EXPORTING FEDERALISM:
THE ROUND TABLE AND THE 1935 INDIA ACT

The federalist revolution is, according to Daniel Elazar, "among the most widespread—if one of the most unnoticed—of the various revolutions that are changing the face of the globe in our time". A third of world's population currently lives in fact within states with federal constitutions, and another third lives in political entities which apply, in some degrees, federal arrangements. Since its first realization in North America, federalism has universally spread as a means of meeting people's aspiration "to preserve or revive the advantages of small societies with the growing necessity for larger combinations to employ common resources or to maintain or strengthen their cultural distinctiveness within more extensive polities". The extensive resort to federalist schemes is explained by Elazar with the opinion that "they fit a civilization governed by contractual relationship", seeking "to maximize individual liberty and equality among the parties to the compact".[1]

Unlike the great revolutions that have marked the process of human emancipation, federalism is a peaceful revolution. Federalism is aimed to achieve political integration based on a mixture of "self-rule and shared rule". It can be employed to achieve other ends—as self-government, political unification, solution to ethnic and cultural conflicts—but its vocation is to attain political integration on a specific basis, involving, according to Elazar, "some kind of contractual linkage of a presumably permanent character that (1) provides for power sharing, (2) cuts around the issue of sovereignty, and (3) supplements but does not seek to replace or diminish prior organic ties where they exists".[2]

The federalist revolution fulfils three fundamental needs of our time: (1) the enlargement of political units to include more States in order to meet the need of world power politics; (2) the demand for the development of new forms of local autonomy and self-government; and (3) the want for equality and popular participation to the definition of popular will. In meeting "the growing necessity for accommodating ethnic, linguistic, religious and ideological heterogeneity"—which the growth of interdependence deepened—federalism has generally eased a peaceful settlement of ethnic conflicts by assembling the basis of ethnicity—kinship—with the basis of democratic government—consent—"into politically viable, constitutionally protected arrangements involving territorial and non-territorial polities".[3]

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[1] Daniel Elazar, *Exploring Federalism* (Tuscaloosa, AL: The University of Alabama Press, 1987), 6, 80, 83. By Elazar see also: *Federalism and Political Integration* (Lanham, MD: University Press of America, 1985); id., *Federalism as Grand Design* (Lanham, MD: University Press of America, 1987).

[2] Elazar, *Exploring Federalism*, 12, 85. For a general theory of federalism see: Mario Albertini, *Una rivoluzione pacifica* (Bologna: Il Mulino, 1999); id., *Tutti gli scritti* (Bologna: Il Mulino, 2006-10), 9 Vols; Mikhail Filippov and Peter C. Ordeshook, *Designing Federalism: A Theory of Self-Sustainable Federal Institutions* (Cambridge: Cambridge University Press, 2004); Michael Burgess, *Comparative Federalism: Theory and Practice*, (London: Routledge, 2006); Kyle Scott, *Federalism: A Normative Theory and its Practical Relevance* (London: Bloomsbury Academic, 2011); James E. Fleming Jacob and T. Levy eds., *Federalism and Subsidiarity* (New York: New York University Press, 2014); Alain. G. Gagnon and Soeren Keil, *Understanding Federalism and Federation* (London: Routledge, 2015); John Erik Fossum and Markus Jachtenfuchs eds., *Federal Challenges and Challenges to Federalism* (London: Routledge, 2017). Elazar observed that federalism demands "a particular set of relationships…between the two faces of politics, power and justice". Federalism is a structural and cultural expression of a specific distribution of power to attain a specific form of justice "emphasising liberty and citizen participation in governance" to the maximum degree. Generating "a continuing referendum on first principles", federalism represents a "continuing seminar for civic education". Offering a specific distribution of power—providing for the different governments to control each other and, at the same time, arranging for the control of each by itself—federalism aims to reconcile, according to Elazar, human "dual capacity for virtue and vice", Elazar, *Exploring Federalism*, 85-6.

[3] Elazar, *Exploring Federalism*, 112, 9. For an analysis of the horizontal aspect of federalism, see Ferran Requejo and Miquel Caminal Badia eds., *Federalism, Plurinationality and Democratic Constitutionalism: Theory and Cases*

The federal system born with the American Constitution is very much the product of Anglo-American constitutional tradition, based on the principle of 'natural rights', and of popular sovereignty, advocated and introduced into political thought by James Harrington and John Locke. With the Revolution the Americans rejected British rule, but they did not reject British political tradition, where they found the solution to the problems that most concerned them: the limitation and control of political power. It is not just a coincidence the fact that the federal principle was first exported to the British Empire in Canada, and then Australia. The idea of the progressive extension of British political, legal, and economic traditions to the white Dominions was certainly in the interests of Britain's declining power, but it also had a universal meaning, since it represented a path to be followed beyond the confines of the British Empire itself.[4]

It was just within the British Empire that federalism was first applied to a society fundamentally alien to Western political culture, and deeply divided on a social, religious, ideological and ethnic basis. If the test initially failed for the concourse of prevalently external circumstances—the outbreak of WWII—the federal principle was at last realized for British India, giving birth to the first model of federal government outside the Western civilization. India has been since then the historical terrain of a revolution of worldwide dimensions: the universalization of the federal idea. Since the application of the federal system in India, the world-wide spread of federalism knew no geographical, cultural, religious, or ethnic limits.[5]

In India for the first time in history the principle of self-determination has been applied not to divide existing political units, but to integrate divided societies. The Indians had no choice other than to federate or perish in civil wars, and the British—among them the Round Table Movement—led three hundred and half million Indians towards independence and democracy within the only possible political framework able to combine self-rule with shared-rule.[6]

(London: Routledge, 2012); Joseph F. Zimmerman, *Horizontal Federalism: Interstate Relations* (New York: State University of New York Press, 2012).

[4] John Pinder, *The Federal Idea and the British Liberal Tradition*, in *The Federal Idea. The History of Federalism from the Enlightenment to 1945*, Andrea Bosco ed. (London: Lothian Foundation Press, 1991). For an analysis of the cultural roots of American federalism, see Alison L. LaCroix, *The Ideological Origins of American Federalism* (Cambridge, MA: Harvard University Press, 2011). For the application of the federalist principle within the Empire, see Michael Burgess, *The British Tradition of Federalism* (Leicester: Leicester University Press, 1995); John Kendle, *Federal Britain* (London: Routledge, 1997); id., *The Round Table Movement and Imperial Union* (Toronto: University of Toronto Press, 1975).

[5] For a general discussion on the Round Table Movement, see: James Eayrs, "The Round Table Movement in Canada, 1909-20," *Canadian Historical Review*, 38, (1957); Carroll Quigley, "The Round Table Groups in Canada, 1908-1938," *Canadian Historical Review*, 43, 3, (1962); Walter Nimocks, "Lord Milner's 'Kindergarten' and the Origins of the Round Table Movement," *South Atlantic Quarterly*, 43, (1964); John Kendle, "The Round Table Movement: Lionel Curtis and the Formation of the New Zealand Groups in 1910," *New Zealand Journal of History*, 1, (1967); John Kendle, "The Round Table Movement and 'Home Rule All Round'," *Historical Journal*, 11, 2, (1968); David Watt, "The Foundations of 'The Round Table'," *The Round Table*, 60, (Nov. 1970); Elizabeth Monroe, "The Round Table and the Middle Eastern Peace Settlement 1917-22," *The Round Table*, (Nov. 1970); John Kendle, *The Round Table Movement and Imperial Union* (Toronto: University of Toronto Press, 1975); H. V. Hodson, "The Round Table, 1910-1981," *The Round Table*, 284, (Oct. 1981); Leonie Foster, *High Hopes: The Men and Motives of the Australian Round Table* (Melbourne: 1986); Alex May, "The Round Table, 1910-1966" (PhD diss., University of Oxford, 1995); Deborah Lavin, "Morals and the Politics of the Empire: Lionel Curtis and the Round Table," in *Essays Presented to Michael Roberts*, John Bossy and Peter Juppe eds. (Belfast: Blackstaff Publishing, 1976); id., "Lionel Curtis and the Idea of Commonwealth," in *Oxford and the Idea of Commonwealth*, Frederick Madden and David K. Fieldhouse eds., (London: Croom Helm, 1982); Andrea Bosco and Alex May eds., *The Round Table, the Empire/Commonwealth and British Foreign Policy* (London: Lothian Foundation Press, 1997); Bosco, *The Round Table Movement and the Fall of the 'Second' British Empire* (Cambridge: Cambridge Scholars Publishing, 2017).

