CHAPTER THREE

THE JOINT SELECT COMMITTEE REPORT AND THE GOVERNMENT OF INDIA BILL 1934-1935
JOINT SELECT COMMITTEE REPORT

The Joint Select Committee held 167 meetings and examined over 120 witnesses during the course of its eighteen months' session. It covered the whole ground in the closest detail and reported to Parliament on 22 November 1934. In the Committee, its report was carried by 19 votes to 9, the minority being made up of five extremists who thought that it went too far, and four Labour members who did not think that it went far enough. The Committee was actuated by the feeling that the British Parliament should retain a voice in the determination of its progressive stages of the evolution of the Indian constitution. It recommended the establishment of full responsible government in the provinces, subject to certain reserve powers for the government. It also recommended an all-India federation based on the principle of responsibility, excluding some important subjects like defence and foreign affairs, with certain reserve powers. It did not mention Dominion Status; it only strengthened the safeguards and made them effective, and the inauguration of federation was made conditional upon the accession of a sufficient number of Indian States and on the establishment of a Reserve Bank.

In Britain, the Right-wing extremists opposed the recommendations, but public opinion in general regarded the report as substantial and generous and approved them. The Times wrote that the report envisaged 'the whole projected constitution of India with a precision of language that none of the earlier documents could
supply'. By a great majority the Select Committee recommended a course which appeared to them the right one. There could be no responsible government without a strong executive and an efficient administration. Hence the necessity for federation. It approved of the Committee's feeling that federation depended upon responsibility at the Centre and were satisfied that the changes recommended would strengthen the Government of India. (1) The Birmingham Post observed that Indian commentators were justified in saying that the Select Committee had not failed to provide safeguards of the type desired by Lord Lloyd and Winston Churchill. The Yorkshire Post said that the reforms were the outcome of grave deliberations over many weary months, of men whose paramount desire was to aid the progress of India, on lines best suited to it. (2) The report had courage and discrimination together which were the surest work of statesmanship. The value of the approval of a predominantly Conservative Committee was noted. The Manchester Guardian thought that there was little difficulty in declaring the goal to be Dominion status. 'Whatever the timidities of its language, India has got the surety of Dominion Status in substance here and now. The substance of the report, in fact, is better than the shadow that it casts.' (3)

The Union of Britain and India (UBI) said that the report embodied a constitution for India logically adapted to the conditions providing opportunities for growth and development. The India

(1) The Times, 23 November 1934.
(2) Quoted in, Ibid.
(3) Manchester Guardian, 26 November 1934.
Defence League (IDL) did not believe that any considerable importance could be attached to paper safeguards, once the keys of responsible government had been placed in the hands of elected legislatures. (4)

Sir Stanley Reed commented that the report would have been accepted with gratitude and enthusiasm immediately after the first session of the Round Table Conference, when all the main principles were settled, but at the time of its publication it was a dry husk. 'The insertion of a clause in the Preamble to the Act that Dominion Status is the goal of British policy, and the new constitution is designed to lead to that end, would do more than anything else to allay these discontents.' (5) Leopold Amery thought that the proposed changes of the report were all in the natural line of evolution of an existing Indian system of government which 'while possessing many special characteristics, is no less based on British principles, and is no less a living organism', Responsible government and all-India federation were an inherent inevitability. What was new in its conclusions was the spirit by which its recommendations were infused and the political philosophy which underlay them. They were the results of a liberal outlook on Indian problems and a whole-hearted desire to make Indian responsible self-government a success in every sphere. (6) The whole scheme of the report was

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(4) Politics in Review, 1 (October-December 1934) 38.

A Quarterly periodical published by the National Union of Conservative and Unionist Associations (NUC and UA) to provide ammunition for those who were engaged in political battle. It incorporated Gleanings and Memoranda. Politics in Review was published for the period 1934-39.


essentially conservative in the character of the self-government envisaged, and in many provisions calculated 'to give steadiness and continuity and to break the impact of more irresponsible party influence'. (7)

During the period, between the publication of the report of the Joint Select Committee and the special meeting of the Conservative Central Council to take counsel with the leader, the Indian problem was discussed threadbare by the Conservatives. The Conservative India Committee swung into action and arranged a series of meetings on all aspects of the problem and invited even the Right-wing opponents to argue their point of view. (8)

The views of such independent, experienced and elderly persons, who went to the Committee without prior commitment, like Austen Chamberlain, Lord Derby, Lord Hardinge, Lord Zetland, and the Archbishop of Canterbury, counted much in moulding the attitude of the Conservative rank and file, and the uncommitted waverers. Once they expressed their support to the scheme, there was no doubt about the attitude of the Party in general. The most important of them, Austen Chamberlain, addressing the Unionist India Committee, revealed that he first favoured only provincial autonomy, but with experience gained as a member of the Select Committee, he had to change his attitude and support responsibility at the Centre. As

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* For a brief biographical sketch see Appendix I.


(8) As recently as October 1934, the opponents of the Government's India policy had received 49 per cent of support. Wardlaw-Milne, Chairman of the Conservative India Committee, had invited everyone of the Conservative member on the Select Committee who had opposed the majority recommendations, to address the Committee. The Times, 4 December 1934.
the work proceeded, he was impressed by the weaknesses rather than the strength of the Central Government and concluded that it would be dangerous to postpone the reform of the Central Government. (9) Edward Cadogan, whose views were supported by IML, told the Unionist India Committee to recognize 'that the report of the Joint Select Committee, while not departing from the principle accepted by successive Governments of associating Indians with self-governing institutions and the administration with a view to the realization of responsible government, had made many changes of overriding importance calculated to allay the misgivings of those who had rejected the scheme of the White Paper'. (10)

Another Conservative J.P., Eustace Percy*, was prepared to extend his whole-hearted support to the report of the Select Committee, though he did not support the White Paper scheme as such. For he thought that they had fully met the two doubts which had troubled the public minds — the doubt about the efficiency of the safeguards and the doubt about federation. He felt that the absence of an all-India federation would lead to financial conflict between the Centre and Provinces and held that the unity of economic policy was the determining factor in its favour. (11) Neville Chamberlain

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* For a brief biographical sketch see Appendix I.

