

The British Partner in the Transfer of Power  
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The story of the transfer of power has been told before, but always from the angle of the narrators. I shall follow their example by confining my remarks this evening, apart from a brief sketch of the historical background, to that aspect of the British-Indian relationship I know from my personal experience as a minister in the (wartime) Churchill and Attlee governments. This gave me some insight into the part played by the British Government in its dealings with the Government of India and the Indian political leaders during the final stages. But before I proceed any further I am sure you would wish me to remind you that we are meeting on the eve of what would have been Lord Mountbatten's eightieth birthday. His presence would have been specially appropriate because we shall be recalling what, in the light of history, must surely have been the most outstanding of all his achievements. For it was his consummate statesmanship which made possible the severance of our old ties with India by mutual goodwill, instead of after bitter dissension, which would have left a legacy of rancour and a fractured Commonwealth. He accomplished his task with so much skill and understanding that it bound our two countries in the close friendship we enjoy at the present time. This was brought home to me with startling vividness by the welcome accorded to a parliamentary delegation with which I visited India last year, traversing the country from New Delhi to Chandigarh, and from there to Madras and Bombay. Wherever we went his name was remembered and acclaimed, with that of Nehru and Gandhi, as one of the founding fathers of the Indian nation.

He was the farsighted pioneer of that new relationship with our former dependencies which has transformed the old British Empire into a free Commonwealth of Nations. But he was more than that. Few men have changed the course of history, and fewer still have changed it for the better; Mountbatten was one of them.

#### Background to transfer of power

One should remember about the transfer of power in 1947 that it was only the final stage of a continuing historical process, which had already begun thirty years earlier. When I say it began in 1917,<sup>1</sup> I mean that in that year Indian self-government became the settled policy of a succession of British governments with varying party majorities in the House of Commons. The 1917 declaration of policy was made by a Liberal Secretary of State, himself a member of a Coalition Government, and set the pattern of constitutional development which culminated in the Indian Independence Act of 1947. In a deeper sense, this policy of the British government was a product of the freedom-loving instincts of the British people, who could not deny to others for whom they were responsible the national and personal freedom which they had won for themselves after many centuries of struggle.

Our objective was realized in successive stages, starting from the system of dyarchy introduced by the Act of 1919, which broadened out into the provincial autonomy conferred by the Act of 1935. It was not the aim of our policy that was called in question, but the pace at which it was to be carried out. As time passed the pace was determined more and more by pressures from India, and less and less by the unfettered choice of British policy-makers. The great misfortune of the years between the wars was the lack of political vision displayed by a succession of Conservative Governments, not unimpeded by the die-hard attitude of many of their party supporters in Parliament, which threw away the opportunity they then had of completing the transfer of power to a united India. At a time when Congress was only claiming Dominion Status, and before the Muslim community had embraced the idea of Pakistan, it would still have been possible to achieve self-government for British India without the tragedy of partition.

It will be remembered that, when the Round Table Conferences started in 1931, Gandhi had asked for Dominion Status, and for the convening of a Constituent Assembly to draft a new constitution for a United India, But this was not to be. After a delay of four years, the Baldwin Government finally imposed the constitutional framework of the 1935 India Act as a further

instalment in the transfer of political authority. The Act was doomed to failure because, in spite of prolonged consultations with representative Indians, it was out of touch with the realities of the Indian situation. It gave the feudal India of the Princely States a veto over the proposed Federation, which they exercised by their refusal to accede.

The fervent democrats of the Congress Party could scarcely be expected to accept a constitution which tied the future of India to the princes, and perpetuated British rule through special powers reserved for the Viceroy and the Provincial Governors. The Act was, in fact, despite the responsible self-government it gave to the Provinces of British India, a far too conservative approach to a situation that demanded radical change.