[6] On the application of the federal model to India, see: Nirmal Mukarji and Balveer Arora, *Federalism in India: Origins and Development* (New Delhi: Vikas Publications, 1992); Baveer Arora and Baladas Ghoshal, *India's Beleaguered Federalism: The Pluralist Challenge* (New Dehli: Center for Asian Research, 1992); Baveer Arora, *Multiple Identities in a Single State: Indian Federalism in Comparative Perspective* (Telangana: Sangam Books, 1997); Lawrence Saez, *Federalism without a Centre: The Impact of Political and Economic Reform on India's*

1. Dyarchy challenged.

The first demands for a review of the 1919 Act came from the Indian Legislature in September 1921, only a few months after the reforms had been introduced. The reforms, Curzon predicted in 1918, were leading India towards a "revolution" which would lead "to the ultimate disruption of the Empire." The impact of the 1919 Amritsar massacre and the disintegration of the Ottoman Empire persuaded Gandhi to resort to a non-cooperative policy, with the result of boycotting the reforms. The Indian moderates who took an active part in the reforms—including parties at the provincial level, Liberals and moderate Nationalists who had distanced themselves from the Indian National Congress—found themselves isolated.[7]

The Round Table's efforts to introduce the model of the British Parliamentary system to India were thwarted by Gandhi and the Indian National Congress' boycott of the 1920 elections—they co-operated in those of 1924 only to obstruct the reforms. The 1920 elections were to implement the dyarchy system, which worked only partially with the support of moderate groups. The British kept their pledges of extending the rights they had retained in a progressive sequence: fiscal autonomy was accorded in 1921, and access to senior Civil Service was warranted in 1924. It was however only after the appointment of Lord Irwin—the future Lord Halifax, and an associate of the Round Table since the South African days—as Viceroy in 1924 that considerable progress was made in the dyarchy experiment. Alan Campbell Johnson acknowledged that the appointment of Irwin as Viceroy, with support from *The Times'* editorial policy, played a vital role in the implementation of the Indian Bill, remarking also how "in no uncertain terms," Irwin's policy was appreciated and underwritten by Printing House Square.[8]

In order to overcome the deadlock in the enactment of the 1919 Act, and in the relations between the two branches of the British Indian executive, the Round Table suggested an early convocation of the Statutory Commission which should investigate the functioning of the Act. They used *The Times* both to censure the "arrogant and patronizing" attitude of Lord Birkenhead—Secretary of State for India, 1924-28—towards the Indians, and to support an immediate formation of the Commission, composed of "judicially minded men who were able to agree." The Commission, appointed by Birkenhead in November 1927—three years in advance of those planned, in order to test the implementation of the 1919 Act—and chaired by Sir John Simon as *The Times* requested, was however greatly impeded by Congress non-cooperative attitude, as a reaction to, or rather an excuse, for the fact that there was not a single Indian among its members.[9]

The replacement of Birkenhead with Lord Peel in 1928, and with Wedgewood Benn in 1929 following the formation of a Labour Government in early 1929 with the support of the Liberals, gave the possibility to Irwin on his visit to Britain in June 1929 to consult the Round Table and to obtain their full support to press the new Government for a dramatic reversal of strategy. In spite of the opposition of Lloyd George and Lord Reading, Irwin succeed in persuading the new Government that an announcement should be done, before the publication of the Report of the Simon Commission, to grant India Dominion status, and the inauguration of a series of 'Round Table' Conferences on the basis of equal representation

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Federal System (New Dehli: Sage Publications, 2002); Nirvikar Singh and M. Govinda Rao, *Political Economy of Federalism in India* (New Dehli: Oxford University Press, 2006); Harihar Bhattacharyya, *Federalism in Asia: India, Pakistan and Malaysia* (London: Routledge, 2008); Zeenat Ara, *Changing Dynamics of Indian Federalism* (New Dehli: Abhijeet Publications, 2009); Hamid Hussain, *Indian Federalism: Emerging Trends* (New Dehli: Asia Book Club, 2010); Sumitra Kumar Jain, *Federal Political Culture in India: A Public Perception* (Lambert Academic Publishing, 2012); Lancy Lobo, Mrutuyanjaya Sahu and Jayesh Shah eds., *Federalism in India: Towards a Fresh Balance of Power* (Jaipur: Rawat Publications, 2014); Lokraj Baral and Krishna Hachhethu eds., *South Asia: Nation Building and Federalism* (New Dehli: Vij Books India, 2015).

[7] Mehrotra, *India and the Commonwealth*, 162-3; Curzon to Montagu, 25 July 1918, MoP As3/2/63.

[8] Alan Campbell Johnson, *Viscount Halifax: A Biography* (London: R. Hale, 1941), 255. On the Round Table's attitude towards India, see: S. R Mehrotra, "Imperial Federation and India: 1868-1917", *Journal of Commonwealth Political Studies*, 1961 Vol.1, n.1, pp. 29-40.

[9] *The Times*, 30 March 1927. On the Report of the Commission, see Cdm. 3568 and 3569 of 1930. On Birkenhead's Indian policy, see John Campbell, *F. E. Smith: First Earl of Birkenhead* (London: Jonathan Cape, 1983).

between the British and the Indians. The announcement was made by Irwin on 31 October 1929 on his return to India and, as it was expected, it raised a wave of protest by Conservatives at home. In spite of Irwin's announcement that Dominion status was the genuine goal of British rule, Gandhi's uncompromising attitude won nevertheless Congress to a massive campaign of non-violent civil disobedience, opening the doors of prison for sixty thousand Indian militant nationalists.[10]

A point of no return had however been irrevocably marked. Anglo-Indian relations would not have been the same since, even if the meaning of Dominion status had different implication for the British and the Indians. If for the British it meant, as Irwin himself put it, "an achieved constitutional position of complete freedom and immunity from interference", for the Indians it signified no less than full independence.[11]

In order to prevent a more serious Anglo-Indian crisis, Philip Kerr—who after Milner's death became the intellectual and political leader of the Round Table—decided to have a long talk with Simon and sent him a memorandum on the need for a more stable legislative and executive organs in India. Kerr believed that the British ought not to try to impose their own parliamentary system in India but should, instead, be helping the Indians to found their own, on condition that the constitutional process be carried out peacefully, that individual liberty—particularly that of British citizens in India—not be endangered, and that the system be representative and not autocratic. As a matter of method Kerr suggested Simon: "Don't put any proposals to India, but ask the Indians what they would propose".[12]

Kerr also recommended the abolition of dyarchy at the local level from 1930 onwards, leaving the Indians in full control of the provinces, as he maintained that it was only by actually exercising responsibility that they would acquire the ability to govern themselves. Only the concession of full self-government at the provincial level would break the deadlock in Anglo-Indian relations, and prevent local outbursts of nationalist violence, which would have to be put down by the British. The English and the Indians would then share full responsibility for maintaining law and order, and the wave of civil disobedience would lose much of its momentum because it would come up against the provincial Indian authorities themselves. Kerr believed that Gandhi's radicalism was very unwise since it took no account of the Christian maxim of rendering unto Caesar that which is Caesar's: "Nor did the early Christians, with the result that instead of transforming and purifying the Roman empire they destroyed it".[13]

Kerr considered dyarchy should gradually be introduced to the centre, with the aim of linking the two poles of the federal system. Kerr's eventual aim was a federation of the Indian provinces, for which autonomous political units were needed as a base, considering self-government to be a means rather than an end in itself. The units would be true states, to be integrated gradually until a federal structure was achieved for all India, under the temporary tutelage—since dyarchy was in itself just a temporary expedient—of British sovereignty, essential to resolve the inevitable conflicts among the provinces and the princely states. The 524 Indian States lived, in fact, in a condition of backward feudal enclaves ruled by autocratic Princes and linked to Great Britain by single treaties and agreements.[14]

Kerr believed however that in a social situation marked by deep ethnic, religious and linguistic divisions it was however still not possible to introduce full self-government at the centre. Majority rule tended to intensify minority group interests, making it difficult to judge political questions on their merit. Moreover, the population of the biggest democracy in existence with the longest experience of self-government in the world—the United States—was little more than a third of India, while countries with a population similar to India, such as Russia and China, were autocracies. And yet it was vital to

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[10] Judith M. Brown, *Gandhi and Civil Disobedience: The Mahatma and Indian Politics 1928-1934* (Cambridge: Cambridge University Press, 1972). On Reading's attitude towards Indian independence, see Denis Judd, *Lord Reading* (London: Faber and Faber, 2013).