(9) Daily Telegraph, 3 December 1934, 10.

"As our enquiries have proceeded", the Select Committee reports, "we have been increasingly impressed not by the strength of the Central Government as at present constituted, but by its weakness. It is confronted by a Legislature which can be nothing but a debating society adhering to an Executive." India: A Summary of the Report of the Joint Committee on Indian Constitutional Reform, No. 3438 (December 1934) 14-15.

(10) The Times, 24 November 1934.

declared that the decisions of their Party on Indian question was sure to have far-reaching effects on the influence and power of the Conservative Party in the country. (12)

The most crucial decision rested with the Conservative Party. Since June 1933, when Baldwin had promised the Central Council of the Conservative Party to take counsel together after the Select Committee reported, the authorities of the Party, in spite of the protests and manoeuvres of the Right-wing opponents, had persuaded it to postpone the decision on Government’s India policy till the last moment. The opponents of the Government’s and the Conservative Party’s India policy criticized it as a ‘muzzling process’ but, from the standpoint of the Party leaders, there was much to be said in favour of delay. It provided an opportunity for the rank and file to study the problem adequately before they made their decisions and consider the pros and cons of the Government’s proposals and their likely effects in the light of the views of various impartial leaders as well as those of the opponents of the reforms. It was a prudent as well as a correct procedure and there was little basis in the complaint of the critics of the Party leadership who tried many a time to appeal to the emotions and sentiments of the people, differently in different places, according to the attitude of the people. That was demonstrated clearly by the Council decision in December 1934.

SPECIAL MEETING OF THE CENTRAL COUNCIL

The special meeting of the Central Council to consider the
Joint Select Committee's report was called to session on 4 December 1934 at Queens Hall. On the eve of it, the Morning Post declared: 'The issue the Council will be called upon to decide transcends in magnitude with which previous Councils have been faced. Upon the verdict hangs the future of the Indian Empire, and the well-being of Indian people.' (13) It was the most decisive session and on its decision depended the whole future of Indo-British relations and the reputation of the Conservative Party and its leader.

Baldwin told the Council that the special meeting was called in fulfilment of his pledge to take counsel before the India Bill was introduced in Parliament. He reminded them of the magnitude of their responsibility of approving the results of seven years of work which began with the Statutory Commission, continued with the Round Table Conference and ended with the Joint Select Committee. At all stages, Conservatives participated and many a time preponderated over non-Conservatives, and out of twenty Conservative representatives on the Joint Select Committee, 15 approved the report. Baldwin declared that the Reforms Act of 1919, which was an essential preliminary to the scheme, was passed by a Government which had 11 Conservative ministers including Winston Churchill, and a House of Commons which had 378 Conservative members. It was Lord Curzon, a Conservative, that drafted the final form of the declaration of 1917 which started self-government on its career. Having proved Conservative responsibility, Baldwin went on to destroy the validity of the critics' reference to the Statutory Commission proposals which were less far-reaching. He said that the

(12) Morning Post, 3 December 1934, 11.
Commission had set out their argument but could not help without the agreement of the Princes, which came only later. That was the only reason why it did not recommend a federation dictated by the essential unity of India in so many respects. The Government had as good a mandate as could be given on Imperial questions. Baldwin told them that they had taught India the lesson she needed in self-government.

There is a wind of nationalism and freedom blowing round the world and blowing as strongly in Asia as anywhere in the world. And are we less true Conservatives because we say: "the time has now come?" Are those who say "the time may come some day" are they the truer Conservatives? It is my considered judgment in all the changes and chances of this wide world today, you have a good chance of keeping India in the Empire for ever. If you refuse it, you will infallibly lose India before two generations are passed... I ask you to support me. It will be a good thing for the world to know that the Tory Party dares to take risks for the greater and the greater good...

Baldwin made it clear that he would have followed the same policy even if he were alone. But he was not alone: he stood with all his colleagues and with a mass of authoritative opinion and with all those who asked that the Conservative Party should show itself capable of far-sight and of high courage. 'With a full sense of responsibility as Leader of the Party', he declared his acceptance of the report 'as a basis for legislation, and strongly recommended the Council to do so'. He concluded that 'while every step forward must needs be fraught with anxiety, the rejection of the present opportunity would mean the loss for all time of India's peaceful association with the British Empire'. (14)

(14) C.J. Young, Stanley Baldwin (London, 1952) 183. See also The Times, 5 December 1934, 14-15; Politics in Review, 1 (October-December 1934) 32-3.
Commenting on the speech The Times said: 'From the first to
last it was the speech of a leader who was conscious at once of the
traditional principles of his party and its larger responsibility
to the Empire,' Baldwin's views were never varied for a moment,
and were the result of a prolonged study of discussions and investiga-
gations of the last seven years and of the great traditions of his
Party, (15)

Amery moved a resolution approving the general principles of
the report. He stated the recommendations furnished a fair basis
for Indian constitutional settlement, and pointed out the immense
improvements effected by the report in the proposals of the White
Paper. The report embodied a workable solution reconciling Indian
self-government with Indian peace and Imperial security with an
exposition of Conservative principles.