#### India Committee of the Cabinet

I now come to the events which took place between 1945 and 1947, of which I can speak from personal experience. I do not think that anyone who has attempted to follow the published accounts of the final stages of the transfer of power in these years could fail to be struck by the fact that they almost all emanated from authors who had either served in the Government of British India during or shortly before 1947, or in the entourage of Lord Mountbatten, or had derived their information from his writings or recollections. But of course the transfer was planned, negotiated, and decided in daily contact between New Delhi and Whitehall. What took place in Whitehall, especially as the final decisions had to be made by the British Government, is no less important for the understanding and evaluation of the events leading up to 15 August 1947 than the constant flow of consultation and discussion that was going on simultaneously in government circles in New Delhi.

From the Whitehall end we have little on record from the participants and nothing at all, in the silent tradition of the Civil Service, from their expert advisers. The principal protagonist, Sir Stafford Cripps, died in harness before he could write the story of his own involvement in India. When we get a full length life of Cripps, which is long overdue, I have no doubt the focus will be, as he himself would have wished, on his work for the freedom of India. There is a chapter on India in Attlee's autobiography, but it is so discreet that most of the general statements are common knowledge, and his memory of fact is not always reliable.

For this reason, perhaps, the recollections and reflections of one of the supporting cast in Whitehall may add a useful footnote to our knowledge of the British contribution. Perhaps my testimony may have added worth because I find that I am, alas, the sole survivor of those ministers who served on the India Committee of both the Churchill and the Attlee Cabinets. I also believe that a fair assessment of the British contribution to the Indo-British partnership would have appealed to Nehru himself; he had a vivid sense of history, which shows so clearly in his writings, and powerfully ambivalent feelings for a country which he had resented and admired so much.

The India Committee of the Cabinet—I will refer to it henceforth as the India Committee, though it dealt with Burma as well and was officially known as the India and Burma Committee—was in both the Churchill and Attlee administrations the power-house of Indian policy. Its members were chosen for their knowledge of India, or for their departmental responsibility for its affairs. They had ample time for full consideration and prolonged discussion of policy problems, which would have been lacking in a Cabinet occupied by a multitude of other matters. I did not myself appear on the scene until January 1945, when I was allowed to attend its meetings while serving my apprenticeship as Under Secretary of State at the India Office in the wartime Coalition Government. At the time of my appointment Nehru was still in prison, following the 'Quit India' resolution of Congress. The government of India had evidently informed Amery, my future boss as Secretary of State for India, that I had committed the serious indiscretion of sending Nehru a message of good wishes on his birthday. Before confirming my appointment Amery asked me whether there had been any political content in my message. It was fortunate, as this was positively my first government job, that I was able to assure him that I had only sent my birthday greetings.

In the following months I soon learned the abject and humiliating thralldom in which the Viceroy, Lord Wavell, was held. He was fettered hand and foot by the Churchill Government, and could do nothing without the express authority of the India Committee or the Cabinet itself. He even had to ask permission when he wanted to meet Indian political leaders. It was an incident of this kind, which had arisen in connection with Gandhi, that Mountbatten told me was uppermost in his mind when he demanded plenipotentiary powers before accepting the Viceroyalty from Attlee. The incident which was to have this important consequence was discussed in a conversation between Wavell and Mountbatten when they met in Simla in September 1944. Wavell told Mountbatten that he had asked permission from the Secretary of State to have a meeting with Gandhi when the latter was released from prison on account of illness. He had been mortified when this request had been turned down, and he said that Winston was furious about Gandhi's release. He simply could not see, he went on, how he could go on governing India with such restrictions imposed on him. Mountbatten then asked him why he had not simply arranged to see Gandhi on his way between prison and hospital for an informal talk. Wavell replied that this would have been against his orders. Mountbatten went on to ask what would have happened if he had disregarded these general restrictions from Whitehall, and had arranged a meeting with Gandhi and reported the result of that meeting to the Secretary of State. Wavell had to admit that the reaction of Whitehall would have been nothing worse than the despatch of a rude telegram, such as he was accustomed to receiving. Mountbatten then urged him to do just this in future, leaving Churchill to take the very great risk of sacking him. But Wavell had a soldier's conception of duty to his superiors, and it was not until Mountbatten went out as Viceroy that the tight rein of ministers was loosened.

