sandwich, E.
Stanhope, E.
Strafford, E.
Vane, E. (*M. Londonderry.*)

Brentford, V.

Bridgeman, V.
Buckmaster, V.
Cecil of Chelwood, V.
Esher, V.
Hailsham, V.
Ullswater, V.

Rochester, L. Bp.

Askwith, L.
Bayford, L.
Chesham, L.
Clanwilliam, L. (*E. Clanwilliam.*)
Clwyd, L.
Conway of Allington, L.
Danesfort, L.
Darling, L.
Desart, L. (*E. Desart.*)
Ernle, L.
Gage, L. (*V. Gage.*) [*Teller.*]
Gainford, L.
Greville, L.
Hardinge of Penshurst, L.

Hay, L. (*E. Kinnoull.*)
Howard of Penrith, L.
Hutchison of Montrose, L.
Irwin, L.
Jessel, L.
Ker, L. (*M. Lothian.*)
Marks, L.
Marley, L.
Melchett, L.
Mendip, L. (*V. Clifden.*)
Mount Temple, L.
O'Hagan, L.
Passfield, L.
Phillimore, L.
Ponsonby of Shulbrede, L.
Rathcreedan, L.
Rhayader, L.
Rochester, L.
Sinclair, L.
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Templemore, L.
Tenterden, L.
Teynham, L.
Wharton, L.

NOT-CONTENTS.

Argyll, D.

Halsbury, E. [*Teller.*]
Morton, E.

Bertie of Thame, V.

Ampthill, L.
Banbury of Southam, L. [*Teller.*]
Berwick, L.
Carrington, L.

Fairfax of Cameron, L.
Lloyd, L.
Monkswell, L.
Redesdale, L.
Sempill, L.

Resolved in the affirmative and Amendment disagreed to accordingly.

THE LORD CHANCELLOR: The Question is that the Motion be agreed to.

THE MARQUESS OF SALISBURY: I did not quite understand the noble and learned Viscount on the Woolsack. He did not put the main question, did he?

THE LORD CHANCELLOR: Yes. I put the question, That the Motion be agreed to.

THE MARQUESS OF SALISBURY: I believe my noble friend Lord Rankeillour has something to say on the Motion.

LORD RANKEILLOUR: My Lords, I was waiting to see whether any other noble Lord wished to speak on the names or any other subject connected with this Motion. The point that I think it may be convenient to raise now is one of importance, though it is not controversial. If noble Lords will turn to the first page of the White Paper they will see it is there announced—or rather those who read it are warned that the language of the White Paper is not the language that will be found in any Statute that may finally be passed as a result of the White Paper, and it is pointed out that many things may have to appear in the Bill if and when it is brought in which do not appear in the White Paper. I cannot help submitting that that is a fact which brings with it very great disadvantages. In the first place it is quite obvious that there are many gaps and omissions in the White Paper that will have to be filled, but, even apart from that, the very fact of its being couched in different language from that of a Statute may lead to great difficulties even where the intention and object is perfectly clear. It is only when you attempt to draft a measure that you find all the difficulties that emerge, and all the reactions that are caused by your proposals. The effects are very often in terms you were never acquainted with before.

I remember very well a Bill of first importance being introduced in another place, and it was my duty as Chairman to see to its passage through Committee. The first and pivotal clause was perfectly hopeless, and when representatives of the Government came to ask me how long it would be before it could get through it was my duty to tell them that it could not get through at all unless they recast it from top to bottom. A little later it was revealed to me that this was the fifth, if not the sixth, draft of the Bill, that all the others had been rejected by the Committee that was preparing the Bill, and that they had put in the sixth or the seventh sample because time pressed and they had to put in something. Therefore it was only at the sixth or seventh time that we were able to get anything workable. Yet their intention was perfectly clear, and if their intention had been set forth in a White Paper everyone who agreed with the general policy would have accepted it.

I quote this as showing what the difficulties are between intention and effect. And if this is trfue of any Bill it is particularly true, I should say, of a Bill that may be founded on the White Paper. In other Bills very often a great part of previous legislation is incorporated in a block, but in this case you have to build from the very foundations, and it is essential that what you are proposing should be absolutely clear and defined. What I fear may happen is this. The Committee may or may not come to some measure of agreement. If they come to some measure of agreement it will have to be put into statutory form, but when it appears in statutory form it may very likely happen that those who thought they were agreed will find that they were not agreed at all. If that is so, there will be recriminations and charges of breach of faith, and so on. What I venture to suggest to the Government is that they should from the first attach one of the panel of Parliamentary Counsel to the Committee. It seems to me that the object in view cannot be attained otherwise. It is quite impossible to expect the ordinary staff

of a Select Committee to do drafting work, but if the Committee have a Government draftsman from the first who will, if they wish, put some or all of the Government proposals into proper form and also put into proper from any amendment of the Government proposals that may be suggested in the Committee, then it will be possible for the Committee to know exactly where they stand. Otherwise I foresee grave difficulties. It is not a matter that is inseparable from the Motion, but I hope the Government will give attention to it.

THE MARQUESS OF SALISBURY: My Lords, perhaps your Lordships will allow me to say a few words following the observations of my noble friend who has just sat down. I do not wish to deal with the same point, although I have every reason to believe what he said was well founded and I hope the Government may consider it favourably. The point I want to call attention to is the clause in the Question put from the Woolsack which prescribes that the Joint Committee shall have power to join to themselves a certain body of Indian representatives who shall sit with them.

VISCOUNT HAILSHAM: That is not in the Motion. That was in last week's Motion.

THE MARQUESS OF SALISBURY: There is power to call into consultation, is there not? Perhaps I have misquoted. I had better read the exact words.

VISCOUNT HAILSHAM: You are referring to the words of the Message. They are not the words of the Motion.

THE MARQUESS OF SALISBURY: I am obliged to my noble and learned friend, but at any rate what is suggested is that there should be power for this Committee to add Indian representatives in some form or other. That I believe is a wholly new precedent, and although that does not mean that it is necessarily bad yet it does mean that we ought to be very careful about the conditions which are attached to the precedent. I am a little afraid that a certain misconception may arise both perhaps in this country and in India unless the matter is made a little more clear than it is at present. These gentlemen will come here in pursuance of a promise which I think was made by my noble friend to-night—or at any rate it was said in another place—and in pursuance of a promise made years ago by the noble Earl, Lord Birkenhead, at an earlier stage of these discussions. I recognise that that is so and I am not here in any way to oppose the appointment of these gentlemen. Although, as I have said, this seems to be a new precedent and new precedents contain certain dangers, yet it is highly probable that these gentlemen may be very useful to the Joint Committee in giving advice upon technical matters of which they are masters and also upon the state of Indian opinion or sections of Indian opinion which no doubt will be represented amongst us.

But in what capacity will they sit? They will not be members of the Committee—obviously not. They will have no responsibility. The responsibility of the discussions and the conclusions will rest upon the members of the Committee—members, that is to say, of either the House of Commons or your Lordships' House. No responsibility will rest upon these gentlemen. That being so, the question is: Where will they come in? They will, I suppose, sit with the Committee at the beginning and give the Committee the best advice they can, but when we want to decide anything in the course of our deliberations—I say our deliberations because your Lordships have been good enough to propose me a member of the Committee—what part are these gentlemen expected to play in that part of our duties? The ordinary practice of Select Committees is that that part of their duty is done in private. Evidence is not always but generally taken in public; but the deliberations of the Committee are usually in private. Who will be present then? I can conceive that it might be very inconvenient to have these Indian gentlemen present. Let me say at once that my observations are not intended to be in the least disrespectful to these Indian gentlemen. I should say exactly the same thing in reference to Englishmen who were not members of the Committee. It would be very inconvenient for them to be present—for people not responsible to hear all the discussions, which must, to some extent, and indeed ought to a great extent, to be free. Do not let anyone say that I have spoken without proper regard to

the feelings of our Indian fellow subjects. That is not the point. The point is that to have strangers present as of right would lead to a very difficult position. I should like to hear from the Government, as they have a very large majority on the Committee, what their view is as to the position in that respect of the Indian representatives.

Then comes the question of evidence. Here, I admit, I am upon very difficult ground, but it is necessary just to touch upon it. When we hear evidence we shall want to hear the truth. How shall we most certainly get the truth? It is not always very easy to get the truth in evidence. I speak in the presence of many noble and learned Lords who have spent their lives in trying to get the truth in evidence. It is not easy, and I think I may say that in the case of Orientals it is more difficult than in the case of Westerners. It depends upon traditions and up-bringing and environment into which I need not go now. But so it is. It may be necessary therefore for the evidence, if it is to be anything like the truth, to be heard in private—*in camera* I believe is the proper phrase. I should like to receive from the Government an assurance that if it be necessary—it may not be necessary, and I do not want to anticipate any decision; but if it be necessary, in the opinion of a substantial body of the Committee that evidence should be heard in private, the Government will not set themselves against it. After all, the Government must be anxious to get the truth as far as it can be got. They also, I am sure, will desire to carry with them as far as they can all their colleagues on the Committee. I am quite certain no one would say that more readily than my noble and learned friend who leads the House. In those circumstances I suggest that if a substantial body of opinion in the Committee desires to hear evidence *in camera*, the Government will consider that suggestion. I put this forward because it is really necessary that there should be an understanding beforehand. We do not want charges of breach of faith made in England or in India. Let us have nothing of that kind. Therefore I very humbly suggest to His Majesty's Government at this, the earliest moment at which I could properly mention it, that they give favourable consideration to this matter.

The Marquess of Salisbury.

THE MARQUESS OF READING: My Lords, in view of what has fallen from the noble Marquess, may I suggest that surely it is not for the Government to tell us what is going to happen on the Committee? Why should the Government policy be asked for on this question?

THE MARQUESS OF SALISBURY: Because they command a very large majority.