Lord Salisbury moved an amendment hostile to Government's
India policy and said that Parliament should not take the irrevocable
step of establishing responsible government at the Centre on the
lines of the White Paper and the Joint Select Committee report.
The federal scheme was 'ludicrous' to him and the whole scheme meant
self-government in a strait waistcoat made of paper. Seceding the
amendment, Joseph Nall, said that the multiplication of safeguards
showed that the act was feared even by the authors of the report. (16)

Central Council Debates the Indian Problem

A major debate ensued and the meeting became a grand Council

* For a brief biographical sketch see Appendix I.
(15) The Times, 5 December 1934, 15.
(16) Ibid., 9.
of the Party. The supporters of Government's India policy held that
the report recommended the best, the safest and the most statesman-
like course and strengthened the safeguards against the failure of
law and order. They were all converted by the facts to be supporters
of the report and felt that the opportunity of creating a united
India within the Empire must not be missed. Austen Chamberlain
thought that if they left the Centre unchanged 'no provincial
legislature would set itself to its task but would become levers
for the overthrow of the Government you had left unreformed'.

The opponents of Government's India policy considered that
the finances were disordered and insolvent. They felt that the
scheme, being complicated and extensive, would breakdown of its own
weight. Churchill complained that they were forcing democratic
parliamentary institutions upon India at a time when those
institutions had failed in many countries to give elementary
guarantees of justice and freedom and that they were making far-
reaching transference of power at a time when other countries
hurriedly armed themselves to acquire overseas possessions. (17)

Winding up the debate for the amendment, Page Croft said:

I look you straight in the face and ask if there is a
single delegate in this hall, or was there a single candidate
at the election, who invited the electors to vote for home rule
under a central government of India. * * * We hear a lot of talk
about splitting the Party. We are entitled to ask who it was who
dropped this incendiary bomb in our midst? * * * If we throw our
principles on the dust heap to forestall all the Socialists /Labourers/,
we shall forfeit the faith of all right-minded men and women in the
country and our moral force as a great Conservative Party will be
dead. (18)

(17) The Times, 4 December 1934, 96

(18) Lord Croft (Brigadier General Henry Page), My Life
of Strife (London, 1948) 240-1.
Only members of Parliament participated in the debate, but the constituency representatives were called upon to decide between the two points of view put to the meeting by the two sections within the Party. The Report of the Council records: On the amendment being put to the meeting, it was declared, on a show of hands, to have been lost, whereupon a ballot was demanded. The demand having been acceded to, a ballot was taken, the votes cast thereon being declared as follows:

<table>
<thead>
<tr>
<th>For the amendment</th>
<th>390</th>
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<tr>
<td>Against</td>
<td>1102</td>
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<tr>
<td>Majority Against</td>
<td>712</td>
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The original motion was thereupon put to the meeting and declared carried by 'an overwhelming majority'. This historic decision was taken at a meeting at which the attendance represented 67 per cent of the total membership of the Council at that date. (19)

The Central Council meeting gave an overwhelming vote in support of the Government's India policy and the leaders' advice and decided almost unanimously that no further meeting of the conference was necessary. Duff Cooper, a Conservative, said that 'the Party's vote showed that the Conservative Party - its accredited leaders unanimously, its rank and file by a large majority - was definitely committed to the support of the Government policy'. (20) The special meeting of the Council vindicated Baldwin's confidence that the Party would stand by his conclusion to accept the principles of the Joint Committee report as furnishing 'a fair basis for a constitutional settlement providing for India's permanent partnership

(19) Conservative Party's Council Minutes (December 1934) 281-3.

(20) The Times, 7 December 1934, 16.
in the British Empire . . . Never have great and difficult issues, involving deep feelings, been discussed in so vast an assembly with such dignity, and with so little appeal to anything except sheer reason or received with so close and earnest a scrutiny." (21)

Thus, Churchill's and the 'dissident minority critics' attack of Government's India policy was successfully rebuffed by Baldwin. The mass organization of the Party served in a sense as the final court of appeal in settling a dispute between warring factions within its Parliamentary Party. This unique meeting in the history of the Council threw an important light on the function of the Party organization outside Parliament in a major crisis. The proposition could be accepted as an approximate reflection of the Party feeling in the country. (22)

In fact, since the report was published, a large body of honest doubters became convinced by the irresistible case set out in the State Paper. The great bulk of the Conservative waverers swung decisively away from Churchill to the support of Baldwin. The Government could go forward with their programme with the satisfaction that the predominant section of their supporters were, at least three to one, behind them and their response was an emphatic pronouncement in favour of going forward boldly with the grant of self-government to India.

**Press Reactions**

Next day, the Press commented widely on the Council's decision.