The other important difference in the relationship between ministers and the two Viceroys was in their attitude to the policy that the Viceroy himself wanted to carry out. The unfortunate Wavell had no friends in the Churchill Cabinet, apart from Amery, the well-intentioned but quite impotent Secretary of State, and very occasionally Cripps. He could only wring concessions for his modest proposals for constitutional advance by the threat of resignation. As I was told by my officials when I first went to the India Office, the Viceroy always came home with his resignation in his pocket. Churchill's concern when Wavell was summoned home for consultations—on one occasion he was kept waiting for three months in London—was simply how to get him back quickly to New Delhi. The contrast when Mountbatten succeeded Wavell was startling and complete, because ministers and the Viceroy were at last backing the same policy. Every minister concerned with the affairs of India, including even the Treasury representative, did his utmost to support Mountbatten in the execution of a policy in which both governments believed.

It has always puzzled me why Churchill's India Committee, far stronger man for man than Attlee's, gave Wavell's policies so little chance to get off the ground. It is worth looking at the names of this collection of elder statesmen. Lord Simon, formerly Sir John Simon, of the Simon Commission; Sir John Anderson, former Governor of Bengal; Sir James Grigg, former Finance Member of the Viceroy's Council; R. A. Butler, now Lord Butler, who delivered the first lecture in this series, an architect of the 1935 India Act; and finally Cripps, with Attlee, as Deputy Prime Minister, in the chair. These were all figures that had played a part in the history of India, and a galaxy of talent such as has seldom, if ever, sat round a table to decide the destiny of the sub-continent. Yet with all their knowledge and experience they were in constant conflict with a Viceroy whose maximum demand was a modest but immediate move towards self-government, which could have been made at that time without harm and with possible benefit to the war effort.

The Cripps offer of post-war independence was kept open, in the vain hope of securing co-operation in the war against Japan, but there was a firm refusal by the Committee to do anything whatever to prepare for it. It has been said that Wavell himself was only good on paper, and was too slow to hold his own with nimble-minded ministers in oral argument. But this was certainly not the case in my experience of his appearances before the India Committee. It is true that he talked little when he was

not interested in the subject of conversation, but where India was concerned he could hold his own with the most practised parliamentarians.

My youthful illusions were soon shattered when I found that the representatives of the Labour Party on the India Committee were no more radical than their Conservative colleagues, and that Attlee as Chairman was a muted echo of his master's voice. Of course it should not be forgotten, if we look back to the days in which we lived at that time, that the struggle for our survival meant that the Coalition Government had to be preserved, and this could only be done by the mutual restraint of party politicians. But it was never more obvious, I think, than during the war years that one of the inevitable disadvantages of British rule was the subordination of Indian to British interests. The clue to policy during the whole of that period is contained in some words of Attlee, about Churchill, spoken in 1944: 'The Cabinet has always deferred to the Prime Minister's passionate feelings about India.'

When the India Committee was reconstituted by Attlee after the Labour election victory of 1945, it consisted of Cripps, Ellen Wilkinson, Stansgate, a former Secretary of State, myself, Pethick-Lawrence, as Secretary of State for India, and Attlee, again in the chair but now as Prime Minister. This was scarcely a team that could compare in experience or intellectual calibre with Churchill's, but the presence of Cripps and Attlee gave it continuity and an indispensable link with India and the Indian leaders. At our first meeting in August 1945, Cripps and Attlee declared bravely that we must quickly work out a policy to realize the long-term undertaking about Independence in the Cripps offer. Thus it was plain to us from the start that our job would be to replace British by Indian rule within the lifetime of the Labour Government.

Little did we expect that our assignment would be completed within two years. This was made possible in the Whitehall context by a brief but historic partnership between two men, Cripps and Attlee, in which Cripps supplied most of the brainpower and Attlee most of the willpower, that is to say, the power of decision. Cripps was the only member of the Committee with first-hand experience of India, which he combined with personal friendship, or at least acquaintance, with the Indian leaders. His letters to Nehru always ended 'Yours affectionately\*'. Moreover he genuinely loved India, which he regarded as his second country, and Lady Cripps is reported to have said that he was thinking of India on his deathbed.