THE MARQUESS OF READING: I do not know exactly what the noble Marquess means by that. For example, I do not know whether he would consider that I belong to the Government majority. I may agree with much that has been said, and I have expressed my views very frankly to the House, but it does not follow that I should agree with the Government. I think the difficulties put by the noble Marquess are real. They are matters we shall have to consider, but surely it is not suggested that the Government, either now or at any time, are going to lay down to us the policy that we as a Committee are to adopt. No doubt they will give us a lead in Committee, but I should strongly object to sitting on a Committee where I am intending to give the best of my judgment and intelligence to the consideration of all matters that come before it, if the Government are to tell me beforehand that I am to agree to some particular plan. As I understand there would be no shadow of doubt about this. Lord Birkenhead, when Secretary of State, announced definitely that this was to happen, and it has always been said—not the other day, but always—that when this matter had been discussed at the Round-Table Conference it would come before a Joint Select Committee and that the Joint Select Committee would have to determine it. The only observation that I make with regard to it is to ask the Government, after what the noble Marquess has said, whether it is intended that this Committee is in any way to be bound by any view the Government put except as an indication of opinion on which the Committee will be entirely free to choose its own course after hearing everything there is to be said?

VISCOUNT HAILSHAM: My Lords, in answer to the noble Lord, Lord Rankeillour, who said it was desirable

that a draftsman should be attached to the Committee, I do not quite know at what stage it would be useful to have a draftsman or whether, inasmuch as they are not apparently going to produce a Bill but to make a Report, a draftsman would be desirable. But I am sure that if the Committee reached the conclusion that the assistance of a draftsman was desirable, there would be every readiness in the Government to concur in that view and to assist the Committee in any way in its power—which is its only object and purpose.

With regard to the questions of the noble Marquess, Lord Salisbury, the reason I ventured to demur a little to his description of the terms of the Resolution is that the question as to the calling into consultation of Indians does not arise on this Motion at all, but forms part of the Motion carried last week. That Motion was:

> "That, before Parliament is asked to take a decision upon the proposals contained in Command Paper 4268, it is expedient that a Joint Select Committee of Lords and Commons, with power to call into consultation representatives of the Indian States and of British India . . ."

and so on. What the noble Marquess was quoting was the Resolution which both Houses have adopted. All we are trying to do to-day is to name the Lords who are to form the Committee.

THE MARQUESS OF SALISBURY: Perhaps it is going rather too far to be rigid about order in your Lordships' House, but may I suggest that as the words in question form part of the Notice my observation would be strictly relevant?

VISCOUNT HAILSHAM: I have no objection to answering any question and I only wish to indicate that the matter of calling in Indian representatives was disposed of last week. My noble friend now puts a series of questions as to the exact part the Indians are expected to play. He asked whether they would vote. Obviously nobody can vote on the Committee except the members of the Committee and therefore I think I can definitely say that the Indians cannot vote because it would be contrary to the Parliamentary doctrine that nobody should vote on a Joint Committee except the appointed members of the Committee. Then he put a series of questions—I may say very important questions—as to what part they would take in the deliberations—whether they would be present during the discussion of the Report, whether they would be present throughout the taking of evidence, and matters of that kind; and he pressed me to say that if there was a substantial feeling in the Committee in favour of one procedure the Government would do their best to facilitate it.

Those matters really are matters which the Committee will have to decide for itself. The Government do not wish to impose on the Committee an obligation to have a greater amount of assistance and collaboration from the Indians the Committee invite than the Committee desire, and the Government would be very sorry to do anything which would hamper the deliberations or check the evidence before the Committee. Whther or not the difficulties my noble friend foresees will actually arise depends, I think, a good deal on the nature of the evidence which is called and the line the Committee determine to take. All I desire to say, so far as the Government are concerned, is that we do not want to compel the Committee or drive the Committee into doing anything, but only that the Committee shall decide for itself these matters, taking into account such statements as have been made in past years, so that the Committee on the one hand shall do nothing to disappoint any expectations which have been legitimately raised and on the other hand certainly do nothing to hamper its own labours in arriving at the best solutions.

I do not think I can usefully say more. If I were to say more on behalf of the Government, and indeed without any authority from the Secretary of State who cannot communicate with me just at this moment, I should be, I think, rather hampering than helping the Committee in reaching a decision because when it meets to-morrow, as I understand it will, or as soon after as it gets to effective work, I am sure the noble Marquess, Lord Salisbury, will raise the questions he has raised to-day and the Committee will consider how far it is desirable to make up its mind at once or to wait a little to see how the matter develops. The Committee will, after considering all the pros and cons, reach its own conclusion and I am sure will desire

to avail itself of the Indians it invites, assuming it does invite them, as much as it can, and will not on the other hand want to do anything which will prevent it from reaching the real facts or making the most useful Report to Parliament. I do not think I can usefully say more, not because I do not want to help the noble Marquess, but because I do not want to incur any risk of allegation of breaches of faith or misunderstandings which would be unfortunate if they arose hereafter in any quarter of the House.

On Question, Motion agreed to.

RUSSIAN GOODS (IMPORT PROHIBITION) BILL.

Order of the Day for the Second Reading read.

VISCOUNT HAILSHAM: My Lords, before I move the Second Reading of this Bill I am asked to mention that my noble friend Lord Danesfort has, I understand, made up his mind that the Performing Animals (Regulation) Amendment Bill will not be taken this evening, and is postponed till Thursday, May 4. I believe some of your Lordships who are largely interested in that Bill will like to have that information, although I hope we may have the benefit of their attendance during the discussion of this Bill. The Motion I have to bring forward is for the Second Reading of the Russian Goods (Import Prohibition) Bill. I have thought that the best way in which I can explain the case to your Lordships, and I am afraid I must take a little time for that purpose, as the matter is of great importance, would be to reverse the usual order of things, and first of all to tell your Lordships what the Bill does and then, when I have explained the provisions of the Bill, to explain in some little detail the circumstances which, in the opinion of the Government, render it necessary for us to ask the House to pass the Bill through all its stages this afternoon.

The Bill by its first subsection provides that:

> "It shall be lawful by Proclamation to prohibit the importation into the United Kingdom of all goods whatsoever grown, produced or manufactured in the Union of Soviet Socialist Republics, or of any class or description of such goods specified in the Proclamation."

Viscount Hailsham.

This, as your Lordships will observe, does not impose any prohibition of any kind at all, but gives power to the Government if the Government see fit to exercise it. In subsection (2) there is a provision which places goods so prohibited in the same category as goods prohibited under any other Act of Parliament, which is a usual provision where such a Proclamation takes place. Then, in subsection (3), there is a provision as to proof of the origin of goods. In subsection (4) there is a provision as to goods which have been partly manufactured within the Soviet Union and partly manufactured outside it, and such goods are entitled to be exempt from the prohibition if 25 per cent. or more of their value is attributable to processes of manufacture which the goods have undergone since they last left the Soviet Union. Both those provisions are taken from other Acts of Parliament dealing with similar subject matter. Subsection (5) exempts the entrepôt trade. Subsection (6) gives power to revoke or vary a Proclamation by a subsequent Proclamation, and subsection (7) provides that a Proclamation under this Act shall only be valid for three months, unless during the continuance of those three months a Resolution is passed by each House of Parliament asking that the Proclamation shall continue in force.

Clause 2 is declaratory in form, because it probably is the law that where there are goods prohibited by Proclamation His Majesty can, by licence, authorise the importation of goods. Clause 3 provides for relief in case of non-fulfilment of any contracts due to the existence of the Proclamation. This is to deal with the somewhat tangled skein of case law which grew up during the War, as to how far the interference with trade constituted a good defence, or the frustration of the contract so as to render it impossible of fulfilment. Clause 4 states the short title and fixes the date on which the Act shall come into operation—namely, the 18th of April, 1933. The reason that day is chosen is that the present trade relations between Great Britain and Russia are regulated by a trade agreement entered into some years ago which was terminable by six months' notice on either side. In that trade agreement there was a most-favoured-nation clause. The agreement was in fact terminated by six months' notice given after the

return of the delegation from the Ottawa Conference, and consequently the present trade agreement will come to an end on April 17, and under this Bill therefore no Proclamation can validly be made during the currency of the trade agreement, because the most-favoured-nation clause would be violated if such a Proclamation were made.

So much for the terms of the Bill. I ought perhaps to tell your Lordships how much trade is potentially affected. In 1932 the total imports into the United Kingdom by the Soviet Union were £19,697,013, and the exports from this country, which are not affected by this Bill, were £9,274,534. Therefore, the trade balance in favour of the Soviet is just over £10,000,000. If one goes back to earlier years the imports were larger and the trade balance in favour of the Soviet considerably larger than last year.

Now, my Lords, having said so much, I have to explain to your Lordships why it is that we ask Parliament to give the Government these admittedly exceptional powers at this present moment. The story begins about a month ago, and it relates to a company called the Metropolitan-Vickers Company and certain British subjects employés of that company in Russia. The Metropolitan-Vickers Company, as a great many of your Lordships' House are probably aware, is a company which has a very high reputation in the electrical engineering world. It carries on a very large business. Some ten years ago the Metropolitan-Vickers Company began dealings with Soviet Russia. As your Lordships know, after the Bolshevist revolution the Government of Russia desired to industrialise to a very large extent some parts of Russia, and for that purpose it was necessary for them to make some very important contracts with foreign firms. Among those foreign firms was the Metropolitan-Vickers Company, which, beginning ten years ago, has had a number of contracts with Soviet Russia under which it has supplied and erected some very important electrical machinery—some almost ultra-modern machinery, because the Russians were anxious to have the very latest things, and in some cases I believe got some machinery which had gone very little beyond the experimental stage. The most recent was only six months ago.

In addtion to the contracts for the supply of machinery the Soviet Government entered into contracts for what was called "technical assistance." That was made seven years ago, for a period of five years, and under that the company undertook to supply skilled engineers to Soviet Russia, who should take care of and supervise some of the highly technical plant. That contract ran for five years successfully, and then the Soviet Government renewed it for another term of years, of which there are some years still to run. In pursuance of that contract it was necessary for the Metropolitan-Vickers Company to send to Soviet Russia a number of highly-skilled engineers, men of very high standing and reputation in their own trade and business, who have been there for some years and who, in the ordinary course of events, would have stayed there for a good long time to come. The relevance of that explanation lies only in this: First of all, the people concerned, the company and the employees, were people who have the very highest standing and reputation; secondly, both the company and its employees are people who have had dealings with the Russians for a long time, with whom the Russians by experience have proved themselves very well satisfied, and they are people who have every inducement, so far as self-interest is concerned, to continue on the friendliest terms with the Soviet Government, because actually there was outstanding at the end of last month something like £1,500,000 owing from Soviet Russia to the Metropolitan-Vickers Company.