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The Times said that a less convincing division or an adverse vote would not have been fatal to the Government's India policy but would have been a serious departure from the long British tradition that legislation for India demands a national backing and could have had a serious and permanent effect on the reputation of the Conservative Party. 'The day had gone decisively to the Party leader.' The Manchester Guardian held that it was the first occasion on which the Conservative Party through its Central Council had taken a straight vote on the White Paper policy and 'In the long campaign against Indian reform which he [Churchill] has waged since Irwin's declaration on Dominion status yesterday's defeat was a decisive turning point'. The Daily Telegraph noted that the voting represented a rough referendum of the Conservative Party, for the majority of those taking part, were the delegates of the local constituency associations authorized to express their views and the meeting clearly demonstrated that it regarded the final word as having been spoken. Still the Morning Post presumed that more than a quarter of the Conservative Party in the country and in Parliament was opposed to the White Paper and it threatened that the Bill would be fought with vigour. (23) Though the discussion and the decision of the Central Council showed that the critics of the report had not won supporters, the IDL's parliamentary committee decided to continue its fight but the general feeling was 'that the attack on the Government had passed its high watermark'. (24)

(23) All on 5 December 1934.
(24) See The Times, 5 December 1934.
Thus, in Britain, though the Right-wing extremists opposed the recommendations, public opinion in general regarded the report as substantial and generous and approved it. 'There was the string of universal human experience for making Indians, where no special reasons to the contrary existed, responsible for the conduct of their own affairs.' Lord Zetland claimed that 'the recommendations of the Report embodied the golden mean between two extremes and for that very reason bore the hallmark of the peculiar genius of the British people'. (25)

INDIA BILL IN PARLIAMENT

After three days' debate, the House of Commons held by 410 to 127, that the report provided a basis for a revision of the Indian constitution and authorized the Government to frame a Bill accordingly. The House of Lords also approved the report by 239 as against 62, after debating it for four days. The outstanding feature of the divisions in both Houses was that 239 peers and 410 members of the House of Commons (exactly two-thirds of its whole strength) voted affirmatively and without reservation for the Government's India policy. (26) 'Two exhaustive debates, following seven years of hard investigation, having invested it at least with unimpeachable mandate from the Imperial Parliament.' (27)

(26) Hansard, H.C., 296 (12 December 1934) col. 526.
     H.L., 95 (13 December 1934) col. 574.
A Bill incorporating the recommendations of the Joint Select Committee was introduced in Parliament on 19 December 1934. Every proposal in the Bill was the result of seven years of discussions that ended with the investigation of the Select Committee. The main features of the Bill were all the result of the natural evolution of their existing system of government and the natural extension of its past tendencies. The details embodied the results of discussions to which both British and Indians contributed their equal share. The Bill was debated for forty-three days in the House of Commons and for thirteen days in the House of Lords. The Second and Third Readings were carried in the House of Commons by 404 to 133 and 386 to 122, and in the House of Lords by 235 to 55 and without division. When the Second Reading in the Bill was approved by 404 to 133, 'it was one of the most resounding defeats Churchill has ever had in his long career', (28)

Commending the Bill for the consideration of the House, the Secretary of State for India, Sir Samuel Hoare, said that the Bill was the result of years of incessant enquiry that offered to India a vast and fruitful field of self-government, and held the balance between the conflicting interests and competing parties. It was a definite step, a great stride forward, towards the achievement of the purpose. He was frank in confessing that '... big as the Bill appears ... it is nothing like so big in substance...'. Hoare said that all-India federation, provincial autonomy and responsibility with safeguards were the main features of the Bill.

and declared that every impartial observer who had studied the problem admitted that the Montagu-Chelmsford reforms had outlasted their purpose and a forward step on the road to provincial autonomy was a necessity. So, full self-government, including law and order, was proposed. The unity of India would have been risked if the Centre had been left as it was after the setting up of provincial autonomy, 'Autonomous provinces without a federal link at the Centre would drift further and further apart and make an all-India Federation impossible for all time.' Continuing Hoare held that once provincial autonomy was accepted, an all-India federation was inevitable and to accommodate the Princes, responsible government had to be conceded. Hoare believed that 99 out of 100 members had an all-India federation as their objective, whether immediate or ultimate and claimed that the differences that arose were of method rather than of principle. Regarding the criticism of non-inclusion of the phrase 'Dominion Status', he declared, at the time of the Second Reading, that the Government stood by the Preamble of the 1919 Act and the Governor-General's declaration of 1929 interpreting it. Hoare argued that to ensure security and stability of the various governments, safeguards were needed. They were safeguards with sanction behind them and with effective executive action to be put into effect if need arose. (29)


The Spectator offered qualified congratulations on the declaration made by Hoare on Dominion Status. It commented, 'The thing has not been done at the right time; it has not been done in the right way; the declaration bears every appearance of having been extracted by general pressure.' Spectator, 154 (8 February 1935) 193.
In moving the Bill in the House of Lords, Lord Irwin 'in his most impressive proconsular vein demolished the Fabian defences of the extremists centred round Salisbury's Amendment that the House should express its inability to give general approval to the Select Committee's Report until its precise recommendations were embodied in a Bill'. He said that public opinion had looked upon and examined the Indian problem and desired to go forward on the lines of the Bill. (30)

Labour and Liberal Parties' Support to the Bill

The attitude of the Labour and Liberal parties had a special relevance in the light of Conservative divisions. The Labour members wanted India to attain Dominion Status without recourse to further acts of Parliament. They deplored the creation of upper houses in certain Provinces and would not concede financial responsibilities to the Governor-General. Attlee complained that there was inadequate provision for constitutional development at the Centre and said that there was no clear goal. He favoured indirect election. He recognized that the reforms constituted a very big advance and in Provinces nine-tenths of what concerns the ordinary citizen were entrusted to Indians and at the Centre 'an All-India Federation, the pre-requisite to full self-government, is constituted and the principle of responsibility is conceded'. The advance of the Indian people along the path towards complete control of their own affairs in the short space of fifteen years during which so many peoples

(30) Hansard, H.L., 97 (6 June 1935) cols. 382-94.
See also Alan Campbell-Johnson, Viscount Halifax, A Biography (London, 1941) 365-6.
have lost their liberties is very striking.' (31) Lord Snell* and
Lord Oliver* made it clear that the Labour Party, though it disliked
some of the provisions, supported the Bill broadly on the ground that
it represented the greatest measure of general agreement possible.