[11] *Speeches by Lord Irwin, 1929-1931* (Simla: Government of India Press, 1931), 231.

[12] Kerr to Simon, 13 September 1928, LP, 245/731-5; Kerr to Wedgwood Benn, 13 February 1930, LP, 245/777; 251/508-10.

[13] LP, 245/735-8. On Simon see: David Dutton, "Simon and Eden at the Foreign Office, 1931-1935", *Review of International Studies*, 20, 1, (1994): 35-52; Kerr to Simon, 31 December 1929, LP, 253/775-7.

[14] Quigley, *The Anglo-American*, 215-8. On the attitude of the Princes towards all-India federation, see I. Copland, *The Princes of India in the Endgame of Empire, 1917-1947* (Cambridge: Cambridge University Press, 1997).

create some kind of central assembly to represent the various provinces, and exert some influence on British rule. Since it was not yet possible to elect such an assembly by universal suffrage, Kerr proposed to Simon that the provincial parliaments elected delegates to attend sessions of the central Parliament. These indirect elections would attract more qualified men to provincial life, and the provinces would become "the real centres of political life which is essential if responsible government is to succeed in the coming phase of Indian development". The central Parliament would then consist of people who exercised particular responsibilities in the provinces and therefore represented "the responsible forces in India". Kerr also proposed a Council of State consisting of the Executive Council of the Viceroy and a minister appointed by each provincial Government—a "Minister for Indian Affairs"—whose function would be to study the bills before they were presented to Parliament and to settle institutional disputes in the last instance.[15]

The Report of the Simon Commission—a detailed and useful two-volume on the Indian situation, produced with the assistance of the Round Table's associates at the India Office, and published in June 1930—endorsed some of the Round Table's demands, proposing to put an end to dyarchy at the provincial level, thus giving the Indians full control of their local affairs, on the basis of a broader franchise, and indirect election to the central legislature. It did not however reach unanimity because of the opposition of Lord Burnham—owner of *The Daily Telegraph*—to making further concessions to the Indians, who would still refuse, in any way, to collaborate with the British. These concessions appeared however to the Round Table—and to Liberal Indians—as too little gestures compared to the advertised goal of Dominion status, and the Round Table condemned the Commission's unilateral method of granting concessions, openly advocating for a direct involvement of the Indians into deliberations concerning their own destiny. Their association to the constitutional process would moderate, they thought, Indian demands for radical transfer of responsibility.[16]

2. *Lothian and the Round Table Conferences.*

The British Government maintained its pledges and summoned in November 1930 the first session of the Round Table Conference. As member of the British Delegation—formed by representatives of the major parties—Lothian and the Liberal Delegation—composed also by Lord Reading, Sir Robert Hamilton and Isaac Foot—strongly supported the suggestion by delegates of the princely States—representing one third of India, and being not directly under British rule—to federate with British India on condition to be over-represented at the central legislature. Lothian thus succeed to win over to his federalist plan at least 'moderates' Indians, since the 'radicals' decided not to participate in the Conference. The Conservatives, while welcoming the Princes' move, were however completely against the demand of the other Indian representatives—Muslims and Hindu Liberals—for direct elections at the centre. General agreement on the creation of a central administration responsible in front of an Indian electorate—on condition of leaving to the British Government the control of Indian army and foreign policy, and imposing on the Indians financial obligations, the so-called 'safeguards'—left however unsettled questions related to franchise—Indians demanded for full adult suffrage—and representation of minorities.[17]

The reaction in India to the results of the Conference was rather confused, since even Congress was composed by a very wide range of social forces, temporarily held together by nationalist spirit. The reaction was generally critical, but there was no lack of support, even in Congress, so that Gandhi himself was forced to take part in the second session of the Round Table Conference—scheduled from early

[15] Kerr to Simon, 10 March 1930, LP, 253/784-92.

[16] On Simon's Indian policy, see: David Dutton, *Simon: A political biography of Sir John Simon* (London: Thistle Publishing, 2013). On Conservative opposition to Indian reform, see Carl Bridge, *Holding India to the Empire: The British Conservative Party and the 1935 Constitution* (London: 1986).

[17] Hugh Tinker, "British Liberalism in India, 1917-45", in *The Political Culture in Modern Britain: Studies in Memory of Stephen Koss*, J. M. W. Bean ed., (London: 1987), 190-2; W. Wedgwood Benn, "The Indian Round Table Conference", *International Affairs*, 10, 2 (1931): 145-159. On the British Conservatives and Indian reform, see K. Veerathappa, *British Conservative Party and Indian Independence 1930-1947* (New Delhi: 1976).

September to late November 1931 in London—declaring however that Congress would never accept British control over Indian foreign policy and defence, no matter for how short a time.[18]

Kerr—who had inherited in 1930 the title of 11th Marquess of Lothian—hoped that the agreement reached in March 1931 between Gandhi and Irwin—releasing from imprisonment Congress' members in exchange of Gandhi's willingness to put an end to civil disobedience and attend the second session of the Conference—would appease Anglo-Indian relations, and allow a rapid and global agreement on the federal scheme. The British Parliament would have in any case to prepare and approve, Lothian argued, a Constitution which deserved "the greatest measure of Indian co-operation". As soon as it became apparent however that an agreement among Indians on minorities' representation within the proposed federal Parliament was out of reach, the Princes begun to revert their openings to join the federation. Lothian thought that the question of minorities was central "in a country in which caste and religious loyalties are stronger than patriotism or social solidarity". The growth of an Indian 'national' identity however required that citizenship took "precedence of every other kind of loyalty".[19]

Writing to Lord Reading on 17th July, shortly before the second session of the Round Table Conference was to meet, Lothian suggested that if it were not possible to reach a formal agreement during the negotiations, then it was essential to reach a tacit agreement with "the best Indian representatives" as to the policy the British Government would have to follow in order to "unblock" negotiations. It was essential to maintain "the unity of the British delegation during the last stages of negotiations so as to ensure that whatever else may happen, a new Constitution can be put on the Statute Book during the coming winter". Lothian added that only the British Parliament had the right and duty to act in the crisis, for if national unity were lost, the situation would become "desperate". If Parliament were to assume responsibility for issuing the new Constitution, taking into account the needs and availability of moderate Indians for collaboration, there could, according to Lothian, be a repetition of what had happened in 1921:

> The choice before India will then be either to work it or to go into revolution. There will no doubt be a non-co-operation party as in 1921, but if enough Indians come forward to work the constitution as they did in 1921, the bulk of the non-co-operators will gradually come to heel as they did in India.[20]

In order to guarantee some continuity in the Round Table's policy, Lothian joined on 25 August 1931 a National Government led by the Labour MacDonald, and formed predominantly by Conservatives and Liberals, in spite of the fact that Lloyd George broke with the party leader Sir Herbert Samuel and formed a new Liberal group within the House of Commons. Lothian took up the Cabinet-level office of Chancellor of the Duchy of Lancaster, administering the King's estates. On 9th September, during the second session of the Round Table Conference, Lothian urged MacDonald to press for an immediate agreement on the federal scheme, since it seemed very unlikely that the a Government would revive the question. It was quite clear from the stiffening of the Muslims' attitudes—triggered by Gandhi's tendency to present himself as the negotiator for all Indians—that the British Government would have to shoulder the responsibility for another major crisis. Lothian advised then MacDonald not to meet Gandhi more often than the leaders of other delegations.[21]

Following the landslide victory of the Conservatives at the General Elections of 27 October 1931—bringing the Labour Party's brief spell in power to an end—and the re-appointment of MacDonald as leader of a re-formed National Government, Lothian left the office of Chancellor and accepted the appointment of Under-Secretary of State for India, requesting for direct access to MacDonald himself—thus bypassing the Secretary of State and Conservative Sir Samuel Hoare—on matters of Indian constitutional reforms.[22]

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[18] Prince Mirza M. Ismail to Lothian, 4 November 1930 LP, 249/376.