These skilled engineers, as I say, have had a long period of service in Russia and in the ordinary course might look forward to another long period before their contracts came to an end. In these circumstances it was that on Saturday, March 11, at about half-past nine in the evening, secret police agents came to the house of Mr. Monkhouse, who was, I think, the principal of the engineers employed by Metropolitan-Vickers in Russia, armed with warrants to arrest and warrants to search. They arrested Mr. Monkhouse and Mr. Thornton, another of the engineers employed, and they made a search of everything that was to be found on the premises. There were also a certain number of Russian employees who were also arrested at the same time.

Mr. Monkhouse was taken away to the Lyubianka, the great state prison in Moscow, and one of the employees of the company, Mr. Buckell, who happened to be present when the arrest was made, went next morning, which was Sunday, March 12, to the British Embassy and reported what had happened. Inquiries were made and it then appeared that another of the flats occupied by one of these employees, Mr. Cushny, had been raided early that morning, about half-past eight, and Mr. Cushny and Mr. Macdonald, both British subjects and employees of the company, had, like their colleagues, been arrested and a number of documents had been seized.

As soon as that information reached Sir Esmond Ovey he at once reported it to this country and he at once attempted to get into touch with the Russian Foreign Office. Unfortunately, it was what is known in Russia as a rest day—I think every sixth day is a rest day, and by a coincidence it was the same day as our Sunday. Accordingly the Russian Foreign Office disclaimed any knowledge of what had happened, and said they could not attend to it until the next day. On the 13th further inquiries were made and attempts were made to ascertain whether or not there was going to be a trial of these men, what charge it was on which they were arrested, and to get the fullest possible particulars. The Soviet Government were informed that the British subjects arrested were men of the highest standing, and that we at any rate felt confidence that they were not the sort of people who were to be regarded as potential criminals. Of course, at that time we did not know the nature of the charges that had been made. That was Monday, March 13. On Tuesday, March 14, Mr. Monkhouse was released on parole and Mr. Monkhouse was able therefore to see Sir Esmond Ovey and to give an account of what had happened to him.

It will be found in document No. 13 in the first of the two White Papers which have been issued in connection with this matter. Mr. Monkhouse, having been taken to the Lyubianka prison, was cross-examined, his cross-examination beginning at 8 a.m. on the Sunday morning after his arrest and continuing in the first instance without intermission for a period of no less than 19 hours. There were three successive teams of cross-examiners, who took it in turn to relieve one another. Mr. Monkhouse was allowed to have meals during his cross-examination but the cross-examination went on uninterruptedly during his meals; and accordingly for a period of 19 hours consecutively Mr. Monkhouse was kept under cross-examination. I venture to stress that a little, because I am not sure whether anyone who has not had experience of what examination and cross-examination mean can quite realise the nervous and mental strain involved in keeping a man continuously under cross-examination for so long a period of time. A time comes when the nervous and mental exhaustion is so great that a man will say almost anything to bring the examination to a conclusion. And there is good reason to fear, as your Lordships will see when I get later on in the story, that that is a favourite method which is adopted by the secret Russian Police of the G.P.U.

Mr. Monkhouse's examination having continued for these nineteen hours, it is remarkable to notice that there was no material evidence which the Russian Police had with which to confront him. The whole time was taken up in endeavours to entrap him into what they describe as a confession. He was asked every sort of question with regard to his activities in Russia and pressed all the time to confess that he had been guilty of some form of political crime against the Russian State. At three o'clock in the morning he was allowed to go to his cell for 4½ hours' rest. Unfortunately under the regulations prevailing in Russian prisons, he was disturbed and wakened up three times during the 4½ hours that he was allowed to be there. At half-past seven in the morning he was again brought forward for cross-examination, and this time his cross-examination went on without a break until eleven at night. At eleven o'clock at night the examiners threatened him that unless he confessed he would be treated as a criminal, and, as I shall show your Lordships presently, in fact they threatened him with summary execution if he did not confess. Mr. Monkhouse stuck to it and said that there was nothing to confess. The Russians then changed their tactics

during an hour's pause and he was released on parole.

The story of Mr. Monkhouse is mainly relevant for the moment as indicating the sort of treatment to which our subjects have been submitted in their prison. On the same 14th of March it was permitted for the British Embassy representatives, or one of them, to go and see the remaining prisoners who were in prison. But it was made a condition first that each prisoner should be seen separately; secondly, that they should be seen in the presence of the Russian police; and, thirdly, that no reference at all should be made to anything connected with the case or with regard to their imprisonment. The result was that, although the conversation was reassuring in so far as it showed that these men were still alive, they had obviously completely to ignore the situation in which they found themselves and were really confined to sending reassuring messages to their wives and friends at home. That interview took place on March 14. The terms are set out in the White Paper and the effect produced on the appearance of the prisoners is shown in Document No. 20, where Sir Esmond Ovey reports:

"While the prisoners seemed generally in good heath, the drawn expressions of Messrs. Thornton and Cushny gave me definite impression of their having been 'put through it.' They were all obviously terrified of speaking and confined themselves to minimum of replies."

And the telegram concludes:

"While I was of course received with utmost courtesy and military display, the obsequiesence of the unfortunate prisoners and utterly artificial atmosphere of restraint created an uncanny impression."

That was after three days in a Russian prison. It is not a very reassuring account to get of our fellow subjects under these conditions—obviously terrified of speaking, obsequious, acting in an utterly artificial atmosphere of restraint—it takes a great deal to produce that result in three days on an English or Scottish engineer.

On the same day a Decree was published by the Central Executive Committee which you will find in Document No. 23 on page 15. This Decree states:

"There have been recently disclosed instances of the participation in counter-revolutionary wrecking activities of certain State employees especially bound by their position and by the right with which they are invested to maintain an honourable and conscientious attitude towards the Workers' and Peasant State. In this connection the Central Executive Committee of the Union of Soviet Socialist Republics explains that the right accorded to the Ogpu—that is the Secret Police of Russia—of dealing at judicial sessions of the Collegium of the Ogpu with cases of sabotage, arson, explosion, damage to machine plant of State undertakings and other form of sabotage and of applying all measures of repression according to the nature of the offence must be exercised with especial severity in regard to employees of State institutions and undertakings convicted of such offences."

Apparently, from such inquiries as we have been able to make, these engineers, since they are employed under contract in Russian State institutions and undertakings, are regarded as employees of those institutions within the meaning of that Decree.

That Decree caused considerable anxiety both at the Embassy at Moscow and at home, because we had received on the 3rd of March, the same day that our subjects were arrested, a telegram which is No. 3 on page 3 describing how the Ogpu had exercised their right of dealing with these cases. This is the telegram:

"Ogpu have to-day issued a *communiqué* stating that case of officials accused of agricultural sabotage was examined by Collegium of Ogpu on March 11. Thirty-five condemned to death by shooting; twenty-two to ten years and eighteen to six years imprisonment. *Communiqué* states sentences have been executed."

Your Lordships will see that apparently under the law of the Russian Soviet Republic, if the charge is one of political sabotage or damage to machine plant, it is within the competence of the Secret Police of Russia to condemn and execute those persons so accused without trial and without communication, and to act on the sentences immediately without anybody knowing anything about it. In these circumstances we were not reassured by knowing that "especial severity" was to be exercised in future. You will find a telegram of March 16 on page 18 stating that nine Russian employees of the firm had been arrested as well, and on the same day, in Document No. 29, there is a report from Sir Esmond Ovey to Sir John Simon of his interview with M. Litvinov in which he explains his apprehensions in view of the documents to which I have called attention.

I do not want to take up too much time, and that is all I need to refer to in the

first White Paper; but since this matter was discussed in another place we have found it possible, and have thought it useful, both for your Lordships and to inform public opinion in the country generally, to publish certain further correspondence which I hope is in the possession of most of your Lordships this afternoon. If I may venture to call attention to one or two documents in that second White Paper you will see that on the 19th of March, that was a week after the arrest—the following Sunday—permission was accorded to a representative of the Embassy to go and see the prisoners in Lyubianka prison, still under the conditions I have referred to that nothing was to be said about the case at all. In Document No. 2 on page 2 we get a report as to the impression created:

"Condition of Mr. Thornton indicates severe gruelling, impression given being of one who had lost power of concentration and wes reduced to mental apathy. Mr. Walton"—

that was the British Embassy official who attended—

"informs me of distinct relaxation in general atmosphere. Mr. Macdonald's reference to troubled sleep was evidently intended to indicate constant disturbance."

I shall be able to show your Lordships later on what had produced that condition in Mr. Thornton, and how natural it was that he should show in his appearance the symptoms which Mr. Walton there described.

On March 26 Mr. Monkhouse was sent for to see the Public Prosecutor. Mr. Monkhouse is the one who had been let out on parole; and in Document No. 7 you will see the report of what happened at that interview:

"Mr. Monkhouse was called upon to admit knowledge of a certain entry in company's books involving approximately 250 roubles Torgsin bonds, and, having admitted knowledge of this transaction, he made a statement that he knew of no other transaction having occurred which could be interpreted as bribery. He was then confronted with a signed statement in Mr. Thornton's own handwriting admitting a long list of small presents and monetary payments which had been made by Mr. Thornton over a period of nearly ten years. Most of the items were quite small, being for suits of clothes, etc., given to Russian engineers and technicians with whom the company had worked. Mr. Monkhouse, after having read the list, said he had no statement to make in regard to this, and that he regarded most of the transactions as the personal affairs of Mr. Thornton.

"He was then shown another list involving larger sums, but up to the moment has only been permitted to see the first item, which covers an amount approximately of 2,000 paper roubles"—

that is about £26—

"allegedly admitted by Mr. Thornton to have been handed over to Mr. Macdonald to distribute amongst technicians and others at Zlatoust, a munition works, 'political and economic spying purposes'."

The reason I call attention to that interview and that report is that later on Mr. Thornton came out of prison and was seen at the Embassy. It appears that this statement then made to Mr. Monkhouse by the Public Prosecutor that Thornton had admitted handing over this money for "political and economic spying purposes" was declared a complete untruth.