The Liberals criticized the adoption of indirect election for
the Central legislature, but the case made by John Simon and Attlee
convinced them that while the proposals did not weaken the degree
of responsibility granted to India, it might lead to an effective
Central legislature. The Liberal Party stood by the Government and
supported the proposals of the India Bill. (32)

CONSERVATIVES AND THE INDIA BILL

The fate of the Government of India Bill depended upon the
attitude of the Conservative Party which dominated the Parliament and
played a predominant role both inside and outside the Parliament. The Conservative members of Parliament realized very well that there
was a real necessity to introduce the constitutional changes in
India. There was a difference of opinion in the Party about the
nature and the extent of self-government to be conceded to India and
the degree of hold to be maintained by the Imperial Parliament over
Indian affairs. While one group was ready to concede full
responsibility in the Provinces and partial responsibility at the
Centre, another group, commonly known as the Right-wing, was

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* For a brief biographical sketch see Appendix I.


completely opposed to changes at the Centre but was ready to permit provincial autonomy excluding law and order.

The main points at issue crystallized themselves under three broad headings:

1) **Complete responsibility in the Provinces except law and order.**

2) **Complete responsibility in the Provinces including law and order.**

3) **Complete responsibility in the Provinces plus partial responsibility in the federal government.**

The Statutory Commission and the Government of India agreed in condemning the first and recommending the second. As regards the third, the Simon Commission and the White Paper differed. The Joint Select Committee accepted the third and the Bill proposed complete responsibility in the Provinces plus partial responsibility at the Centre with safeguards.

The final aim of the Conservatives was to keep India within the Empire without breaking off relations with Indian political parties. One group thought that they could keep India by conceding certain rights to Indians in their own affairs and making them contented by a gesture like the Bill itself. The other group aimed at keeping India by holding a firm grip over the Central Government and conceding partial self-government to the Provinces and guiding them in their own activities.

The vast majority of the Conservative members in Parliament who supported the Government of India Bill were convinced by the arguments of many bodies, specially the Statutory Commission, that there could not be any sort of self-government if responsibility for law and order was not conceded, and so they supported full responsibility for the Provinces including law and order. They
concluded that disharmony between provincial government and the legislature tended to sap the efficiency of both. They felt that federation was essential if they were to grant provincial autonomy and considered it to be a Tory solution with a measure of responsibility.

Commander Peter Agnew was a member of the Executive Committee of the IDL and took part in the campaign against the White Paper proposals, but since the publication of the Joint Committee report, 'with the weight of evidence and of argument that it contains, and with its modifications of the original scheme, in the way of extra safeguards', he dissociated himself from the opposition group and accepted the report and favoured the Bill. He characterized the opposition campaign as 'entirely and purely destructive in its character'. (33) Cadogan, who was a Conservative representative in the Statutory Commission, said that very early they \[the Commission\] came to the conclusion that a federation was the ultimate solution and had made a tentative solution of an Advisory-Council, which was designed to make a beginning in the progress leading to federation. (34)

Amery stated that provincial autonomy without federation caused endless friction and sapped the whole strength of the Central Government and would disrupt the unity of India. 'The moment you constitute provincial autonomy, you have \textit{ipso facto}, set up Federation in British India.' He thought that the safeguards were not restrictions meant to impede the development of Indian self-government but constituted a close association and co-operation between ministers and representatives of the Crown, and served to

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(33) \textit{Hansard}, H.C., 226 (12 December 1934) cols. 431-38.
(34) \textit{Ibid.}, 226 (10 December 1934) cols. 101-2.
remind the ministers of their responsibility. As the Bill was based not on abstract democratic principles but on due provision for the assertion of the Crown, Amery felt that the experiment would be successful. 'It is a scheme which is conservative in the type and spirit of Government but essentially liberal and generous in the wide expansion of powers conferred and the wide opportunities that it gives.' If the central executive was left unaltered, it had to govern against a steadily rising tide of public suspicion and dislike. (35)

Speaking for the back-benchers, John Wardlaw-Milne expressed his conviction that the granting of a real measure of responsibility at the Centre with reasonable limitations and safeguards, would be the first step towards strengthening the whole system of government. He was satisfied that provincial autonomy without federation on the lines proposed was an impossible alternative to the scheme embodied in the India Bill. Wardlaw-Milne did not hesitate to say that he would very much rather the House of Commons 'threw out provincial autonomy altogether... than set up a system of provincial autonomy with a bureaucratic Central Government'. (36) Hoare felt that an all-India federation was not only an immediate possibility, but 'the only practicable plan for reconciling a Conservative Parliament to responsible government at the centre'. (37)

(35) Ibid., 302 (5 June 1935) cols. 1925-34.

(36) John Wardlaw-Milne, 'India Revisited, Talks with the Men on the Spot', Home and Empire, 6 (April 1935) 3; and Hansard, H.C., 296 (10 December 1934) col. 144.