[19] Lothian to Lloyd George, 17 July 1931, LP, 257/280-1; 260/552-3; Lord Lothian, "India, Constitution or Chaos", *The Round Table*, 21, 82 (March 1931): 260; *Parliamentary Papers (Commons)*, 1931-32, vol. 8, Cdm. 3997, "Indian Round Table Conference (Second Session), Proceedings"; Lothian to Sapru, 4 May, LP, 260.

[20] LP, 259/463-4; 258/403-4.

[21] LP, 258/403-4.

[22] Lothian to MacDonald, 9 Nov. 1931, and MacDonald to Lothian, 10 Nov. 1931, LP, 143/105-7. Lothian's demand leaked to the press (*News Chronicle*, 12 Nov. 1931), and he had to ensure Hoare that there was not such a condition for accepting the appointment, J. A. Cross, *Sir Samuel Hoare: A Political Biography* (London: 1977), 151-2.

As first act in that capacity, Lothian introduced at the Lords—following a motion passed at the Commons on 3 December 1931 by a majority of 369 to 43, favourable to central self-government with safeguards—a resolution stating that it was

> The uniform verdict of our Imperial history, that the one way to convert rebels and revolutionaries into constructive statesmen is to thrust responsibility for government upon them, and so make them responsible for the consequences of their own acts.[23]

After some resistance—including Lothian's uncle Lord Fitzalan and Selborne—the Lords backed Lothian's stand, which however in the short run proved itself too optimistic. Unsatisfied by just declaration of intentions, Congress reverted to civil disobedience, bringing the new Viceroy Lord Willingdon to re-open to its most active members the doors of jail. "Strong measures", Lothian commented to Hoare later in February 1932, "may smash the civil disobedience movement for four or five years but it will not kill Congress or lessen the Nationalist movement". Lothian was well aware that the dyarchy system had "been under sentence of death for two or three years", and thought that only responsibility would "sober them as it has sobered others". "There are probably more men of drive and energy and character", Lothian pointed out to Hoare, "in Congress than in other group".[24]

With regard to the prejudicial demand for central self-government, as required by Congress before it would co-operate, Lothian was quite clear with Dawson in March 1932:

> I think that once the princes have accepted the principle of federation, His Majesty's Government should declare that it is going ahead with Federation for India just as fast as it can; that it will start drafting the bill at once; that it will consult with the princes and British India early this autumn for a settlement of outstanding details; and that they will legislate next year.

And he added: "Now that I have been here [in India] I am more of a federationist than ever".[25]

In front of the Princes' indisposition to join the federation on the base of pure proportional representation, Hoare warned Lothian that the Government—predominantly Conservative—would not be able to grant British India self-government, for the fear that it fell under Congress' control. In order to prevent the explosion of a severe political crisis in Imperial relations—with a possible radicalization of the conflict just at a time when Great Britain was confronted with major international challenges—Lothian then reverted to the tactics employed by Lloyd George in the solution of the Irish crisis, pressing the Princes to accept in principle to join the federation in order to bring the British Conservatives to grant self-government, and eventually to step back once the new Indian Bill passed through Parliament. "Lothian is an L. G. product", J. C. Davidson—Conservative Chairman of the Indian State Committee—warned Hoare on 25 March, being "inclined, in order to get a quick success, to be willing to wink at difficulties". Lothian was craving, Davidson censured, to relinquish India to Congress, as Lloyd George surrendered Ireland to Sinn Fein.[26]

3. Lothian and the Franchise Committee.

The second session of the Round Table Conference resulted in the request for further investigation on constitutional reform, through the creation of three committees: on the financial aspect of the federation; the relation between the federation and the princely states; and the extension of franchise both at provincial and central level. Lothian was asked by MacDonald to chair the latter, "so to widen the electorate that the legislatures…should be representative of the general mass of the population".[27]

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[23] *Parliamentary Debates (Commons)*, 5th series, 1930-31, vol. 260, 2-3 December 1931, cols. 1101-413; *Parliamentary Debates (Lords)*, 5th series, 1930-31, vol. 83, 8 December 1931, cols. 309, 312-483.

[24] Lothian to Hoare, 4 Feb. 1932, quoted in Billingdon, *Lord Lothian*, 107; Hoare to Lothian, 3 March 1932, LP, 152/300-4.

[25] Lothian to Dawson, 29 March 1932, quoted in Butler, *Lord Lothian*, 181-2.

[26] Davidson to Hoare, 25 and 27 March 1932, quoted in Billington, *Lord Lothian*, 107.

[27] Cmd 4086, "Report of the Indian Franchise Committee", vol. 1, 252-4; F. G. Pratt, "The Indian Round Table Conference: Second Session", *Pacific Affairs*, 5, 2 (1932): 151-167. The Round Table Conference established to increase the franchise from 3% to a maximum of 25% of the population, including women and minorities. The

Lothian went to India at the beginning of 1932 genuinely wanting to get to know and understand the deep forces at work in that great country, with in mind his federalist plan. In spite of the intransigence of Congress, with renewed civil disobedience when Gandhi returned from London, and a permanent state of unrest, Lothian did not seem to have lost his usual optimism:

> In my experience—he wrote to S. K. Datta just before leaving—human progress takes place in spite of mistakes committed by individuals, parties and governments and that collisions are an essential element in progress. The great thing is that as many of us as possible should not become submerged in the passions which surround collisions because the time always returns for common sense to prevail.[28]

He received special encouragement for his Indian mission from General Smuts who, hearing about Lothian's decisive contribution to the Round Table Conference, said he was confident that he could "add the settlement of India", which was "the biggest achievement in the history of the Empire", to his "many other great services". The elder statesman recorded that "nobody helped us better than you and Brand in the establishment of the Union of South Africa", and thought that Lothian would have to rely heavily on Gandhi, "who in spite of his vagaries is really an honest man, and whose influence if conserved for the British connection will give you a great leverage". There was no other "real leader" amongst the Indians, "and you know how leadership counts in these matters". Lothian in fact considered Gandhi "fundamentally a force for peace", and that he had been "clumsily dealt" with by the British, but in front of the intransigence of Congress, firmness was needed in order to encourage moderate Indians to dissociate themselves from the radicals, and to collaborate with the British. The only real solution to the Indian problem laid, he believed, in the creation of "a gigantic parliamentary federation". This depended, however, on the emergence of "new forces", upon which to build a "new order" and a "new equilibrium". A further extension of the franchise was necessary in order to liberate "individuals, both men and women, from the tyranny of social and religious fatalism".[29]

Lothian's attempt "to feed at once the lions here and at home" resulted in a proposal—accepted in substance by the 1935 Act—to recognize Indians' right to self-government within a federal system, and foresaw at the provincial level the extension of the franchise on the basis of property and education, from ten to forty-three per cent to adult male, and from one and half to ten per cent to adult women, thus exceeding the limits originally posed by the Prime Minister. Franchise at the federal level would be limited to the provisions of the 1919 Act. It was a huge step forward in the exercise of representative democracy at the provincial level, but nevertheless it raised criticism by Congress and the Indian press. Of the eleven Indian members of the Commission—which consisted of twenty-three members altogether—only three were not in agreement, while the Secretary of State Hoare, and Lord Sankey—President of the Commission on the 'Federal Structure'—expressed their appreciation. In India the Report was welcomed enthusiastically by moderate Liberals, but judged alarmingly revolutionary by the conservative right, while the radicals—mostly educated in Oxford or other British universities in the inner virtues of parliamentary democracy—although recognizing the goodwill and courage shown by the Commission and Lothian, complained that the proposals were not "advanced enough to satisfy the democratic spirit that is abroad in the country today".[30]

Franchise Committee was composed by ten Indians—R. R. Bakhale, C. Y. Chintamani, S. B. Tambe, Diwan Bahadur A. Ramaswami Mudaliyar, Sir Sundar Singh Majithia, Radhabai Kudmal Subbarayan, B. R. Ambedkar, Sir Mohammad Yakub, Khan Bahadur Maulvi Aziz ul-Haque, and Sir Zulfiqar Ali Khan—representing Indian Liberals, Hindu Brahmins and non-Brahmins, Sikhs, Depressed Classes, and Indian Muslims, and eight British, Sir Ernest Bennett, Major James Milner, Mary Pickford, Richard Austen Butler, Sir Ernest Miller, Lord Dufferin (Secretary), and Sir John Henry Kerr (deputy Chairman), representing the main three British parties. For the proceedings of the Committee, see Cmd 4086, "Report of the Indian Franchise Committee", vol. 1, 1-262. Lothian to Lord Reading, 25 Feb. 1932, LP, 159/21-2.