Your Lordships will find that in Document No. 7 the last paragraph but two states:

"The examiners stated that money had been paid in order to arrange a serious breakdown at the Zlatoust works, but Mr. Monkhouse pointed out the company had only carried out a comparatively small turbine installation at these works and that no trouble had been experienced. The examiners then stated that there had been a serious breakdown, but not on the Metropolitan-Vickers plant. Mr. Monkhouse then made a declaration that he knew nothing whatever of any breakdowns at Zlatoust or any transactions involving sum named. To him it is incredible that an amount relatively as large as this could have been paid from any of the company's resources without the fact having come to his knowlege. Mr. Monkhouse was also shown Mr. Macdonald's confession of the handing over of the money at Zlatoust.

"From the folders which were produced and which Mr. Monkhouse was able to see (only selected paragraphs being shown . . .) it is obvious that Mr. Thornton has, during the period of his incarceration, written extraordinarily lengthly statements covering practically every activity of the company during its nearly ten years' work in the Soviet Union."

The comment on that is in the telegram in Document No. 8:

"Sums referred to are trifling. Alleged evidence on the subject can only come from confessions extorted from prisoners under conditions which one can only presume were at least as trying as those to which Mr. Monkhouse was subjected."

I shall be able to show your Lordships from the story of the prisoners themselves that that is, if anything, as understatement. The document goes on:

"Prosecution had a whole mass of papers which they indicated to Mr. Monkhouse contained further evidence with which to confront him."

Then on the 28th, two days later, Mr. Nordwall, who was in their employ, and who had been let out after, I think, only a mere ten hours' examination, was sent for and the Public Prosecutor's interview appears in Document No. 15, page 9:

"Mr. Nordwall was asked by Public Prosecutor to admit that he had distributed considerable sums of money in Ivanova-Voznesensk district at the end of 1931 and in January, 1932, for wrecking purposes. Mr. Nordwall stoutly denied suggestion, which is completely untrue. He was then shown an alleged confession by Mr. Thornton to the effect that Mr. Thornton had given Mr. Nordwall money for this purpose."

Again, if your Lordships will be good enough to look at Document No. 24, in its last paragraph but one, you will find that no such confession was ever made. Document No. 15 continues:

"Mr. Nordwall repeated his denial. He was next confronted with a Russian engineer whom he knew at Ivanova and who, by his appearance, had obviously been brought from prison. This engineer in Mr. Nordwall's presence confessed that Mr. Nordwall had on several occasions given him sums of the order of 2,000 and 3,000 roubles for wrecking activities, and that he had actually engaged in various wrecking work of which he gave details. Engineer stated that he had been instructed by Mr. Nordwall not to wreck any Metropolitan-Vickers plant so long as it was under guarantee from the firm, but to devote his attention to other companies' plants or to Metropolitan-Vickers plant which was out of guarantee. Mr. Nordwall denied any such thing ever having occurred. Engineer then appealed to Mr. Nordwall to confess his guilt in the same way as he himself had done.

"Prosecutor then said to Mr. Nordwall; 'You did anyhow give him a fur coat.' It is true that this engineer did purchase a fur coat for 400 roubles from Mr. Taylor, one of the company's test department engineers, who visited Ivanova about that time and who is now in England. Mr. Nordwall was in the transaction as an interpreter only and as channel for receipt of purchase price. Mr. Nordwall told Prosecutor that money had passed through his personal account which is available at the company's Moscow office. Police immediately searched office accounts and found that Mr. Nordwall was mistaken in his recollection."

If your Lordships would go back to No. 14 you will see a little of the methods which the Russian Secret Service use to obtain these confessions:

"Last October . . . . Mr. Cushny was approached and asked to undertake secret work unknown to his firm in connection with purchase and supply of electrical plant for Soviet power stations. He was offered 250 dollars a month for this work. Mr. Cushny refused to consider proposition, although he was approached on several occasions. In November a Russian woman was sent for by authorities and instructed to seduce Mr. Monkhouse and persuade him to do this work. She refused."

Then in No. 16, on page 10, there is something which I think explains why we are a little anxious about Soviet trials:

"Two of defending counsel in Shakhti case were exiled after the trial. Their ostensible private conferences with accused were overheard and recorded by microphone by G.P.U. After the trial they were confronted with this record and told that their conduct was incorrect and that they must suffer for it."

That is one method of ensuring that the defending counsel shall not put forward too plausible or convincing a defence.

On the 1st April we got in Document No. 22 a telegram which shows how puzzled Mr. Monkhouse was over these alleged voluminous confessions of Mr. Thornton:

"Mr. Monkhouse is puzzled and disturbed by Mr. Thornton's apparent voluminous 'confessions.'

"Possible explanation are—

"1. That Mr. Thornton, who was born in Russia and is a man of the world with intimate knowledge of Soviet ways and of history of past Soviet trials, has written down everything suggested to him by the G.P.U. or Prosecutor, however absurd with intention of repudiating every word of it at the trial.

"2. That in his present state of nerves he has broken down and made false 'confession' under one of the well-known forms of G.P.U. pressure, such as threat of consequences either to himself or Mme. Kutosova"—

the Russian secretary of the company—

"or both in the event of his failure to 'confess' (Mr. Monkhouse was so threatened—see his letter to Mr. Richards of March 14), offer of release if full 'confession' is made, or threat of exposure to the world of his alleged intimate relations with Mme. Kutosova."

that is a suggestion, I understand, for which there is no sort of foundation. The telegram goes on:

"At Lyubinaka G.P.U. threatened to confront Mr. Monkhouse with Mme. Kutosova, and he challenged them to do so, whereupon they let the matter drop.

"That being of generous nature and well liked by all Russians with whom he works, he has been indiscreet in helping them in their need, either in money or in kind, conduct which G.P.U. and Prosecutor have twisted into ground for

accusation of either sabotage or espionage. Every foreigner in Russia brings in necessities from abroad for Russians, friends or associates."

I do not think I need read the rest of that telegram. Perhaps, however, I ought to mention that your Lordships will see a reference to Mr. Monkhouse's letter to Mr. Richards, who is a director in London of the Metropolitan-Vickers Company, of the 14th March. It is a long letter and I do not propose to read it all, but there is one passage which is worth reading. It is Mr. Monkhouse's own account of what happened at the end of his second seventeen hours of cross-examination. Your Lordships may remember that in the original account which appeared Mr. Monkhouse was threatened if he did not make a confession. This elaborates it a little:

"At this stage my examiners rushed away and left me under guard in the examining room for about an hour. When they returned they told me I had not made a full confession and was hiding information and that I must be regarded as a criminal and be punished accordingly. They were most threatening at this stage and the senior man told me that if I persisted in this attitude, it would be the end of being of any service either to the Soviet Union or to Great Britain and he asked me if I realised what he meant. I told him I did and was prepared."

He knew what was meant—that he might be shot in prison, as so many other unfortunate victims of ogpu have been in the past.

On April 4 Mr. Thornton was let out on bail and his account of what happened appears in Document No. 24, which is on page 16 of the White Paper:

"Mr. Thornton is worn out, and it was not easy to get a connected story from him. He has been under interrogation from the day of his arrest until this morning"—

that is, from March 12 until April 4—

"On one occasion for about twenty-one hours without a break. He found suspense of waiting for the next summons and perpetual tramping up and down stairs in a heavy coat most exhausting. He was never directly threatened or offered a straight bargain for a 'confession,' but there was a strong undercurrent of menacing hints during his examination and occasional suggestions of lucrative employment in return for satisfactory answers. He was confronted with Mr. Cushny and Mr. Macdonald and many Russians, including Mme Kutosova, sometimes unexpectedly. Russians made most fantastic accusations against him, and were either in a state of terror or obviously in league with G.P.U. He was many times deliberately misled, e.g.,

1. He was told that all the company's British employees in Russia had been arrested.

2. He was given daily bulletins of Mr. Monkhouse's health to make him think Mr. Monkhouse was still in prison.

3. Examiners read to him what purported to be Mr. Monkhouse's statements in his deposition regarding two instances of failure of plant supplied by the company some years ago (K 5 switches and Shatura transformers), to which Mr. Monkhouse had, in fact, made no reference whatever in his deposition."

"Acts of economic espionage which Mr. Thornton has admitted amount to no more than collection of information for company on state of company's plant, general condition of the country and prospects of future business. His admission of military espionage is founded on collection of three pieces of information which were common knowledge.

"As regards charge of bribery, he admits he gave small presents to Russians (which might be so described): a list which covers last eight years he has included in his deposition. He has a satisfactory explanation of transfer of money to Mr. Macdonald at Zlatoust which he will produce at the trial. . . . He remembers mentioning it casually to Mr. Richards. Examiner deliberately deceived Mr. Monkhouse in suggesting that Mr. Thornton had admitted that this money was for spying purposes and in leading him to believe that this was only one of a number of similar large transactions.

"He totally denies charges of wrecking and made no such confession as that produced by prosecutor to Mr. Nordwall of having given the latter money for this purpose. . . .

"G.P.U. tried unsuccessfully the whole time to make him confess (1) to working for Intelligence Service, (2) to obtaining funds for his activities from His Majesty's Consulate. Mme. Kutosova, company's secretary, who had been obviously terrorised, asserted in his presence on confrontation that he had drawn 50,000 roubles from Consulate. This is, of course, without foundation."

Then, my Lords—I am getting to the end of these stories—your Lordships will see in Document No. 25, on page 18:

"Mr. Thornton is astounded by what occurred at his confrontation with Mr. Macdonald. Mr. Macdonald stated that Mr. Thornton instructed him to engage in economic and military spying at Zlatoust. Mr. Thornton agreed that he had received information from Mr. Macdonald about state of Metropolitan-Vickers plant there, possibilities of future business and condition of workers. Mr. Macdonald asserted that Mr. Thornton had given him these instructions at his house near Moscow. Mr. Thornton denied this. Mr. Macdonald being questioned, agreed that he had told Mr. Thornton about wrecking of certain plant and that Mr. Thornton had expressed satisfaction. Mr. Thornton said Mr. Mac-

donald had told him no such thing. Mr. Macdonald said that he had received 4,500 roubles "—

that is, about £50—

"from Mr. Thornton for 'espionage purposes.' Being questioned, Mr. Macdonald agreed that he had given Mr. Thornton information about number and calibre of shells made at Zlatoust and about electrical mobilisation plant. Mr. Thornton totally denied this. M. Gusev, Mr. Macdonald's friend, made similar statements on confrontation, but put sum at 10,000 roubles."