He dominated the deliberations of the India Committee by his enormous fund of knowledge, his resourceful and inventive mind, and his dialectical skill. This impression was not confined to his political colleagues. Wavell was occasionally a detached observer of our proceedings. He noted with somewhat grudging admiration in his journal, while recording his wholly unfavourable impression of the India Committee: 'Cripps is of course the directing brain'.

Yet the policy recommended by the India Committee would have been ineffective if it had not been endorsed by the Cabinet, and it was in the Cabinet Room that Attlee became the indispensable ally. He, not Cripps or the Secretary of State, put the case for the Committee, and it was always agreed. So it was that the recommendations of the India Committee sailed through the Cabinet, with little discussion and no substantial alterations. The absence of argument was not due to indifference. It reflected, I think, a general agreement about the direction of policy, and a proper deference to the Prime Minister, aided of course by the strong disposition of Cabinet ministers to welcome brevity when their own departments are not in the firing line.

#### Towards partition

Our first eighteen months in office was a record of abortive attempts to persuade the Indian leaders to agree about the constitution of an independent and united India. After the elections in the provinces and at the centre in the winter of 1945-46, the political affiliation of Hindus and Moslems had crystallized clearly behind Congress and the Muslim League. But the differences between Nehru and Jinnah—the former standing for unity, the latter for the separate Muslim state of Pakistan—could not be reconciled by the three-man Cabinet Mission that went out in the summer

of 1946, or by the London Conference of Indian leaders that followed it. Wavell had warned us that we were now drifting towards administrative breakdown and civil war. He therefore advised that, in default of agreement between the communities, the British government must take an early policy decision that it could implement without their co-operation. We accepted this advice, and asked him what we should do if the deadlock continued. It was at this juncture that he faced the Cabinet with a choice of policies, which had the merit that they did not depend on the agreement, or even the acquiescence, of the Indian leaders.

He offered us two alternatives: either the enforcement of British rule for at least fifteen years, or a phased withdrawal from British India, planned on the lines of a military evacuation from hostile territory. The former would entail the reinforcement of the Indian Army by four or five divisions of British troops. This alternative was quickly ruled out by the India Committee, as something we could not inflict on our war-weary people in the immediate aftermath of the World War. The second alternative would involve a phased withdrawal of armed forces, civil servants, and those British civilians who wished to leave, by stages from British India, starting from the four Congress provinces in the south, while holding temporarily the Muslim majority provinces in the north to protect them from an attempted takeover by Congress. The withdrawal operation was to be completed by 31 March 1948. It should be noted in passing, to Wavell's credit, that he was the first to suggest a fixed date for the termination of British rule, before it had been proposed by Mountbatten or discussed by ministers. At its last meeting to consider Wavell's withdrawal plan, at the beginning of January 1947, the India Committee decided to put this plan into cold storage as a fallback for use only in the event of a complete breakdown of a negotiated settlement with India.

It had become crystal clear during these discussions that we had reached a parting of the ways. If we still wanted a friendly and dignified exit from India, and could avoid what Churchill would have described as 'an ignominious scuttle', we must have a new policy, and therefore a new man who believed in it to carry it out. Sir George Abell, the Viceroy's Secretary, told us that in his opinion there was about one chance in ten of an acceptable agreement between the Indian leaders. We decided that this chance, however faint, was worth taking. Our choice of a new man fell on Mountbatten, and no one else was even considered. His name must have been for some time in the minds of Cripps and Attlee. He had been on the shortlist of candidates to succeed Lord Linlithgow in 1943, but at that time Churchill wanted him as Supreme Commander in South East Asia.

During his service there he had already shown his sympathy for national movements, and made friends with their leaders. After the Japanese surrender he became responsible for the administration of the vast liberated area of the British dependencies, from Burma, through Malaya and Singapore to North Borneo and Sarawak. The indigenous resistance movements were determined not to exchange one Foreign master for another, but their colonial masters turned a deaf ear to their aspirations. They were bent on the reimposition of colonial rule after the Japanese had been driven out, even if it meant the use of military force. It will not be forgotten how the French and the Dutch had to fight bitter colonial wars before they abandoned Indochina and Indonesia.