[28] On the conditions posed by Lothian to his participation to the government see his letter to MacDonald, 9 ottobre 1931 (Butler, *Lord Lothian* op. cit., p. 179). S.K. Datta to Lothian, 16 January 1932, SRO, *LP*, 263/251-2.

[29] Smuts to Lothian, 14 December 1931 (Butler, *Lord Lothian* op. cit., pp. 179-80) and Lothian to Smuts, 7 January 1932, SRO, *LP*, 269/911-2.

[30] The Commission proposed the extension of the franchise to 30 million of men and 6 million of women, against the existing ratio of 6,600,000 and 316,000. Sankey to Lothian, 25 December 1932 (Butler, *Lord Lothian* op. cit., p. 181).

Before leaving India, Lothian gave an interview to the *Daily Herald* on 7th March 1932, declaring that Great Britain was willing to speed up the process of Indian independence. This upset many members of Parliament at Westminster. Lothian was reprimanded sharply by Hoare, who invited him not to repeat the performance during his return trip. The Secretary of State feared that the fierce opposition—led by Churchill—to the reforms would rally a majority of Conservatives against the Government's Indian policy, and force Hoare to resign.[31]

Churchill made his own position clear in an article published on 30 June by *The Daily Mail*, entitled "The Real Issue in India", in which he bitterly criticized Hoare's actions and the conclusions of the Lothian Commission. He totally opposed granting the Indians a democratic Constitution, and rejected the application of the "old, worn-down, discredited" system of proportional representation that Europe had "almost completely rejected". Three quarters of the expected Indian thirty six million voters were illiterate, spread over four hundred and eighty five thousand villages: "Lord Lothian would throw on their naked and lean shoulders the cost of this huge and strange buffoonery". That "humble and primitive crowd", who "has been unable to develop, even in the most elementary way, the village government", would have, according to Lothian, "to become the foundation of the United States of India". Europe, with its glorious and age-old civilisation and with the same population and size as India, "but with less religious and ethnic differences, has not been able to achieve that federal structure that Lord Lothian tries to build in India".[32]

In Great Britain Lothian's declaration received a strong endorsement from *The Times*, provoking Churchill harsh comment: "Lothian is misleading the country again, supported, as he is, by Geoffrey Dawson and other members of a partisan press, who act as the fuglemen of Imperial surrender". Churchill's resentment for having been defeated in February 1919 by Lothian—then Private Secretary to Lloyd George—over Allied intervention in Russia, grew even deeper during the controversial process of Indian reforms. The former Secretary of State for War had to accept a second beating by Lothian, by now however completely emancipated from Lloyd George.[33]

G. D. Birla, thought that the proposals of the Lothian Commission would help considerably towards finding a solution to the Hindu-Muslim diaspora, and noted that definite responsibilities should now be given to the elected assemblies under the new electoral system. Birla sent Lothian a cartoon from the Indian press, depicting him in the act of offering the Indians an elderly bride, commenting that a child bride would have been more appropriate, and in any case a house had to be found for the bride as soon as possible, because "without a home any bride would be an unnecessary burden". However, the extended franchise would be satisfactory only if it were "accompanied with responsibility at the centre". While the nationalist press was critical of the Commission's work, the local press—which more closely reflected the actual political situation—was pleased, and thought Lothian to be the only British politician capable of "persuading the Cabinet to take a conciliatory attitude".[34]

In spite of some criticism and a certain amount of dissatisfaction, the Lothian Commission Report was welcomed with equanimity on the whole, and a new sense of responsibility, even within the Congress, spread off in the country. Lothian was portrayed by the Indian press as a good-hearted man, a friend of the Indians, a true gentleman, someone who would help them to advance their cause. Seeing him

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On the reactions in India: K. Subbarayan, member of the Commission, to Lothian, 28 June 1932, SRO, *LP*, 269/932-3.

[31] Hoare to Lothian, 11 May 1932 (*Ibidem*, 264/370); VIscount Templewood, *Nine Troubled Years*, London, 1954, p. 70.

[32] On Churchill's opposition to reforms, see: Carl Bridge, "Churchill and Indian Political Freedom: The Diehards and the 1935 Act," *Indo-British Review*, 13, 2, (1987): 26-30; Carl Bridge, "The Impact of India on British High Politics in the 1930's: The Limits of Cowlingism," *South Asia*, 5, 2, (1982): 13-23.

[33] R. A. Butler to Hoare, 29 Feb. 1932, quoted in Billington, *Lord Lothian*, 107. For an analysis of criticism within the Committee, see Ibidem, 108-9. Martin Gilbert, *Winston S. Churchill*, vol. 5, *Companion Volume, Part II* (London: 1966-88), 436. For a discussion of Churchill's opposition to Indian independence, see Martin Gilbert, *Winston S. Churchill*, vol. 5, 352-619. For a discussion on Churchill's failed attempt for an Allied intervention in Russia, see Bosco, *The Round Table*, 414-7.

[34] Birla to Lothian, 9 June 1932 (*Ibidem*, 261/89).

as "a Liberal of the old Whig or the latter-day imperialist type", far removed from any radical ideas but also from the conservative spirit, and close to the Indian Liberals in ideas, he became the symbol of an enlightened Great Britain. Among the attributes of his rich personality was the ability to settle disputes, a deeply analytical mind, kindness to others, dedication to work, and a total lack of conceit: "One of the pleasantest men one can hope to meet". As with all deep-thinking men, however, he did have his faults:

> Lord Lothian cannot easily make up his mind (so at least it appears to an onlooker): he sees too much of both (or more) sides of a question to be confident on which side there is more to be said...He is most at home in first principles. And he can grow eloquent on analyses of difficulties...Lothian is an easy and elegant speaker, but not a powerful one.[35]

Conscious of being "unsupported" in the Cabinet and "detached" from his supporters, Lothian resigned from the Government on 28 September 1932 over the Ottawa Agreements—fixing imperial tariff rates for five years—seen by Samuelite Liberals as in contradiction to traditional British trade policy, and a possible mortal blow to the unity of what was left of the Empire. Lothian could stay and follow Simon—who continued to support the National Government with a half of Liberal MPs—but told Willingdon that in those conditions

> The position of an Under Secretary…would have been one of singular weakness and ineffectiveness and I am not sure that it is not more important to be free to fight Winston and his friends who are going to run a campaign against central responsibility through the country than to remain silenced or half-silenced inside.