That is, more than twice as much. The telegram proceeds:

"Mr. Cushny was shown Mr. Macdonald's charge, which is atrocious, of espionage in conjunction with M. Gusev in connection with military factories in and around Cheliabinsk and also at Leningrad. Mr. Cushny also saw the final protocol of Mr. Macdonald's deposition in which he pleads guilty in the offences with which he is charged."

Then in Document No. 26 we get this:

"Mr. Gregory and Mr. Cushny also made statements at Embassy this evening. Neither appears to have made any admissions under interrogation. Mr. Gregory has only been questioned for a few hours in all and his direct simplicity made his continued imprisonment inexplicable. Mr. Cushny was under daily examination, lasting, at first, for as much as twelve hours, until quite recently."

I need not read the whole of that; it is a very long document. Then we have Document No. 27 which says, under date April 7:

"Mr. Thornton this morning reported to me the following incident which occurred during his examination by Ogpu. It well illustrates one of the means of pressure exercised by Ogpu to extract confessions. For two days examiners tried to make him admit that he had received money from His Majesty's consulate and that he was member of intelligence service. They told him that Mme. Kutosova, the company's secretary, had testified to this effect and threatened to confront him with her. On erroneous assumption apparently that their relations were more intimate than that of friends and colleagues, and rightly thinking that he has great regard for her directly, they added that, if at this consultation he said that she was not speaking the truth, she would, under the articles of criminal code relating to bearing false witness at an investigation, suffer the highest measure of punishment, *i.e.*, presumably death . . ."

I ask your Lordships just to visualise for a moment what that means. You get some unfortunate man, you interrogate him for twelve hours, fifteen, thirty-three, nineteen, twenty-one hours at a stretch until he is almost willing to say anything to escape from the terror of perpetual examination. You then tell him that if he confesses he will get off with a comparatively light sentence, but if not he will probably be executed then and there. If that does not succeed you tell him many other people have admitted it and that if he contradicts it those people, his friends, will be executed because they must have given false testimony. Can one imagine a more terrible manner of trying to torture a man into giving an untrue story? I ought, perhaps, to continue reading this document. It goes on:

"When confronted with him, Mme. Kutosova, who is normally an able, intelligent woman of about forty, was in pitiable state of terror and, like other Russians with whom Mr. Thornton has been confronted, after an initial hesitation, reeled off her accusation mechanically in an unnatural voice as if by heart. She asserted that he had drawn money from consulate, that he was a member of intelligence service, and that he had been engaged in wrecking. Mr. Thornton repudiated the whole of her statement.

Mr. Monkhouse and Mr. Thornton suspect that Mme. Kutosova, who was already shattered by her arrest and examination last January, has now been broken by the usual threats in regard to her relatives.

Mr. Thornton also recalls that at his confrontation with Mr. Macdonald . . . his amazement at Mr. Macdonald's statements began to embarrass the latter, whereupon examiners made Mr. Thornton sit with his back to Mr. Macdonald for remainder of confrontation. He says that Mr. Macdonald 'looked awful.'"

My Lords, that is the end of the story down to the date to which the White Paper brings us. What we have now to make quite clear to your Lordships is what it is that we say and what it is that we do not say. First of all His Majesty's Government do not say and never have said that if a British subject goes to a foreign country he is not liable to be punished for offences against the law of that country or that he can with impunity commit crimes in that country. Secondly, His Majesty's Government do not say and never have said that they insist that the methods of administration of justice in every other country to which our subjects may go, are to conform with our own or that the rules of evidence which regulate our Courts have to regulate their Courts. That would be an impossible and preposterous proposal. What we do say is that a Britsh subject is entitled to a fair trial by an impartial tribunal, by an

independent Court, and we say clearly that at that trial the evidence which is produced against the accused, while it need in no way conform with our own canons of evidence, must of be such a nature and given in such circumstances as to afford a reasonable assurance that it can be relied upon. The danger which we see in the present case is that neither of those conditions seem likely to be fulfilled.

First of all as to the independence of the tribunal. Thanks to the linguistic attainments of my secretary I have obtained a translation of a book called "Courts and Law in the U.S.S.R." by N. V. Krilenko, former Public State Prosecutor and now Minister of Justice of the Soviet Republics. It was published by the State Publishing Department in 1927, and it may therefore be taken as an authoritative statement of Soviet views of their own Courts of Justice. This is the translation:

"The Courts are organs of State administration, and as such do not differ by their nature from any other organs of State administration, which are all called upon to give effect to and carry out one and the same State policy. In particular, in their specific work of maintaining the existing legal order, the Courts do not differ qualitatively in any way from such an organ as the Cheka. This results in an essential incompatibility between the idea of Soviet justice on the one hand and on the other the ideas of division of powers and independence of the Courts, the peculiar ideological philosphy of bourgeois liberalism. Soviet justice entirely repudiates both these principles. The Proletarian Court—the organ of the class in power—does not separate itself either from this class or from its policy. The Courts are the organs of State power, and as such have as their basic function the defence of the interests of the revolution and the defence of the existing social order. Every Court worker must therefore be fully conversant with all the questions of State policy, and must bear in mind that in his judgments in particular cases, whether civil or criminal, he is to give effect to this policy of the ruling class and to nothing else. . . ."

In other words, when a man is brought before a Soviet Court on a criminal charge in which any question of State policy is involved the question is not whether the man is guilty or not, but whether or not it is in the interests of the State administration that he should be convicted and sentenced. How can one rely on justice administered by such a Court based on such principles?

When the debate took place in another place one member who had been in Russia and had been present at Russian trials, Mr. Patrick, described how he sat through one of the State trials "looking at an enormous red banner hung behind the Judges' table at which the judges were sitting smoking." Mr. Patrick said:

"Upon the banner in large white letters was written, 'This Court is the organ of the Proletariat.' That is one of Lenin's classis remarks; typical of his sayings quoted as texts on all occasions. Those words mean precisely what they say. The court is the organ of the proletariat, and by a simple chain of Communist doctrine which I will not go into on this occasion, the court is the organ of the class war, and exists for that main purpose."

Then he goes on to describe the methods by which they obtained evidence and when you remember that this was before the publication of the second White Paper you will see how remarkably it fits in:

"Most certainly these State trials have not suffered from lack of evidence. The explanation of that is very simple. The matter has been in each case in the hands of the Ogpu, and the procedure has been the same in every case. It has been decided in advance what type and sort of evidence is required, and the usual course has been to arrest a number of people and put them into prison. . . . The arrests are usually made in the early hours of the morning. The arrested man disappears, and very often his family hears nothing of his whereabouts for weeks or months. At the end of that time, possibly, his family may receive a curt message that he has been shot a fortnight or three weeks before. In other cases they may hear nothing. Their relative has gone and is lost, without any news at any time. Having obtained the necessary number of prisoners and determined on the plan of action, the next step is to get their evidence, and they do it by selecting one or two who are known as the lucky ones. They are subjected to long cross-examination, and when the prisoner is in the right frame of mind they say to him: 'In exchange for your signature to this confession, we will promise you a light sentence. In default of that signature, your sentence will be death.' The prisoners knows that that is not an idle threat. Therefore, he has no alternative, and he signs his confession implicating himself very often in most fantastic charges, and, what is more painful, from our point of view, he almost inevitably implicates a great number of his comrades."

It was stated in debate elsewhere that during the whole history of the Russian Soviet there never has been an acquittal in a political trial; in every one there has been the evidence of confession, such as that described, and such as that we see was attempted to be obtained, and in

some cases was obtained, in the present instance. In one instance—I think it was in 1928—there was a trial in which elaborate confessions were produced showing that a plot had been organised by Colonel Lawrence, now known as Aircraftsman Shaw, and the witnesses described interviews which were supposed to have taken place at a time when Aircraftsman Shaw was at Karachi. There was another trial in which thirty elaborate confessions were obtained of people who had conspired with an alleged White Russian leader—Ryabschinsky, I think it was—in Paris who had been dead three years when the confessions were obtained. None the less the confessions were obtained and conviction also. Can you wonder if His Majesty's Government are anxious when they know that those are the methods adopted and that those are the results in other cases?

For myself, and I believe I speak here for the Government also, we earnestly hope it may not be necessary to make use of these powers, but we are anxious by every means in our power, and especially by the overwhelming decision which I hope I shall obtain presently from your Lordships' House, to satisfy the Soviet Government how seriously this matter is regarded in this country. We want them to understand that the whole of the people of this country are behind the Government in this matter and that we are determined to leave no stone unturned to secure justice for our fellow subjects in peril in Moscow. I say I hope it will not be necessary to use these powers, but after all the powers, when obtained, are no other than those the Russians already have, and I venture to think that it is not unreasonable, in view of the facts and documents which I have produced to the House this evening, that we should ask your Lordships to give us the economic power which is proposed, in the form of pressure which we could use, in order that we may be armed as far as may be to protect His Majesty's subjects in peril in a foreign country.

Moved, That the Bill be now read 2ª.—(*Viscount Hailsham.*)

LORD PASSFIELD: My Lords, I want to state at the outset that whilst I cannot say that I entirely concur in the manner in which the noble and learned Viscount has put his case—as to which I shall have something to say presently—I do entirely concur in thinking that the Government, that is to say, the members of Consulates and Embassies in all parts of the world, should intervene whenever any British subject is arrested and not merely when he represents a firm of high standing, or is of high character. The fact of being arrested in a foreign country and held in a foreign prison, under an entirely different system of legal procedure, is in itself so disturbing and seriously affecting to the person arrested that I want His Majesty's Government to intervene in every such case in the most effective way, in the interests of British subjects who are there.