Mountbatten however saw that the future lay with the national leaders of liberated countries, and he set out to cultivate their friendship and encourage their ambitions. He also hoped to spare his fellow countrymen a violent confrontation with the forces of Asian nationalism. He took this line, as he told me, knowing that even among his own staff, and the Civil Affairs officers whom he had recruited for the military administration of the liberated territories, his was 'a voice crying in the wilderness', and realizing that he risked his own recall by the British Government.

Possibly more important to the future of India was a meeting with Attlee, his new boss, soon after the 1945 General Election. At least Mountbatten himself regarded it as an important occasion, because he later mentioned it in a BBC broadcast. He then told Attlee what he was doing in South East Asia, and confessed that he had kept his policy as secret as possible from Whitehall, knowing that Churchill would have fired him immediately if he had grasped what he was up to. Attlee told him he fully agreed with his

policy, and would back him up to the hilt if he continued to pursue the line he had taken.

Another important link was forged with the Indian leadership by a visit Wavell had asked Mountbatten to arrange for Nehru to Burma, Malaya and Singapore. Mountbatten replied that he would gladly arrange the visit to Malaya and Singapore, but could do nothing about Burma as it had already been handed over to civil government. Practically the whole of Mountbatten's staff was against the visit. He was horrified to find that the military authorities in Singapore had ordered all the Indian troops to be confined to barracks while Nehru was in the area, and had even refused to supply him with a car to tour the city. These orders were immediately countermanded. A senior officer was sent to meet Nehru on his arrival, and to bring him to Government House. Mountbatten then drove with Nehru in an open car through the streets of Singapore to the Indian Troops' Welfare Centre, where, characteristically, Lady Mountbatten was working. She, with her compassionate devotion to the sick and the suffering, was the perfect companion to him, especially of course when he became Viceroy of India. I continue in Mountbatten's own words: 'That evening he dined with us, and we made lifelong friends'.

With such a record it was not unnatural that Cripps and Attlee should turn to Mountbatten as their last chance of achieving a negotiated settlement with India. But he was not to be an easy catch. If he was to serve it would be on his own terms. In the second in this series of Memorial Lectures Mountbatten has explained the conditions he attached to his acceptance, of which the two most important were a fixed time limit for British rule, and the grant of plenipotentiary powers. He has given a vivid description of the interview with Cripps and Attlee at which they reluctantly gave in to his final and most difficult demand. For they had been asked to give away the authority of the Cabinet and the Secretary of State without even consulting them. Mountbatten was not the first Viceroy who had asked for a free hand. Lord Morley refers in his recollections to the occasion when this request was put to him by the then Viceroy, Lord Minto, and curtly refused: 'This notion of a free hand', he wrote 'was really against the spirit and the letter of the law and the constitution. It cannot be.' Lord Curzon, he pointed out in a later passage, had also asked for this unfettered power of decision, but a Cabinet of his own party, the Conservative Party, had allowed him to resign the Viceroyalty rather than accede to his request.

Of course, Morley was right. It must be unconstitutional for any servant of the Crown to bypass the authority of the Cabinet and Parliament without their consent. But if these powers were essential to the success of his mission—and this was not only his view, but the view of Nehru—then surely Cripps and Attlee were no less right to allow them. They could properly claim that the Mountbatten appointment was unique, and neither set nor depended on a precedent. His mission could not have been discharged by anyone else, and its success was vital to the future of India and the Commonwealth. If Attlee had informed the Cabinet there would almost certainly have been a leak. This would have supplied lethal ammunition to the opposition and the press, both bitterly hostile to the policies of a Labour Government, and might have destroyed the fragile edifice of a consensus on which the India Bill ultimately passed through Parliament. But the decision to appoint Mountbatten on the only terms he would accept is surely an example of how lucky we are not to have a written constitution, and equally fortunate that our constitutional practice is so flexible that it will admit exceptions even to the most important general rule.