Lothian was well aware of not being "a practical politician", and that his approach to politics was "an intellectual one".[36]

To all those who regretted for his resignation, he responded with a certain self-deprecation:

> I am not sure that my presence on the Front Bench would not have been a liability rather than an asset in getting a reasonable India bill through their Lordships' House. The diehards have their knife into me and I look forward to being able to make a few speeches about them in the country this autumn.[37]

Lothian continued however to cooperate with the India Office on the new Constitution, and was invited to represent the Liberals together with Lord Reading at the third sitting of the Round Table Conference by the Prime Minister Ramsey Macdonald, who remarked: "Your experience and knowledge will be of great value to the Conference and I am sure that the Indians would be disappointed if you were unable to take part".[38]

4. Lothian and the Joint Select Committee.

After the three commissions had presented their reports and the Princes had hinted at the possibility of their entry into the federation to counterbalance the radical forces of Congress, the Government appointed, in May 1932, a Joint Select Committee—with an equal representation of sixteen members from the Commons and the Lords—to draw up the text of the new federal Constitution. The Princes' attitude was crucial in reassuring the majority of British Conservatives, and Lothian then pressed the new Viceroy, Lord Willingdon to use all possible means—including the recently-created Advisory Committee which consisted of solely Indians—to bring "the princes into line, not next year after the bill is introduced, but this autumn, because I do not think the Cabinet will commit itself to one bill, i.e. to federation, unless you can produce evidence that the princes in fact are going to adhere".[39]

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[35] Sir A.P. Patro to Lothian, 23 March 1932 (*Ibidem*, 266/574-8) and comments of Indian press (*Ibidem*, 270/998). For the role of the Indian Liberals in the process of independence, see R. T. Smith, "The Role of India's 'Liberals' in the Nationalist Movement, 1915-1947", *Asian Survey*, 8, 7 (1968): 607-624.

[36] Lothian to Willington, 6 Oct. 1932, LP, 270/1024-8; Thomas Jones, *Diary with Letters* (London:), p. 48.

[37] Lothian to Lord Dufferin, 4 October 1932 (*Ibidem*, 263/260-1);

[38] MacDonald to Lothian, 26 October 1932 (*Ibidem*, 265/491); Mahataja Bahadur to Lothian, 26 October 1932 (*Ibidem*, 269/937-8); C.Y. Chintamani to Lothian, 24 November 1932 (*Ibidem*, 262/167); Nanak Chand Pandit to Lothian, 1 October 1932 (*Ibidem*, 362/146).

[39] Lothian to Willingdon, 27 May, 10 June, 14 July 1932, SRO, *LP*, 270/999-1006. The Round Table was represented by the same members of the third session of the Round Table Conference – Lothian, Hoare, Simon and Halifax –

The Government was in fact not prepared to face Parliament without being certain of the Princes' support to the federal scheme. Moreover, the Government rejected any kind of direct consultation between the Joint Committee and Indian representatives, as it considered the Round Table Conference policy to have exhausted its function, now that the constitutional process had entered the final phase. The Government then adopted Lothian's suggestion for occasional and informal consultation with Indians representing the various social, political and religious groups postponing official consultations after the Joint Select Committee had drawn up a Constitution, in order to avoid spending a whole year discussing merely general principles. Before this could happen, however, the bitter conflict between Hindus and Muslims over the composition of the provincial assemblies had to be settled. Thanks to the resolute intervention of the Government, the agreement known as the 'Communal Award' was reached on 16 August 1932, though later modified by the 'Poona Pact' of 25 September. This paved the way for the provincial elections to take place, bringing Congress to act with moderation, Lothian believed, as government responsibility tended to convert "every Radical into more or less of a conservative".[40]

Lothian did not approve Gandhi's policy which had led to the Poona Pact which gave great political weight to the so-called 'depressed classes' to the detriment of the Hindu community to which Gandhi himself belonged. Lothian's fear was that the Muslim community would manage to "buy" the vote of the depressed classes, and thus obtain a majority in the Punjab and Bengal—having a slight majority of Muslim population, respectively 54.7 and 57.1%—at the federal Parliament, where a coalition of Muslims with the depressed classes and other minorities would put the Hindu community itself in the minority. Lothian feared that the Poona Pact might consolidate "the orthodox and reactionary Hindus against Gandhi, Congress and all their works", whereas the "Communal Award" promoted by the British Government had tried to prevent just that. Lothian concluded that "the Mahatma may keep his reputation as a saint", but was "sure that in three months-time he will have almost no followers among the Hindus as a politician, while the Moslems will be treating him as a minor prophet". That was "another instance of how bad a political guide a prophet or a saint can be". Fortunately Lothian was proved wrong, perhaps because his fears had been due to his irritation at not being able to understand and influence Gandhi's behaviour. Relations between the two men became more relaxed when, not without difficulty, they overcame their mutual suspicion.[41]

Taking the chance of sending Gandhi a copy of the Report of the Franchise Commission, Lothian seemed confident that the moment would come when "you will be urging the young men and women who follow you to transfer their energies from civil disobedience to winning elections, through which, if they can command the suffrages of the electorate, they will be able to assume responsibility for government". He thought Gandhi was paying a high price for having tried to be both a prophet and a politician, although he recognized that his philosophy of non-violence was "in many ways a nobler concept than the dominant ruthless militarism and materialism of the present-day Europe".[42]

The Joint Select Committee entered however into full operation only following the outcomes of the third session of the Round Table Conference—which lasted from November to December 1932—endorsed in the March 1933 *White Paper* issued by the India Office under Hoare's responsibility, and representing "the greatest possible agreement among Indians themselves and between the Indians and the British". It provided for self-government at the provincial level on the basis of the franchise envisaged by

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while the Cecil family had Austen Chamberlain, the Archbishop of Canterbury Lang, the Lords Eustace Percy, Salisbury, Zetland, Lytton, and Hardinge.

[40] Lothian to Dawson, 29 March 1932, quoted in Butler, *Lord Lothian*, 181. For a discussion, see: Helen M. Nugent, "The Communal Award: The Process of Decision-Making", *South Asia: Journal of South Asian Studies*, 2, 1-2, (1979): 112-129; B. Chakrabarty, "The Communal Award of 1932 and its Implications in Bengal", *Modern Asian Studies*, 23, 3 (1989): 493-523; Asgharali Engineer, *They Too Fought for India's Freedom: The Role of Minorities* (New Dehli: Hope India Publications, 2006), 177.

[41] Lothian to Lord Dufferin, 4 October 1932, LP, 263/260-1. On terrorism in Bengal, see M. Silvestri, "The Sinn Fein of India: Irish Nationalism and the Policing of Revolutionary Terrorism in Bengal", *Journal of British Studies*, 39, 4 (2000): 454-486.

[42] Lothian to Gandhi, 5 May 1932, quoted in Butler, *Lord Lothian*, 183-4; Lothian to Willingdon, 6 October 1932, LP, 270/1024-8.

the Lothian Committee, and the creation of a bicameral federation on the basis of a more limited franchise, at which the princely states would have been represented in the proportion of one third. The *White Paper* became the basis for the parliamentary process which brought to the Government of India Act of 1935. In order to prevent undesirables outcomes, the Government asked Parliament for a vote of confidence on his Indian policy, which gave the occasion to Churchill in the Commons, and to Lloyd, Salisbury, Midleton and Sumner in the Lords, for a fierce attack to the proposed reform. Opposition from Churchill's small circle of diehards delayed but yet did not block the constitutional process inaugurated with the Round Table conferences.[43]

Lothian took part in the "endless" work of the Joint Select Committee, pressing for greater urgency, but the uncertainty as to the Princes' attitude towards federation and Congress's willingness to cooperate, prolonged its functions, increasing apprehension and suspicion by Indians. Lloyd George who had certainly been in favour of Irish independence, had no intention of conceding control of the police to the Indians, unless Congress made it clear in advance that they were prepared to be loyal to the new Constitution. Lothian tried unsuccessfully to convince Lloyd George that this would make Gandhi "the dictator of India", and that India was "so divided and so large that nobody and no group of people can be said to speak for them as Sinn Fein or Botha and Smuts were able to speak for Ireland and South Africa". Lothian solicited Lloyd George to have confidence in the Indians who, once given the choice between the new Constitution or revolution, would certainly be reasonable and choose "the constitutional way".[44]

Although proceeding at a snail's pace, the work of the Joint Committee was not affecting the substance of the *White Paper*, but nevertheless Lothian kept a close eye on the situation as he feared that Churchill might ask for two distinct bills to be presented, the first in relation to the immediate concession of autonomy to the provinces, and the second providing for the introduction of the federation only when the political conditions were mature, and the Princes and Congress would be prepared to collaborate. On this point, Lothian asked Willingdon to intervene by announcing—at his return to London for consultation—that "the great majority of the Princes are for the White Paper".[45]