As a matter of fact, as the noble Viscount probably knows, Consular officers and Embassies in the different countries are constantly intervening whenever arrest takes place of British subjects, and not in Soviet Russia alone. It is a regular thing, and I have seen it myself quite frequently. Certainly, if His Majesty's Government want to be furnished with further powers of intervention for the protection of British subjects neither I nor my friends will stand in the way of their getting those powers, but there has been worked out in practice a method by which this is constantly done in the Foreign Office, so that it has almost come to be a code of conduct. If you are *bona fide* interested, with a single eye to help the unfortunate victim, there are various things which you must do or which you must avoid doing. You have to proceed by way of making friendly relations with the Government, and by private representations, in order that the foreign Government may be able, if it is willing, to accede to your request. You can only ask. You must not give the least suspicion that you want to interfere in the internal government of the country. You can only ask for what can be legitimately given to the unfortunate people who have been arrested. You can ask for comforts to be given in prison, or for bail, or for prisoners to be allowed to communicate with the relatives, or for an early trial, or for a proper defence; but it is necessary to avoid all trace of suspicion that you are seeking to interfere with the foreign Government in its internal affairs, however wrong you may think that Government may be in its system.

If you are really trying to protect British subjects, it is vital that you should

not, so to speak, put up the backs of the foreign Government with whom you are dealing, and above all it is vital that you should avoid all threats. Therefore I have nothing to say in criticism of the Government for having taken up these cases, and I am not going here to defend the police system of Russia, except to say that private investigation in prison, though alien to our system, is not confined to Soviet Russia. It is a system which prevails nearly all over Europe, and the case of what has happened in Russia is nothing to what has happened under a similar system in Poland, and nothing to be compared to the horrible tales which we have heard on the best authority as having taken place in the United States of America. I am not saying that in any way as palliation of this system, but only by way of suggesting that if you want to help these victims you will not do so by assuming that these things are confined to Russia. We may think that only the British Empire has a better system of justice, but, as the noble Viscount knows very well, our own police have been guilty of very much the same thing in particular cases.

However, it is not my business and I am not going to palliate these cases, but we have the greatest possible misgivings as to whether His Majesty's Government have gone the right way, or are going the right way, to attain the things which we all desire—namely, that these prisoners should be treated with what we consider to be justice, and we all hope that they are all of them guiltless. These misgivings relate to the constant attitude of the Government from the beginning. The very day that the Ambassador discovered that these men were arrested he suggested, and His Majesty's Government acted on his suggestion, that they should proceed by way of a threat, and it is interesting to notice that the threat of these tremendous reprisals, by stopping the import of goods from Russia, was first brought before the House of Commons by the Prime Minister, who talked as if it was in connection with the renewal of negotiations for a trade agreement. It was so mixed up with the renewal of trade relations that members of the House of Commons pressed for an explanation, and asked for an assurance that the Government only wanted these powers to secure the discharge of these six prisoners. Even the noble and learned Viscount rather suggested a connection between the powers and a new trade agreement, but I am glad to say that the Government practically confessed in the other House that that was a mistake or misunderstanding.

A very definite pledge was given in the House of Commons by the Government that these powers, if granted, would not be used for anything in connection with the trade agreement, or with fiscal bargaining, and that they would not be used even in the case of any future aggression upon British subjects in Russia, but exclusively for the cases of these six men. I would ask the noble Viscount to confirm that. The Government have given that specific pledge. The President of the Board of Trade said:

> "I say at once that the primary consideration is the life and liberty of these men. I will at once therefore give an undertaking on behalf of the Government that we shall not use these powers for any other purpose."

That was confirmed by the Attorney-General, and Sir Austen Chamberlain made it clear that if any further power were required for that purpose the House would begin the matter *de novo*. I am glad to say that the Government have made it clear that they will not use the powers which are to be conferred by this Bill for any purpose whatsoever other than the defence of these six men. If some other men in the course of the year have grievances against the Russian Government His Majesty's Government will have to get new powers. They have undertaken clearly, specifically, unequivocally, that they will not use these powers which Parliament will give them except for this purpose of saving these particular six men, and no others.

I am anxious to make that clear, to put that on record in this House, as it has been put on record in the House of Commons. It is interesting to notice that several Members of the Conservative Party received that intimation with dismay, and one hon. Member said that he had received it with dismay because he had been hoping that the powers would be used to secure benefits for his constituents, farmers and fishermen. He was interrupted by someone who said: "Are you asking the Government to break its pledge?" and he replied, "No, but I hope they will do so." I am quot-

ing that in this House because I am sure that the noble Viscount—and noble Lords generally—will not sanction a breach of a pledge which has been thus given in another place. Therefore in voting on this Bill we can vote that its powers will be used solely for the rescue of these particular six men, and not for any other purpose whatsoever.

Though on the whole I am glad of that, consider how nakedly it makes it appear to the Soviet Government that we are demanding of them that they shall go contrary to their practice which the noble Viscount has described, and say that they shall confer a privilege upon these six men which they deny to their own subjects—confer that privilege because these six men are British subjects and because the British Government have used against them this great threat. Will that make it easier for the Soviet Government to agree? They have their clamour of public opinion as we unfortunately have ours. If you want a Government to do something—a Government which is a first-rate Power, remember, with a population of 160 millions—if you want them to give some special privilege to your subjects, is it the best way to do it by a threat, and to go out of your way to make it clear that the threat applies to these six men by promising that you will never use the powers for any other purpose? That makes it absolutely clear that you are holding not a pistol but a machine-gun at the Soviet Government. We do not yet know what the evidence is against these six men; we have only heard the *ex-parte* accounts of some of the evidence against them. But to say: "Unless you let off these six men"—and that was our demand, that they should be discharged without trial—"we are going to inflict this great penalty upon you of stopping the whole of your external trade"—is that the way to get what you want?

The worst of threats is that they often have the very opposite effect from that which the user intends them to have. I give the Government credit for believing that the best way to save these men was to make this threat and that the best way to make the threat was to make it quite definitely with regard to these men and to say: "It is not that we are going to alter our policy, our Customs policy or our trade policy—nothing to do with that; we make this threat that we will stop the whole of your trade in order to make you let off these six men without trial." And you make that threat to the Government of a great Power. Is that the way to conduct foreign affairs? We have misgivings that that threat will have—has had already—exactly the wrong effect. In fact, you can see in the White Paper that the Soviet Government have gone a long way, as it will seem to them. They have hurried through this preliminary investigation, which generally lasts much longer. They have let out five of the men on bail. The Government were anxious that the trial should not be by the G.P.U. As a matter of fact it was already announced on March 24—ten days before the Foreign Secretary spoke in the House of Commons—but he did not tell the House, though the Government must have known then, that already it had been settled that the trial would be, not by the G.P.U., but by the highest Court, the Supreme Court of the Soviet Republic. They could not do better than that.

They had already announced that the prisoners would be allowed to have any Counsel to defend them which has the right of audience, just as we would allow anyone who had been called to the English Bar to defend prisoners. They were told that they could have their British lawyer in Court to consult with and to see to their case and instruct Counsel. They had done all that, but the Government was not satisfied with that, and the noble Viscount has told us why. Because, he says, none of the law Courts of the Soviet Republic can be trusted, simply because their theory is that they should be equal to the executive organs of the State; the Judicature is not separate from the Executive, and consequently you could not expect justice from such a Court. It may be that that means that it is impossible for the Soviet Giovernment to comply with the request. They cannot give you a better Court than they have got, and, as the noble Viscount says, a British subject who goes to a foreign country must submit to the law and the procedure of the foreign country. Here these men are to be tried in the best way that the Soviet Government knows how. They are to have all this paraphernalia. And now what is the consequence after a somewhat provocative speech to-night on the state of mind of

the Soviet Government? But first notice the other thing about a threat. It not only has very often the reverse effect from that which you expect it to have. Instead of securing freedom for these men it is very likely preventing them from having their freedom. Instead of securing an acquittal at the trial is not there the danger that it will have the further effect—as the noble Viscount said, nobody is ever acquitted at these trials—of making quite sure that nobody will be acquitted at this trial?

See what dreadful peril we are getting into. And then consider the next thing also about the threat. The noble Viscount has repeated what the Foreign Secretary said, that he hoped it would not be necessary to put the powers of this Bill into operation. I do them both the justice of believing that they do fervently hope that it will not be necessary to put these powers into operation. But what will satisfy them? Will it satisfy them that these men are brought to trial before the Supreme Court of the Soviet Republic, that they are defended by the best Counsel that can be got, that they have a British lawyer there in Court, that they have all the resources of Metropolitan-Vickers behind to see that the case does not suffer for lack of money? Supposing the trial ends in the conviction of one of these men. Supposing the trial ends in the conviction of all six. I do not think it will, but what I am much more alarmed about is that it may end in the conviction of one of them. I do not know which one—I am not speaking from facts—but I am very much afraid that this may be the result of your threats. Then what are you going to do? One of the evil things about a threat is that you may have to face the difficulty of carrying it out. If it should happen that after this trial, after this defence, after this giving of all the justice that the Soviet Republic can give according to its procedure, one of these men should be convicted, what will His Majesty's Government do?

I do not want them to answer, but I want them to consider in advance before they go on with their threat. Supposing one of these men, only one of them, is convicted, will they have the magnanimity and the courage to come forward and say: "Although we do not agree with the Soviet Government, yet the men have had a trial, which is the best they could have had, and unfortunately, though five have been acquitted, one has been found guilty of something we do not understand. He is to be given"—I do not suppose he will be shot—"some sentence." What are they going to do then? If we are really anxious to save these men had not we better think a moment in advance, just as when you are playing chess it is not sufficient to think of the next move but to think of half a dozen moves ahead? When the Government, in their anxiety to save these men, rushed in with this tremendous threat, had they thought it out? Because after a trial, after a conviction, after a sentence, there comes in Soviet Russia, as in this country, an opportunity for grace, for clemency, for amnesty, for commutation of the sentence—perhaps imprisonment instead of death, perhaps a fine instead of imprisonment, perhaps mere deportation instead of even a fine. Just as the Crown has the right to pardon and commute in this country, so in Soviet Russia the Central Executive Committee, presumably through one of the Ministers acting for it, has the right and the power to extend this clemency. Supposing, unfortunately, one of these men is convicted, will the Government, having at heart the interests of the men—that being their sole motive—take proper steps to save this man? One of these proper steps would be a private friendly communication to the Soviet Government inviting them to extend clemency to the convicted man. Would that not be more likely to secure its object than the carrying out of a threat?