Thus the supporters of Government’s India policy thought that an all-India federation was essential to the smooth and satisfactory working of the constitution and that the Bill sought to take a great step forward along the road to self-government. They held that, though the Bill did not attempt to satisfy all the aspirations of Indians, it did try to present a scheme which Parliament thought best in the circumstances. It seemed to them that the time for change had come, and that an all-India federation was the only scheme that could fit most of the facts, if not all. The Government was right at least in principle, and so the majority of Conservative members supported the Government and voted in favour of the Bill. They knew that the Bill would not provide India with a perfect democracy in the Provinces and a model federation at one miraculous stroke. But they felt that the Bill constituted the maximum that Britain was prepared to give and the minimum that any representative opinion in India could accept. The necessity for constitutional advance in India, at least within the limits of the Simon report was common ground among all the Conservatives, for none had suggested a retrograde step or none pleaded for continuation of the existing system. The constitutional arrangements which the Government had recommended in the Bill almost followed from those accepted premises. (38)

Right-wing Opposition to the Bill

A small group of Conservative members of Parliament, the extremists opposed the Government of India Bill. They did not deny

the importance of the Indian national movement, nor did they minimize its intensity, but they doubted whether the Government's proposals were the best way of solving the Indian problem. The main objection of the extremists was to the scheme of all-India federation. The extremists would give provincial autonomy excluding law and order, so that Indians would acquire experience in administration. It would be common sense to watch the experiment in the Provinces before calling the federation into being. They believed that development of responsibility in the Provinces should be the next forward step which would open a fertile field for self-government. Churchill said that the successful discharge of that task would be an 'indispensable preliminary without which no federation desirable or undesirable, is possible'. The successful working of provincial self-government would be a greater inducement for the Princes to join federation and he said that the House of Commons had been asked to sign 'what amounts to be a post-dated cheque, to be presented later by unknown hands in circumstances which no man can foretell'. (39)

Churchill characterized the Government's policy of federation at the Centre as injudicious and most pregnant with evil consequences. He argued that if they were bound to make a further experiment in the Provinces, 'it will be all the more necessary to keep Central Government in India, strong, intact and free from the vice of dyarchy. No federal union, no airy United States of India should be attempted until provincial units have been established and have proved themselves capable of showing loyalty to the Crown

and of giving decent administration to the Indian masses. (40) Continuing, Churchill declared that even the authors of the policy, by shifts and safeguards had little confidence in reforms. 'They give and they take back, and then half give again. They concede a principle, they deny it in performance.' The scheme of the Bill 'is that we finally withdraw our guardianship from this teeming myriad of Indian toilers ... We withdraw it not merely as an experiment which can be brought to an end at any moment but as a solemn abdication and repudiation of duty.' In a broadcast talk on 29 January 1936, Churchill described the Bill as 'a gigantic quilt of jumbled crochet work. There is no theme; there is no pattern; there is no agreement; there is no conviction; there is no simplicity; there is no courage. It is a monstrous monument of shams built by the pygmies.' (41)

Lord Rankeillour* admitted that there had been a considerable improvement over the original draft of the White Paper, on the subject of law and order. But the touchstone of his argument was 'that a mistake - by giving too little - could be redressed, but an error in the other direction was irrevocable, except at the cost of cataclysm'. To him the scheme was an 'indigestible hotch-potch of anomalies and contradictions'. He felt that the Bill would perish of its own intricate absurdities. (42) Viscount Wolmer said that

* For a brief biographical sketch see Appendix I.

(40) *The Times*, 26 June 1933.


(42) *The Near East and India*, 43 (December 1934) 976-7 and *Morning Post*, 19 December 1934, 10.
The federal assembly would be a sounding board for Indian nationalism. The whole machinery would be used as a thin end of the wedge by which the controlling powers of the Governor-General were to be whittled away until complete independence was obtained. He warned: 'You are going to tie yourself by your Bill and commit yourselves to a plan of federation - this vast, complicated, unprecedented, extraordinary, Alice-in-Wonderland federation.' (43) Henry Page Croft was opposed to the handing over of judiciary or the police and the abandoning of the government at the Centre until the Provinces graduated in the arts of statesmanship and democratic institutions and proved their fitness. Opposing federation Page Croft declared, 'If a Province of India is reduced to chaos the injury is not irreparable, but if we abandon all Government, central as well as provincial . . . then it is the end of our Asiatic Dominion and the whole fabric of Empire will totter in a welter of bloodshed and tears'. (44)

The Conservative extremists opposed the scheme of the India Bill, and in the Minority Report submitted to the Select Committee they put forward the following as essential difficulties for the working of the Indian Government, namely the 'difference of status of the units; the limitation of experience and tradition under which Indians at present stand in exercising the higher functions of government; the impracticability of representative institutions of the White Paper type for the vast sub-continent of India; the profound communal differences into which India is split up; the necessarily tentative character of the proposed provincial reforms

(43) Hansard, H.C., 296 (10 December 1934) cols. 89-100.

and its bearing on the Central Constitution.' (45) They exaggerated every difficulty and pictured all perils. This group of Conservatives who opposed especially the federal scheme suggested the retention of the federal objective and proposed the creation of a Greater Indian Council on the lines of the recommendations of the Statutory Commission. They said that Indians would not reject it and that their objection to it would not be more violent than their objection to the scheme of the Bill. Sometimes, the extremists became desperate and criticized almost all the features of the Bill, though their main aim was to oppose the transfer of responsibility to the Centre, and restrict provincial autonomy. It was in fact to gain the support of the Conservatives especially the extremists, that safeguards had been introduced and strengthened by the Select Committee. (46) But the critics attacked the safeguards from their own angle. The critics said that Hoare's acceptance of the reforms as a first instalment and his promise of 'Dominion Status' later on had given a shock to the Conservative Party. They argued that the British people had a right to a share in the trade and in the government of an India which had been so long 'defended and so largely developed by British blood and treasure'. (47)

The Conservative extremists posed as the champions of the masses of India and said that in the interests of the peasants, power should be retained at the Centre to remedy any breakdown of law and order in the Provinces.

(45) Joint Committee on Indian Constitutional Reform Session 1933-34 Volume I (Part II) Proceedings (New Delhi, 1934) 289-301.