Willingdon replied on 12 January 1934 that he was not yet able to go as far as that, but that if the policy of the *White Paper* were to be altered because of pressure from Churchill, Lord Lloyd, Austen Chamberlain and Lord Salisbury, he would be ready to declare publicly that this would create a "fearful revulsion of opinion" in India, and that "we shall lose all the advantage that we have worked for during the last two and half years". Gandhi would then take advantage of every opportunity "of restoring his fallen prestige", the Government would become isolated, "and confidentially to you, Willingdon will pack up his traps".[46]

As a member of the Joint Committee, Lothian served, Billington observed, as "critical bridge to moderate India", encouraging Liberal Indian to testify in front of it, and winning their exasperation. In India Lothian was in fact considered the British politician most devoted to the Indian cause, and moderates such Sapru seemed ready to accept the policy of the *White Paper*, on condition however that the British Government sent Lothian to India as Viceroy, as a guarantee that the reforms would be carried out. Lothian had "steadily and increasingly" gained the trust and admiration of the Indians and could speak with authority: "If he differs from us then we begin to think again". Sapru had perhaps been persuaded by Lothian's argument that "power will inevitably and inexorably pass" into Indian hands "exactly as it has here and in the Dominions".[47]

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[43] The conclusions of the third Round Table Conference are in Cmd. 4238 of 1932. For the 1933 *White Paper*, see Cmd. 4268. On the Indian federation see: S. P. Aiyar, "India's Evolving Federalism", *Journal of the University of Bombay*, 1975-1976, Vols. 44-45, pp. 81-122.

[44] Lothian to Edward Thompson, 20 and 27 July 1933 (Ibidem, 279/866 7, 875); Lothian to Lord Reading, 4 September 1933 (Ibidem, 276/565 6); Lothian to M.R. Jayakar, 29 December 1933 (*Ibidem*, 274/362-4).

[45] Lothian to Willingdon, 21 December 1933, Ibidem, 279/926-8.

[46] Willingdon to Lothian, 12 January 1934 (Ibidem, 279/929-31).

[47] David P. Billington Jr., *Lothian: Philip Kerr and the Quest for World Order* (Westport, CT: Praeger, 2006), 111; Lothian to Sapru and to Jayakar, 1 August 1934, LP, 286/662; Lothian to Lord Linlithgow, 18 July 1934, LP, 283/350 4; Lothian to Sir Tej Bahadur Sapru, 16 Nov. 1934, LP, 286/673-7. For an analysis of the works of the Commission see K. N. Haksar and K. M. Panikkar, *The Federal Idea* (London: 1930), ix, 115 7; L. F. Rushbrook

The Joint Committee took eighteen months to complete its work, at the rate of five sittings every week, and its final Report was finally approved by the Joint Select Committee in September 1934 by a majority of nineteen out of thirty-two members, and published simultaneously in Great Britain and India in November.

Although the Report recognized the three fundamental principles laid down at the Round Table Conferences, namely federation, provincial autonomy and central self-government, it also introduced some 'safeguards'—retaining the control by the British Government over India's defence and foreign policy—to appease the most resolute British diehards. Moreover, direct election to the federal Parliament had been replaced, as a temporary and experimental measure, by indirect election by provincial parliaments. These changes, strongly criticised by the Liberals while the Committee was sitting, did not alter the fundamental constitutional structure outlined by the *White Paper* and, according to Lothian, they eased its ratification by Parliament, allowing a consequential revision of the Constitution after an experimental period. Lothian thought the new Constitution to be "full of blots and blemishes", particularly concerning the anomalous federal structure and the system of indirect elections, but since the compromise had been reached under strain and tension, it had to be accepted.[48]

The Constitution should not be considered as a "final solution", but "merely a prelude to a long period of adjustment when we shall get to a new equilibrium, but by constitutional instead of by unconstitutional means". Writing to Sapru on 16 November, shortly before the publication of the Report, Lothian seemed satisfied with his own work and although he did not conceal his concern over the difficult and uncertain parliamentary battle for ratification, he noted

> the joint labours of Indians and Britons during the last five years will come to be regarded by history as one of the great constructive achievements of this age. For we shall have gone steadily forward on liberal and constitutional lines despite the collapse of democracy over three quarters of the world, and despite the rise of dictatorships, and we shall have done so in a form which will give to young India real opportunity and real power to begin to tackle the problems of their own country while maintaining safeguards, which, irksome though they may be, are security that at least for the next decade or two India does not plunge into that chaos mingled with dictatorship and the ending of individual liberty which has overtaken so many other nations.[49]

In introducing on 12 December 1934 at the Lords—where the Round Table had their major leader and influence—a motion supporting the Report, Halifax—President of the Board of Education—warned his peers "that representative government without responsibility, once political consciousness has been aroused", was "apt to be a source of great weakness and not impossibly, great danger". Intervening just after Halifax, Lothian confessed that "after years of deliberation" it was "difficult to maintain that attitude of enthusiasm…with which many of us entered into consideration of the new Indian Constitution". However, the issue at stake was then "between the present proposal and naked repression". Lothian reinforced Halifax's stand by confessing "a sneaking sympathy with the emotion which lies underneath…the aspiration of young impetuous India anxious to take responsibility on its own shoulders", though he disagreed "with almost everything that they say in public and most of their political programme". Lothian also reminded his peers that behind those reforms there was the fundamental belief that "the one corrective of political extremism is to push responsibility upon the extremists".[50]

Williams, *Inside Both Indias* (Cirencester: nd), 134; D. A. Low, "Sir Tej Bahadur Sapru and the First Round Table Conference", in *Soundings in Modern South Asian History*, D. A. Low, ed., (London: 1968), 315-6; R. W. Moore, *The Crisis of Indian Unity 1917-1940* (Oxford: 1974), 145-50; P. N. S. Mansergh, *The Transfer of Power in India* (London: 1976), Vol. VI, 912-3; T. G. Fraser, *Partition in Ireland, India and Palestine: Theory and Practice* (London: 1984), Ch. V; D. Page, *Prelude to Partition: The Indian Muslims and the Imperial System of Control 1920-1932* (Delhi: 1982).

[48] Lothian to Sapru, 16 November 1934, LP, 286; Smuts to Lothian, 14 November 1934, LP, 287/733; Lothian to Lord Reading, 15 November 1934, LP, 285; Lothian to Gwynn, 18 December 1934, LP, 282/263-4; Jayakar to Lothian, 7 December 1934, LP, 283/301-5; Sapru to Lothian, 31 December 1934, LP, 286/678-80.

[49] Lothian to Sapru, 16 November 1934, LP, 286.

[50] *Parliamentary Debates (Lords)*, 5th Series, vol. 95, 12 Dec. 1934, cols 287, 295-6. During the works of the Joint Select Committee, Hoare gave evidence for twenty days, answering 5,594 questions from Committee's members, and appointed as his Secretary, Malcolm Hailey, a Round Table's associate, who resigned as Governor of the United Provinces in order to assist the Secretary of State.