Will the Government take the responsibility of carrying out the threat, assuming this happens as I have suggested, rather than ask for clemency? You cannot do both. You will not get any Government to extend clemency at the point of the bayonet. Should we extend clemency to a prisoner, who had been properly convicted, at the threat of the Soviet Government that unless we did that something or other would happen to our trade? Is it likely that we should give way? I am afraid we should not. The right course, the magnanimous course, the noble course in both cases would be to ignore all that sort of feeling and extend clemency. Really it will

be a competition between the British Government and the Soviet Government as to who will show the highest nobility and the greatest magnanimity in this matter. That is the trouble you get into with regard to your threat.

Just one word more. This threat is a proposal to stop Russian imports into this country. The noble Viscount said it did not extend to exports, but the noble Viscount must know perfectly well that if you stop imports from Russia you, at the same time, stop our exports to Russia. Are we not at this moment engaged in endeavouring to persuade the American people that if they will not receive our goods we cannot pay our debts to them? The only way we can pay our debts is by sending goods. If we refuse to receive goods from Russia under this Act, does not that mean that Russia cannot buy anything from this country, cannot buy the machine tools which occupy 80 per cent. of our machine tool workers employed? Not only that, but Russia cannot pay any debts to this country, just as we cannot pay any debts to the United States. If the Government, because of this rash threat which this House is now going to sanction, take the responsibility of saying that the Russian Government should not be allowed to send any goods here, it means quite clearly that we do not intend our people to sell any goods to Soviet Russia at all, and that we do not intend to permit Soviet Russia to pay those debts to us if we refuse to receive their goods, because we know that that is the only way they can pay their debts.

THE MARQUESS OF READING: I confess I am finding it very difficult to follow the noble Lord. He is arguing here about questions of trade. Does he mean that when we are trying to save these men, and when there is all this danger to them, that these questions which he is now discussing about the relative merits of trade between the two countries enter into it at all?

LORD PASSFIELD: I hope that magnanimity and nobility will rise above these considerations of trade, but unfortunately we know the Soviet Government is not a person of magnanimity and nobility of soul. It may be that the Soviet Government think the same of us. Therefore I will not go on with that. My sole object in this matter would be to endeavour to get these men saved—saved in one way or another from whatever is in store for them. I am afraid, very much afraid, that the Government, by taking the method of threat, have injured the chances of these men and not improved them. The Government say, and rightly say, they hope it will not be necessary to put the Bill into operation. Well, let them consider in advance what they will be satisfied with, because, supposing one man is convicted and one man is sentenced, we want to get him off. You can only get him off by appealing for clemency, and you cannot yet clemency if you demand it by threats.

VISCOUNT CECIL OF CHELWOOD: My Lords, I only desire to say that I rise to express my support of the Bill that the Government have produced, and to testify for what my voice is worth—not much, I know—my profound belief that the country is ready to sanction, and support the Government in, any action they may think it necessary to take in order to save the lives of these men. After all, the elementary, almost the most elementary, duty of a Government is to protect its subjects. That is the very foundation of the whole relation between the sovereign power and the governed, and I cannot doubt for a moment that the country, the whole country without any exception, is anxious that everything that can be done should be done with that object.

No one who listened to the very remarkable speech of my noble friend can have felt other than profound anxiety in this case. I admit all that has been said both here and elsewhere as to the difference of criminal administration in the different countries and the mistake of trying to apply our rules of fair treatment of prisoners in their entirety to other criminal systems, but I do not think that any one who has read the two White Papers can have failed to come to the conclusion that in this matter it was not merely a case of certain British subjects being brought up to answer charges of having broken the criminal law of a foreign country. It was more than that. It was that British subjects were in peril because they were up against a system which accepted the principle that the courts of justice were part of the administrative system of the country and designed not only to punish crime but to

forward the general policy of the country. A condition of that kind is one that must give us a profound anxiety with reference to what has occurred, and when the responsible Government of the country come down to Parliament and state their case fully as far as they can, and ask for a particular measure which they believe will be of advantage in one of their primary duties, that of protecting the lives and liberty of the subjects of His Majesty, it does not seem to me that Parliament can do other than accept the proposal and, as unanimously as possible, vote for its adoption.

A good deal has been said by my noble friend Lord Passfield about what he conceives to be the unwisdom of certain actions which the Government have taken, and particularly with reference to what he calls the threats that the Government have made against the Soviet authorities. It is only fair to the Government to point out that if you read the early part of the first White Paper, as far as I can learn, no threats were uttered in the first instance, and the period of threats only arose when it seemed probable that the Soviet Government were not going to yield to the ordinary diplomatic representations that had been made. However that may be, I do not see that any member of this House could say—I certainly should feel utterly incompetent to say—whether the particular method that the Government had adopted was or was not the best one. That seems to me a matter upon which only the executive Government of the day can possibly form a judgment. They have access to the whole facts. They have had the benefit of the presence in this country of their principal representative in Russia. They have no doubt heard all he has to say, and, having heard all that and having considered the whole thing, they come down and deliberately say that they do believe, if they are given the power to refuse imports from Russia, that will be a very important means of argument with the Russian authorities in this case.

My noble friend Lord Passfield will forgive me if I say I a little regret, as did the noble Marquess, the intrusion into his speech of questions of economic policy and that kind of thing. They are very important, but they are not comparably important with the question of saving the lives of these men. Therefore, I should certainly be disposed to say, and do say, that it is our duty to support the Government and grant them the powers they ask. If it is not the right policy they must bear the responsibility for that. It is our duty, as it seems to me, to give them all the powers they ask on an occasion of this kind.

I want to say one word more which has a very indirect bearing, if it has any bearing, on this particular case. I want to mention it because otherwise I think misunderstanding in this country may arise. Of the two powers that the Government desire to exercise in this case, the first is the withdrawal of the head of our Diplomatic Mission from Russia. They asked him to return for consultation. That was, apparently, the reason, but it was also no doubt to express our dissatisfaction with the proceedings of the Soviet Government. Secondly, they propose this other measure, the refusal of Russian imports. In another very important international matter—not less important than this; though not making such a poignant appeal to our hearts and sympathy, yet perhaps in the end not less important for the happiness and welfare of this country and of the world—I mean the controversies in the Far East—some of us have more than once begged the Government to consider the possibilities of some such measure as they are now adopting unilaterially against Russia, to consider whether some such measure as that could not be adopted, not unilaterally but in common with all the rest of the world, in order to enforce what we believe—what I profoundly believe—to be our absolute rights in the matter, our treaty rights clearly expressed in more than one treaty, and which have been hopelessly disregarded. And not only to enforce our treaty rights but to maintain that attempt, on the success of which the future of the world depends, to organise some system for the effective maintenance of the peace of the world.

It would be trespassing on your Lordships' patience to ask you to listen to any further disquisitions on that topic. I am anxious to mention it because it is a matter that is occupying a good deal of the attention of the people of this country, outside Parliament, and I earnestly hope the Government will now consider most carefully whether the policy which it is right, as I think it is right, to support in order to enforce our

duty to protect our fellow-subjects is not also the right policy to pursue in order to enforce our rights to the maintenance of treaties and the observance of obligations which lie at the root of the whole system of preserving the peace of the world. While I hold that view, though I think it is important it should be stated, though I trust earnestly the Government will consider it and consider it impartially with a desire to deal with it as favourably as they can, that does not alter my view that in this particular case, and in these circumstances, there can be no question in my judgment that it is our duty to support the Government and to support them whole-heartedly in any measures, on their responsibility, which they come and state to Parliament are regarded as an advantage in the efforts to save the lives of these men.

VISCOUNT BUCKMASTER: My Lords, I am sure I need not assure you, and I trust I need not assure the noble Viscount who has just sat down, that I would not stand between him and your Lordships' House for a single moment. I understand that the sole and the isolated purpose of this Bill is to afford some protection to five of our fellow-subjects who, at this moment, are standing in grave peril. The assurances in another place that that was its purpose have been repeated here, and indeed, so far as I was concerned, it appeared to me unnecessary that they should be repeated because, in spite of what the noble Lord, Lord Passfield, said about some excitable interjection in another place, I would never believe that the Government would be guilty of such an unworthy action as to introduce a Bill designed to protect people who stand in jeopardy and then use it for the purpose of advancing some other form of policy. I should be slow indeed to believe any such thing, and I wish to add that I know nothing in what the Government have done that could justify anybody in making that assumption. Therefore this measure must be looked at in that light and in that light alone.

The noble Lord, Lord Passfield, appears to look at it in almost every other light, and the noble Viscount, Lord Cecil, could not refrain—I quite understand it—from adding to it a matter with regard to the general application of just such a policy, which diverts our minds from the real question. While I am speaking there are five of our fellow subjects who have got into the net of a system of law which, from what the noble Viscount has told us, we can only regard with the gravest possible apprehension. I feel myself some uneasiness about the matter for this reason. The Government think that this is the only course that can be taken. It may be that they are right, but one thing at least is certain, that people who think that there may or may not have been another course are now too late to put it forward. The trial of these men begins to-morrow. If action is to be taken it must be prompt. If the Government's attitude in relation to the Russian Government is to be effective, if it is to be strong, it must be action which has behind it the united opinion of both Houses of Parliament and which commands the assent of the people of this country. It is therefore too late in the day to consider anything else.

The Government on their sole responsibility—responsibility which I am thankful to think I do not share—have decided that this is the only effective course that they can take. That being so, I am bound to say that I heard with great regret the speech that was made by the noble Lord, Lord Passfield. That, I thought, might have had some effect in a debating society meeting held in some back drawing-room, but could only be dangerous when delivered at this moment in these circumstances. I at least, speaking for myself, desire to say that I give support without qualification to the Government's proposal. But as everybody is permitted something in the nature of a rider I should like to add this. I do wish that it was possible that someone who has an influence that I cannot claim, and an authority which I can never possess, could make the Russian Government understand that what we have said is really what we mean, and that we are not using this for the purpose of breaking commercial or other relations with them—that, indeed, we have no desire to do anything of the kind, but that we are driven to it by circumstances which have been forced upon us.