The arrangement worked in practice without a hitch because Mountbatten took the greatest care to carry the Cabinet with him in his decisions. He spared himself no pains to keep ministers in touch with what he was doing, and however busy found time to write a personal report every week, in addition to the daily telegrams received by the India Office. In my first letter to him I asked for a copy of his personal report for every member of the India Committee. On the only occasion when he reversed a decision taken at Cabinet level, in the case of his first Partition plan, he flew back to London to explain and justify his change of mind. The timetable for the final transfer of power would have been completely disrupted if the Viceroy had not been able to decide quickly, and on the spot.

So, taking up the story where I left it, Wavell was dismissed by Attlee, with embarrassingly short notice, at the end of January 1947, and the appointment of the new Viceroy was announced in Parliament on 20 February. This announcement was coupled, as Mountbatten had insisted, with a statement that we would leave India not later than June 1948. Any time-limit would have been anathema to Churchill, and this proposal was bitterly attacked in the House of Commons. When I repeated the statement in the House of Lords an adverse vote was avoided, thanks to a powerful speech by Lord Halifax, a former Viceroy, speaking with characteristic modesty from the back benches. It was the only occasion I can remember, in nearly fifty years, when the whole mood in the House was changed by a single speech, and for us a happy omen for the all-party support we now needed for our Indian policy and its legislative enactment.

Mountbatten arrived in New Delhi at the end of March, and as soon as the ice had been broken by some friendly talks he got down to serious political discussion with the two party leaders, Nehru and Jinnah. He had gone out with a directive from Attlee to secure agreement for a united India, comprising British India and the Princely States, and broadly in line with the scheme of the Cabinet Mission. But if the two major parties—Congress and the League—persisted in their refusal to work together in a union Government, he was to advise the Cabinet how and to whom we were to hand over power by June 1948. He soon reported, with deep regret, that Jinnah would agree to nothing less than the independent nation of Pakistan. He was therefore in the process of drawing up his own plan for the division of India. We now realized that we had to bow to the inevitable, and accept partition as the only alternative to a far worse evil. For if we were to leave India within a year, without any agreement between Muslims and Hindus to govern their own predominantly Hindu and Muslim areas, and without any settlement with the Princely States, the sub-continent would break up, like the Mogul Empire in the eighteenth century, into a welter of warring states and provinces.

#### First and second partition plans

We did not have long to wait for what turned out to be the first Partition plan, which was brought home by Lord Ismay, and considered by the India Committee at three long meetings at the beginning of May. It was approved with only minor alterations, and Attlee was asked to report to the Cabinet on 13 May. It was then that we heard with dismay that Mountbatten had changed his mind about the plan. He has described, in his own words, how he had a 'hunch' that he should show it to Nehru, and how Nehru was aghast, when he had studied it, at what he thought was a plan for the Balkanization of India. Our feelings in Whitehall can easily be imagined. We were being asked to reverse a decision that had only just been taken at Cabinet level.

My own view at the time was that Mountbatten could only be certain of getting what he wanted by putting his case to the India Committee in person. When I tried out Ismay I found that, probably wishing to protect his master from a lengthy cross-examination, he was against his recall. In an emergency I would go to Cripps for advice, and I found that he was in agreement with my view and would so advise Attlee. Attlee now offered the Viceroy the alternatives of either receiving a Cabinet Minister in New Delhi, or returning in person to explain his change of mind. To my relief Mountbatten chose to come home. I should add in fairness to Ismay that his recollection of this episode in his memoirs differs from mine.

So it was that Mountbatten appeared before the India Committee on 19 May, to submit a second and revised partition plan, which he told us met Nehru's agonizing doubts about the first. Nehru had been afraid that it would lead to the fragmentation of India because the Provinces would have been able to choose independence, alone or in groups, and the Princely States would have followed suit. The revised plan closed this loophole, by confining the Provinces to a straight choice between India and Pakistan. In the form it was now cast, the Plan was acceptable to both Congress and the League. But imagine our astonishment when Mountbatten went on to inform us that both new nations now wished to stay in the Commonwealth, on condition that their independence could be expedited.