Hoare asked Lothian to intervene on *The Manchester Guardian* and *The News Chronicle* to ensure support to the Government's policy, and undermine the alliance between some of the Princes and Churchill, creating divisions in both India and Great Britain, in order to prevent ratification of the new Constitution. The Princes, who had expressed their willingness to join the federation once British India accepted the new Constitution, now tried to back out—forcing the Government to revise the clause on representation in the federal Parliament—and with Churchill's assistance were going to boycott parliamentary ratification. During the parliamentary debate, Lothian intervened at the House of Lords on several occasions, and with Lord Reading presented an amendment to the clause on the system of representation at the federal Parliament, gaining approval for direct election. He also persuaded Lord Peel to present an amendment for introducing direct election to the State Council, making it independent from the Legislative Assemblies.[51]

Hoare introduced the Bill to the Commons on 6 February 1935, few days after Churchill defined it on the BBC as a "monstrous monument of sham built by the pygmies". Intervening at the Commons, Churchill stated that having followed the Indian question "from its very unfolding", he was deeply struck by "the amazingly small number of people who have managed to carry matters to their present lamentable pitch", and "by the prodigious power which this group of individuals have been able to exert and relay, to use a mechanical term, through the vast machinery of party, of Parliament, and of patronage, both here and in the East". "You could almost count them on the fingers of one hand", Churchill said referring to the Round Table circle, and added: "I compliment them also on their disciples. Their chorus is exceedingly well drilled". After the longest parliamentary debate in British history—the Bill went through several readings both at the Commons and Lords for a period of over forty days—the Bill was enacted on 1 August 1935.[52]

Liberal Indians were deeply impressed by the work carried out by Lothian in those difficult years and did not fail to express their gratitude by trying to support the new Constitution. Sapru never lost an opportunity of expressing gratitude to Lothian, and on 5 August 1935 he confided to H. S. L. Polak that he hoped "a mission of peace and good-will headed by men like Lord Lothian, Isaac Foot and a few others could come out during the winter for a few months just to meet the intellectual classes irrespective of their party labels", concluding: "I cannot conceive of any two better names in England than the two I have mentioned above".[53]

Moderate public opinion expected Lothian to be the next Viceroy and was very disappointed to hear of the appointment of Lord Linlithgow instead, shortly before the new Constitution was approved by Parliament, as Willingdon was not on very good terms either with Gandhi or Congress. In order to facilitate Linlithgow's mission, Lothian obtained, with Birla's assistance, a promise from Gandhi that he would use all his influence to halt Congress taking any new initiatives before the Viceroy reached India.[54]

5. An assessment of Round Table's Indian policy.

Among the Round Tablers, Lothian understood better and before anybody else that India could be saved to the British Empire only through the statesmanlike approach which inspired the Durham Report of 1839, which saved Canada to the British connection, and was rewarded with Canadian loyalty since then.

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[51] Butler to Lothian, 12 March 1935, LP, 292/349; Lothian to *Manchester Guardian* and to *News Chronicle*, 14 March 1835, LP, 292/350-1); Hoare to Lothian, 25 March 1935, LP, 292/319); Lothian to Reading, 12 June 1935, LP, 304/731; Lothian to the Chairman of the House of Lords, 22 June 1935, LP, 302/499-501); Lothian to Zetland, 5 July 1935, LP, 302/509-10; Lothian to Sir Malcom Hailey, 14 June 1935, LP, 301/445-7; Reading to Lothian, 12 June 1935, LP, 304/732-3.

[52] Quoted in Quigley, *The Anglo-American*, 225. For Churchill's speeches, see: Martin Gilbert, *Winston S. Churchill*, vol. 5, Companion Volume, Part II (London: 1966-88).

[53] Sapru to Lothian, 14 June 1935, LP, 304/775-6; Sapru to S. C. Polak, 5 August 1935, LP, 304/783-4); Shafiduardi, vice president of the Muslim League, to Lothian, 10 July 1935, LP, 302/512; Sir A. Ramaswami Mudaliar to Lothian, 4 November 1935, LP, 310/521.

[54] Birla to Lothian, 23 September 1935, LP, 306/35-8); Sir Ahmad Said Khan to Lothian, 7 September 1935, LP, 299/292.

In Lothian the Indians had not only an influential ally but also a leader, who gave them confidence at moments of crisis and the chance to express their hopes for the future, and who tried to satisfy their deepest aspirations—independence—through the application of the federal system.

The historical role played by Great Britain was, according to Lothian, to have set in motion a constitutional process which took account of the various vital forces of Indian society, allowing them to grow and compete democratically for political power within the framework of the federal system. Congress alone was not in a position to win the loyalty of the Muslims, the Princes, the landowning classes, and the moderates, without making the concessions provided for in the new Constitution, or without falling into a dictatorship, with "all those forms of violent repression…which are inherent in any form of autocracy". Great Britain might be able to delay the achievement of full Indian independence for a time, but she could not block the process altogether: it was therefore finally up to the Indians to demonstrate that they were capable of governing themselves.[55]

The Indian settlement has been defined by Smuts "the biggest achievement in the history of the Empire". Lothian himself was aware that the exporting of representative democracy and the federal systems in India "will come to be regarded by history as one of the great constructive achievements" of an age which saw "the collapse of democracy over three quarters of the world". The transition of power from the British to the Indians has been achieved in a form which gave the Indians—moderates and radicals, Hindus and Muslims alike—a real opportunity for self-government without falling into revolution. Great Britain was "shedding the old imperialism", and was trying "to find the way to prevent the anarchy involved in universal national self-determination from ending in fresh wars or in a new deluge of imperialism".[56]

Another milestone in the process of Indian independence and imperial reconstruction—or deconstruction, as it appeared to the 'old-school' of imperialists led by Churchill—had been marked, and in its achievement Samuel Hoare—who remained in office as Secretary of State until the final goal was achieved—played a central role. At the zenith of its political triumph in Indian matters, the Round Table also succeed in securing the appointment of the loyal Lord Willingdon to succeed Irwin, who joined the Government—on his way to the Foreign Office—as President of the Board of Education, a post held previously by another Round Table's affiliate, H. A. L. Fisher. However, only with the appointment of the 'reliable' Samuel Hoare as Secretary of State, the Round Table's circle was completely squared.[57]

A measure of the influence played by the Round Table in the Indian constitutional process is given by Churchill himself, who was deeply struck by "the amazingly small number of people" who succeeded to carry Indian reforms, and by "the prodigious power which this group of individuals have been able to exert", using party and parliamentary mechanisms, and public opinion both in Great Britain and in India to achieve the goal of Indian independence. "You could almost count them on the fingers of one hand", Churchill remarked, and complimented them and "their disciples" for "their chorus" was "exceedingly well drilled". Churchill's anger for having been defeated in February 1919 by Lothian—then Private Secretary to Lloyd George—over Allied intervention in Russia, grew even deeper during the controversial process of Indian reforms, but for a curious interweaving of events Churchill's rescue from isolation and raise to power in May 1940 much owed just to a number of prominent Round Tablers.[58]

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[55] *Ibidem.*

[56] Smuts to Lothian, 14 December 1931, quoted in Butler, *Lord Lothian*, 179-80; Lothian to Sapru, 16 November 1934, LP, 286; Lothian to Nehru, LP, 312/665-79.

[57] On Willingdon, see: Victor Trench, *Lord Willingdon in India* (London: S. A. Publishing, 1934); Rajiva Mohan, *The Indian Movement and the British Raj* (Bombay: Chugh Publications, 1988). On Hoare's Indian policy, see: Samuel Hoare, *Speeches by the Rt. Hon. Sir Samuel Hoare, 1931-1935* (London: Eyre and Spottiswoode, 1935); John Arthur Cross, *Sir Samuel Hoare: A Political Biography* (London: Jonathan Cape, 1977); Terrance L. Lewis, *Prisms of British Appeasement: Revisionist Reputations of John Simon, Samuel Hoare, Anthony Eden, Lord Halifax, and Alfred Duff Cooper* (Eastbourne: Sussex Academic Press, 2011); Coutts, Matthew Dean, "The Political Career of Sir Samuel Hoare during the National Government 1931-40", (PhD dissertation, University of Leicester, 2011). On Halifax, see Andrew Roberts, *The Holy Fox: The Life of Lord Halifax* (London: Weidenfeld & Nicolson, 1997).

[58] Quoted in Quigley, *The Anglo-American*, 225.For a discussion on Churchill's failed attempt for an Allied intervention in Russia, see Bosco, *The Round Table*, 414-7. For Chamberlain's downfall and the raise of Churchill to power, see: J. S. Rasmussen, "Party Discipline in War-Time: The Downfall of the Chamberlain Government",

Journal of Politics, 32, 2 (1970): 379-406; K. Jeffreys, "May 1940: The Downfall of Neville Chamberlain", *Parliamentary History*, 10, 2 (1991): 363-378; Wm Roger Louis, *In The Name Of God, Go! Leo Amery and the British Empire in the Age of Churchill* (New York: W. W. Norton & Co., 1992); Martin Gilbert, *Winston S. Churchill: The Finest Hour, 1939-1941* (Hillsdale, MI: Hillsdale College Press, 2011), Vol. 6.