I should also like them to understand that the conception that there are either individuals or groups of people here acting with the belief that they can overthrow in Russia the idea which is embodied in the Russian Government is the

purest fairy-tale. Whatever people may think about the possibility of such a system here, there is not one that has the least desire to overthrow it there. Let them work out their own salvation. Let them understand that. Let them understand even more that there are quite a number of people here who have no objection to the idea embodied in their Government, but who object to the means by which they have attempted to carry that idea into effect. Let these people know that after all to do justice and to execute mercy is the only firm foundation on which they can maintain the great experiment that they have undertaken.

LORD MOUNT TEMPLE: My Lords, anyone who speaks in this debate must do so with the greatest sense of responsibility and some of us who in the past have criticised the policy of His Majesty's Government as regards Russia must be specially careful in anything we may say this evening. Whether the Government are right or wrong in the views they have chosen it is the obvious duty of everybody in this country to support them at the present crisis. The Government have means of knowing what should be done which is denied to outside people. The Government have had the advantage of conferring with the Ambassador. Therefore it seems to me, as they have come here this afternoon to say that in their considered judgment this Bill is the best way of saving the lives and the liberty of these imprisoned men, that we ought by a unanimous vote and by a unanimous voice to support them in the course they have pursued.

I hope and trust that the policy of the Socialist Party is more patriotic than that outlined by the noble Lord, Lord Passfield. I say that because in reading the speech of the right hon. gentleman who moved the official Amendment to this Bill on Second Reading in another place, I notice that Sir Stafford Cripps used the following words:

"Beyond this right to make the fullest inquiry and obtain the fullest information, International Law recognises no right of interference in the internal affairs of a foreign country"—

now mark these words:

"unless certain specified states of affairs can be shown to have arisen with regard to the nationals of another country."

That means, I take it, unless there are very exceptional circumstances. What more special circumstances could there possibly be than arise in the case of these arrested British employees? I cannot conceive that Sir Stafford Cripps could find the case in which the exception to the ordinary rules of International Law is so patent.

As we have been told by the noble and learned Viscount the Leader of the House, the Soviet Courts are not independent or impartial. They do not pretend to be. They are part of the Government machine and the Courts are subservient to policy. Therefore if the Soviet Government consider that these British engineers should be convicted for the benefit of the Soviet Government, convicted they will be, and the Soviet Government will decide on the sentence to be imposed. That ground alone seems to me ample ground for the action which His Majesty's Government have taken and for any extraordinary interference which they may consider right. Further, must not the Government regard as an exceptional circumstance the fact that on the day these men were arrested thirty-five Russians were shot without trial by the same organisation? Lord Passfield seems to take it as an ordinary state of affairs that their form of trial should be different from what it is here, but would he not consider that the Russians would have a right to interfere here if Scotland Yard arbitrarily arrested certain Russian subjects, and within a day or so of other people having been shot? Again, are not the torture and questioning of Mr. Thornton for twenty-one hours on end and Mr. Monkhouse for nineteen hours and seventeen hours appalling ordeals? These men were alone, not knowing the language and allowed no sleep and no rest. Surely on such grounds His Majesty's Government are entitled to intervene. These British subjects can only be defended by people who do not understand their language. As has been pointed out, when defending Counsel have been proved to have been too anxious to save their clients they have been dismissed from the College and punished. It seems to me that the Government are amply justified and I hope the House will give them its unanimous support.

VISCOUNT HAILSHAM: My Lords, I desire to say very few words in summing

up this debate, but I should like to be allowed to thank the noble Viscount, Lord Cecil, the noble and learned Viscount, Lord Buckmaster, and the noble Lord, Lord Mount Temple, for their support and the language which they have used. I cannot help feeling that the weight which we desire this decision to have will be enormously increased when it is realised that figures which stand so high in public estimation not only in this country, but in the world, as the noble Viscount on the Cross Benches and the ex-Lord Chancellor on the Liberal Benches, associate themselves so wholeheartedly with the policy of the Government.

I only want to say one or two words in answer to the noble Lord, Lord Passfield. He assured us that his sole object was to get these men saved. Of course I accept his assurance, but I think the method he adopted in his speech was singularly ill-adapted to that end. He criticised my right honourable friend Sir John Simon for never having told the House of Commons that there was going to be a trial, but if he had taken the trouble to read the White Paper before the House of Commons he would have seen that that fact was expressly set out in Document No. 30, telephoned from Sir Esmond Ovey on the 16th March. That fact was extracted after five days of intensive questioning by the Embassy from the Russian Foreign Office. To suggest that that fact was not disclosed to the House of Commons was a little unfair.

And when he criticised us for what we are doing one wondered a little what his policy would have been. I began to think he would rather have waited to see whether the men were shot before he made up his mind to make any protest. That is not the attitude His Majesty's Government see fit to adopt, and his bland assumption that there existed in the Soviet Republic that clamour of public opinion which he thought would have such weight upon their Government showed an innocence of mind which would almost explain his singular infelicity of attitude. I do not wish to take up forther time in discussing this matter because I cannot help thinking that your Lordships have made up your minds. I am grateful to the House for allowing me to take so long in opening. Your Lordships will realise this is a matter on which the Government feel the most grave anxiety and on which I believe the feeling of this country has been intensely aroused.

On Question, Bill read 2ª, and committed to a Committee of the Whole House.

Then (Standing Order No. XXXIX having been suspended) House in Committee; Bill reported without amendment; read 3ª, and passed.

ARMY AND AIR FORCE (ANNUAL) BILL.

House in Committee (according to Order): Bill reported without amendment.

GLASGOW INQUIRY.

LORD STRATHCONA AND MOUNT ROYAL: My Lords, I beg to move the Motion standing in my name on the Paper for the setting up of a Tribunal of Inquiry under the Tribunals of Inquiry (Evidence) Act, 1921. Those of you who are interested in Scotland will be aware that for some time in Glasgow there have been numerous allegations of bribery and so forth in the conduct of municipal business and the Secretary of State for Scotland has therefore decided to set up a Tribunal under the Tribunal of Inquiry (Evidence) Act, 1921, to enquire into these allegations. The Government's decision to take this step was announced in the House of Commons on the 9th of last month. By proceeding under this Act it will be possible to take evidence on oath and to compel the attendance of witnesses and the production of documents, and it is hoped by these means, and by the measure of indemnity from prosecution promised in the Secretary of State's announcement in the House of Commons, to secure an inquiry of a searching and conclusive character. The Corporation of Glasgow has undertaken to meet the costs of the inquiry. The members of the Tribunal have already been announced in another place. Before a Tribunal can be appointed it is a statutory requirement that both Houses of Parliament should pass a Resolution that it is expedient that a Tribunal be established for inquiring into a definite matter described in the Resolution as of urgent public importance. The Resolution was passed in another place last night without opposition. I beg to move.

Moved, That it is expedient that a Tribunal be established for enquiring into a definite matter of urgent public importance, that is to say, the letting and allocation, since January 1, 1928, of stances and of other premises in the Markets under the control of the Corporation of Glasgow, and the circumstances attending, and the negotiations prior to, the said letting and allocation, and allegations of bribery and corruption in connection therewith, or in connection with other matters relating to the civic and municipal administration of the Corporation of the City of Glasgow and the licensing administration affecting the said City since the said date.—(*Lord Strathcona and Mount Royal.*)

On Question, Motion agreed to.

WRITTEN ANSWER.

THE MUSK RAT.

THE EARL OF ILCHESTER asked His Majesty's Government, in view of the decision of the Ministry of Agriculture to prohibit the importation and propagation of the musk rat, what steps are now being taken, in which counties and under which department, to exterminate the musk rats which are already established in a wild state in England and Scotland?

THE PARLIAMENTARY SECRETARY OF THE MINISTRY OF AGRICULTURE AND FISHERIES (EARL DE LA WARR): The steps necessary for the destruction of musk rats at large in Great Britain are being taken, in accordance with the provisions of Section 5 (3) of the Destructive Imported Animals Act, 1932, by the Minister of Agriculture and Fisheries as regards England and Wales, and by the Department of Agriculture for Scotland as regards Scotland. So far as England and Wales are concerned, the only area known to be seriously infested with musk rats is in Shropshire and part of the neighbouring county of Montgomery, but recently signs of local infestation have been found in part of West Sussex. Since June of last year trappers have been engaged to deal with the infestation in the Shropshire area. They are working under the direction of a supervisor, officers of the Shropshire County Council exercising general oversight and co-operating in the administrative work involved. The trappers are gaining experience, and the Ministry arranged for them to have the advantage of tuition in February and March by the chief trapper of the Bavarian Musk Rat Control Service, who paid a visit to this country for the purpose, accompanied by Dr. Pustet, the head of the Bavarian Service. Trappers are also dealing with the infestation which has recently developed in West Sussex.

Upwards of 2,000 musk rats have so far been destroyed in the course of the campaign in the Shropshire area, while the number destroyed during the first two weeks in West Sussex was twenty-two. Special investigations are being carried out in the neighbouring Counties of Surrey and Hampshire. The action taken by the Ministry to secure publicity and to obtain early information of any fresh infestation includes the circularising of county agricultural committees, catchment boards, drainage authorities, fishery boards, canal proprietors, water undertakings and angling associations. The Ministry has also secured the co-operation of the Land Union and the Central Landowners' Association, who have drawn the attention of their members to the matter.

So far as Scotland is concerned, musk rats are fairly widely distributed in Perthshire and in Stirlingshire, particularly in the former county. There is no definite evidence of musk rats being at large elsewhere in Scotland, but the Department of Agriculture for Scotland has asked for special vigilance to be exercised in areas where there is a possibility of musk rats being at large. The chief trapper of the Bavarian Musk Rat Control Service and Dr. Pustet have also visited Scotland for the purpose of inspection of infested areas and instruction of official trappers, and it is hoped to arrange for a further visit by the former later in the year. The service of official trappers in Scotland, under the supervision of the Department's Organising Officer, is being enlarged. Extensive surveys have been made, and the total number of musk rats destroyed in the two counties of Perthshire and Stirlingshire to date under official auspices is 184. Action similar to that of the Ministry of Agriculture has been taken by the Scottish Department to secure publicity and to obtain early information of any fresh infestation by musk rats.

House adjourned at ten minutes past seven o'clock.