(47) Morning Post, 8 February 1935, 12.
The extremists opposing the Bill said that British trade would be affected, not realizing that trade depended on goodwill and reciprocity and could not be forced on an unwilling people. 'Failure to give absolute security to British commerce and British investment in India would cause immense suffering to great masses of our people.' (48) They also raised unsuccessfully financial objections. In desperation Churchill supported Labour's opposition to second Chambers and as though a supporter of democracy, pleaded for direct elections. In his final speech on the Bill, Churchill admitted his failure to receive any effective or powerful response from Lancashire. He thought that it was 'a short-sighted Act', 'a wrongful Act', 'a fraud upon power and a malversation of political trust', and he hoped even at that eleventh hour stage that it would take years before federal home rule was granted after fulfilling the necessary conditions. At the end of Churchill's speech, Amery said that the last chapter of the Book of Jeremiah had ended and he said that they added to India's numbers without mentioning what they did to reduce the misery and in his speech there was no hope. 'Like all his speeches . . . it was a speech . . . utterly and entirely negative and devoid of constructive thought.' (49) Still the critics thought that two factors were on their side in the struggle, the impracticability of the federal scheme from the financial point of view and the attitude of those loyal feudatories of the British Crown, the Indian Princes. The above factors combined with the

(48) Croft, n. 44, 15,

gradual awakening of the public mind, they thought, might yet turn the scales in their favour. (50)

Conservative Supporters Versus Extremists

From the day the goal of Dominion Status was announced by the Governor-General in October 1929 up to the day of the final passage of the Bill in 1935, Churchill and his group of extremists opposed Dominion Status and all-India federation. Churchill pursued his theme of India which commanded attention, but did not wake to action the crowded puzzled Houses which heard them. To quote Churchill's own words, 'Baldwin felt that the times were too far gone for any robust assertion of British Imperial greatness, and that the hope of the Conservative Party lay in accommodation with Liberal and Labour forces ... He certainly was very successful.' (51) Churchill harangued in vain and was using arguments that would have been effective in the year of Queen Victoria's Diamond Jubilee but that sense of imperialism had evaporated. The British people had no faith in the imperial destiny any longer. Churchill's orations came a generation too late and he could make no headway against the prevailing tide of opinion. (62)


The legislation undertaken by a Tory Prime Minister was more out of tune with Tory tradition. Baldwin 'suddenly foisted on his followers a Bill which not one in a hundred of them would have accepted if it had been introduced by a Liberal or Socialist [Labour] Government. ... It horrified Tories of many shades of opinion by its sudden jump into the preserves of the more progressive parties.' Such was the position late in the twenties but by great effort the rank and file were gradually forced to change their attitude and realize the necessity for Indian reforms. Ephesian (Beethofer Roberts), Winston Churchill (London, 1927, Revised, 1936).

Baldwin had realized that the feeling engendered among an influential section of his followers might split the Party, but at the same time he also knew that failure to carry it would have almost unquestionably lost India to them. He put it in a speech that it was not a question of imposing democratic conceptions in India, as his critics thought; that had already been done deliberately by past generations who educated Indians in the study of democratic institutions. As a result, there was a new and fast-changing India impregnated with Western ideals, to which democracy could not be denied. Neither was there any truth in the extremist contention that India could be ultimately coerced against its will to put the clock back. Such a policy would not have been survived longer and India would have been irrevocably lost. The only practical plan was to go forward. (53) The Conservative Party in Parliament, by an overwhelming majority supported the Government's India policy and the minority of extremists could not move the House by their perorations. The House heard and admired Churchill but remained unconvinced and voted against him and his group. At the height of their strength they could muster only 86 supporters out of 473 Conservative members in the House.

The main objection of the extremists was that they were going too fast and too far. Their motive was to have complete control over the Central Government and to have a firm grip over the Provinces and so they said that only provincial autonomy excluding law and order should be conceded and that the Central Government should go to their help if the administration failed.

The Central Government would be powerless in guiding aright the new Provincial administrations. Even if the vagueness of the White Paper were eliminated the federal responsible Government will neither be experienced nor disinterested. It will be an uninstructed focus of faction and intrigue. Yet in the interests of the Provinces the wise guidance of some central authority is required." (54) The most important leaders of the extremist group, Churchill and Page Croft, in fact suggested that provincial autonomy be given to one or two provinces only and then keep watch on the working of the reforms. They never had any confidence that the reforms, limited as they were, would succeed, and they always had it in mind to introduce the reforms as an eyewash and then pointing out only the defects and not the achievements, to withdraw them later, or to enslave them with restrictions. (55) The Conservative extremists had different purpose in their opposition to the Indian reforms. Churchill had a sentimental attachment to the Indian Empire. For he declared the hard truth that 'England apart from her Empire in India, ceases for ever to be a Great power'. Lloyd believed that the

(54) Joint Committee Proceedings, n. 45, 296.

Winterton was not surprised that among the 'Die-hards' with Indian experience, there were hardly any British businessmen of experience. The majority were former civil servants and officials in the Army who objected to the threatened disappearance of the two services. The Rt. Hon. Earl Winterton, Orders of the Day (London, 1953) 191.

(55) Ibid., Joint Committee Proceedings.