He pointed out that Jinnah had always wanted Pakistan to become a Dominion in the Commonwealth, and that Congress, realizing that this would place them at a disadvantage, had asked for a similar constitutional status, provided the transfer could be effected earlier than June 1948. Nehru also regarded Dominion Status as a transitional arrangement that might lead to Indian unity.

Mountbatten himself strongly favoured an earlier date because of the increasing difficulty of preserving law and order. What took us by surprise was this sudden change of mind after the April declaration of Congress, sponsored by Nehru himself, in favour of 'an independent sovereign Republic'. Looking back with hindsight, this misunderstanding might have been avoided if Mountbatten had consulted his brilliant young Reforms Commissioner, V. P. Menon, before the original Partition plan had been finalized. It was V. P. Menon who drafted the Dominion Status scheme, which had proved acceptable to all concerned. Ministers were of course delighted by this change of front, and agreed without a murmur to a plan for the final transfer that now had the support of both communities as well as the Viceroy. We promised to try and bring it forward to the autumn of the current year, in spite of the parliamentary difficulties with which such an undertaking would confront us.

The process of partitioning British India was now in the hands of Mountbatten and the Indian party leaders, but we were of course very glad to help when our assistance was asked for. Among the most difficult of all the tasks entailed by partition was the division of the Punjab and Bengal between the successor States. For this purpose Boundary Commissions were set up, and I was asked to find an independent chairman. As he was to have a casting vote, he would in fact decide the boundaries between the two new Dominions, and this obviously required the judicial mind of someone outside politics. I was advised that the best choice would be a High Court judge, with a brilliant record at the Bar, Sir Cyril Radcliffe. He was a man of singular artistic taste, and I remember my trepidation when I went to see him at his beautiful Georgian house in Hampstead, where he kept a superb collection of modern pictures. But with fine public spirit he accepted this difficult and controversial assignment without a moment's hesitation. I am happy to think that we must have found the right man, because Mountbatten's comment in the second Lecture in this series: 'He did a superlative job; his decisions were inevitably unpopular with both sides, but his unpopularity with both Dominions was equal, so it is clear that he drew scrupulously fair boundaries.'

#### The British Parliament and Indian independence

Now let me return to the Parliamentary scene before and during the passage of the Indian Independence Bill. Our agreement to bring forward the transfer to the autumn of 1947 meant that we must have the consent of Parliament to our legislation before the summer recess at the end of July. It was pointed out to us in the Cabinet that there was not the remotest chance of getting such a bill through both houses of Parliament before the recess without the support of the Opposition. So the success of our effort to expedite the timetable depended on two equally indispensable conditions; the length of time required to draft the necessary bill, and the support of the Conservative Opposition in both houses of Parliament after the Bill had been introduced.

Sir John Rowlatt, the senior Parliamentary draftsman, assured us that he could prepare a Bill within six weeks of receiving our instructions. The India Committee finalized its instructions on 22 May, only three days after it had agreed to the Partition plan, and Attlee reported to the Cabinet on 26 June that the draft Bill was ready. The drafting had therefore taken only just over a month. I do not suppose any bill of this importance in our whole Parliamentary history has ever been drafted so quickly.

Not the least of Mountbatten's services to India was his success in persuading Churchill, the lifelong opponent of Indian self-government, to support the India Bill. He was finally won over, when he was told that both the new nations would stay in the Commonwealth with Dominion Status, and that the leaders of the two communities were at last in agreement. Attlee might have converted him single-handed, but with Mountbatten's support his success was certain. I found no difficulty in convincing R. A. Butler, the Conservative spokesman on India in the House of

Commons, He used to visit me regularly at the India Office to keep in touch with developments, and he had shown understanding and sympathy all along for the direction of our policy.

We had assumed, when the Bill was drafted, that the two new Dominions would have a common Governor-General, and that Mountbatten would be willing to stay on in this capacity. The draft Bill therefore provided that the existing Governor-General of India, unless and until another appointment was made, would become forthwith Governor-General of each of the two Dominions. There was the strongest possible case for Mountbatten to continue during the partition period and afterwards, in a position that would enable him to act as a mediator between the two Governments, and, in particular, to make sure that each had a fair deal in the division of the joint assets. This would have been of special benefit to Pakistan as the weaker partner. But at the beginning of July, Jinnah made it plain to Mountbatten that he meant to be the first Governor-General of Pakistan himself, and would accept no other office. When Nehru was told of Jinnah's intention he immediately requested Mountbatten, on behalf of Congress, to stay on as Governor-General of the Dominion of India.