Lord Salisbury said that there were risks in the provincial changes also but the difference was if the provinces misconceived the safeguards, it would be possible for the Central Government to intervene but 'once the central legislature is established with its responsible government . . . short of a catastrophe, retreat will be impossible . . .'. Ibid., 297.
primary desire of the Eastern hemisphere was justice, order and efficient administration. Page Croft thought that all-India federation was opposed to the instinct, tradition and faith of Conservatives. (56) The Right-wing extremists of the Conservative Party opposed the Bill because they thought 'that it contained a number of whimsical constitutional expedients outraging their sense of constitutional propriety and in general going much, much too far'. After the Bill was passed, Punch's parliamentary representative aptly described 'the ringing down of the curtain amid fervent though general rejoicing'. (57)

DOMINION STATUS

The term 'Dominion Status' was never mentioned in the White Paper or the initial draft of the Bill. To the intense disappointment of Indian public opinion, they did not refer to that goal of 'Dominion Status' which exercised as great a fascination for the Indian mind as it alarmed the Englishmen. Samuel Hoare explained that though Dominion Status was not referred to, there was no intention to go back on the Preamble of 1919 Act, nor to repudiate Lord Irwin's interpretation of its purpose in 1929. At the time of the Second Reading of the Bill, the Preamble to the 1919 Act and the Governor-General's pronouncement were included in the Bill.

When an overwhelming majority in the Parliament supported the Bill, it is intriguing why the British Government did not declare

(56) See Hansard, H.C. 260 (3 December 1931) col. 1226.

Dominion Status as the goal for India. The authorities said that the Preamble of the Act of 1919 and the interpretation of the Governor-General stood but they had not the courage of conviction to introduce a Preamble with the declaration of the goal for such a very important constitutional measure related to such an important colonial empire like India.

The lead should have come either from the Prime Minister or from the leader of the majority Conservative Party. It is very strange and unfortunate that the Prime Minister, from whom much was expected by the Indians, as he was a Labour member, was silent throughout. There is no doubt that in this particular matter, he never gave a lead and left things to take their own course. A fine opportunity was lost.

Next to the Prime Minister, the Conservative Party leader, Stanley Baldwin, should have taken the lead. He was well disposed towards India. But he was a calm and mild, though capable leader but he rarely took the initiative. In this matter, largely on account of the opposition of a vociferous group of his own Party, the Press and the general bewilderment of the common people who thought that they might lose India and that the importance and significance of their own country might be dwindled, he never gave a full-hearted lead. Even among the supporters of the Bill, many feared that if Dominion Status were included in the Bill, they might have to face the music of its legal challenge and interpretation leading to the breaking up of the relationship. For this they were not prepared.

No doubt, the demand of complete independence by Indian nationalists as the only possible way of co-operation, and the stand of the extremists within the Conservative Party, made them over cautious about the use of the phrase. At the same time, the
inconsistent and oscillating attitude of the Indian Princes with regard to their joining of the federation and the vague, ambiguous and often contradictory statements issued by them with words capable of different interpretations contributed to the exclusion of the phrase 'Dominion Status' and the inclusion of a clause that needed prior Parliamentary approval again before the federation was inaugurated. The apathetic, indifferent and not at all favourable attitude of the Muslims was another potent cause which gave a helping hand to the Right-wing extremist opponents to prevent the then National Government, specially the dominant Conservatives led by their leader Baldwin from effecting all that they had in mind.

Added to these, there was the Governor-General Willingdon, who never understood the strength of the nationalist movement in India or the character and attitude of the Congress, especially of Gandhiji, and there were many cases of differences of opinion between the Secretary of State for India and the Governor-General. At one stage, the Secretary of State flatly objected to many of those Ordinances of Willingdon as unnecessary. All these facts combined together were responsible for some of the drawbacks of the Bill.

The Bill was passed and it received the Royal assent. In fact the Act was of an unprecedented volume and the fruit of unprecedented deliberation. No view had been left unexpressed and no school of political thought left unheard. What had prevailed in the end had been reason and weight of argument. The fact, that an overwhelming majority of Conservative members of both Houses of Parliament approved the settlement showed that there was growth of sympathy with Indian aspirations. That was a significant
change. (58) With the approval of the Reforms scheme, the British public felt that a satisfactory conclusion had been reached on the Indian problem after seven years of investigation in both countries. In its solution every effort had been made to secure the greatest measure of common agreement, both between the points of India and England and also between the divergencies of opinions of different political parties in Britain. (59)

Thus the crucial special meeting of the Central Council held early in December 1934, to consider the Indian problem, gave an overwhelming vote in support of the Government's India policy and the leaders' advice. Churchill and the dissident minority critics' attack of Indian policy was thus rebuffed by Baldwin. The mass organization of the Party served in a sense as the final court of appeal in settling a dispute between warring factions within its Parliamentary Party and the voting represented a rough referendum of the Conservative Party. The Conservative M.P.s used the India Committee - a functional committee of M.P.s interested in the Indian problem - to pressurize their leader. The Party activists used the Central Council and the National Union conference to express their common concern and anxiety. A Bill incorporating the recommendations of the Select Committee was introduced in Parliament. Majority Conservative members held that the Government was right at least in principle and supported the Bill. By and large, the Conservative Party in Parliament supported the Government's India policy and the House voted against Churchill and his group. The Parliament approved the Bill by a large majority and it received the Royal Assent.

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(58) Spectator, 155 (2 August 1935).

During the period covered in this party Conservative leaders were successful in their attempt to introduce the reforms, but were forced to strengthen the safeguards and modify the scheme in view of extremist stand. The Government and the Party leadership aimed to strengthen the moderate elements in India and encouraged the Princes to enter the all-India federation as a counterpoise to what they considered the extremist Congress which was agitating for complete independence. Thus the scheme of Indian reforms was supported by all political parties save the Right-wing of the Conservative Party. Still the general feeling in the country was that conditions in India being what they were, there was little expectation of the rapid progress towards the cherished goal of Indian nationalists.