This placed Mountbatten in a serious dilemma, as he had already made up his mind not to accept that position in one only of the two new countries. He expressed his doubts in a message transmitted by Ismay which I received in London. 'I am now in a complete quandary', he wrote. 'I have always held the view that I should stay on with both sides, or neither of them. I never dreamt that both sides would ask me to stay on with one side. My own inclination is to go, for I have always felt and said that I considered it morally wrong to stay on with only one of the two sides ... I therefore feel that this is a matter on which I require higher guidance and I have sent Ismay to seek it.'

Following the receipt of this message, Attlee explained the problem to the Cabinet on 8 July. He himself was strongly of the opinion that Mountbatten should stay on as Governor-General of India, as this would reduce the likelihood of conflict between the two Dominions. As Parliament should not be left in doubt about the unexpected prospect of separate governor-generals, a statement should be made on the Second Reading of the India Bill. The Cabinet agreed unanimously with the Prime Minister. The 'higher guidance' which Mountbatten had sought included that of Churchill, as leader of the Opposition, and also of the King, whose representative in India he had been invited to become. Their advice to Mountbatten was in the same terms as ours, and the weight and unanimity of this advice from London persuaded him to change his mind and, somewhat reluctantly, to accept Nehru's offer.

Before the terms of the Bill could be finally settled, we had to decide about the future of the Princely States. Nehru, Mountbatten told us, wanted the two successor governments to inherit the paramountcy of the British Crown. But the view of the India Committee was that we had no right, under our treaties with the States, to hand over unilaterally the duties and obligations of the paramount power. It was abundantly clear that after the British troops and administration had withdrawn from India, we would no longer be in a position to protect the Princely States from aggression or revolt. Paramountcy under the protecting power would therefore, inevitably, lapse with British rule, and they would become autonomous. The choice before them would therefore be either to join one of the two new Dominions, or to sustain a precarious independence without the buttress of British power. So the Bill provided that paramountcy would terminate on the date of the transfer of power. The India Committee also told Mountbatten that we could not accept any Princely State as a separate Dominion, so that if a State wished to stay in the Commonwealth after the transfer, it could only do so by associating itself with one or other of the successor authorities. Our opinion about the future of the States was that it would be best for their peoples if they joined their large and powerful neighbours for matters where they had common interests, arising from geographical contiguity or economic interdependence, and of course for external relations and defence. They should do so quickly, while they still had some bargaining power. This of course was also what Nehru and Jinnah keenly desired. But we insisted that they should do so of their own free will, and without

coercion.

We were thankful that Mountbatten shared our views to the full. We owe it to his remarkable influence with their rulers that the vast majority of the Princely States speedily negotiated their accession to one or other of the new Dominions. It was thus, thanks mainly to Mountbatten's persuasive power and royal blood, that a legacy of potential strife and further fragmentation was avoided.

In the first draft of the India Bill, the title at its head appeared as 'India (Dominion Status) Bill'. Cripps sensed immediately that Indian opinion would think that this was an imperialist trick to give something less than complete independence. At his suggestion the Cabinet therefore decided to change the title to 'India (Independence) Bill', Mountbatten now expressed a keen wish to discuss the text of the draft Bill with the Indian leaders. This request was without precedent, as no United Kingdom Bill hitherto had been submitted in draft for scrutiny in another country. The request was strongly supported by Cripps. But Attlee, fearing that the Opposition might scent a breach of parliamentary privilege, wanted us to wait until he had discussed the matter with them. He reported that the Opposition Leaders had no objection to the procedure desired by the Viceroy, provided that they saw the draft Bill first. Their reaction to it was favourable, apart from the title, which they did not like, because in their view it implied eventual withdrawal from the Commonwealth. But the Cabinet decided, on reconsideration, to stick to the key word 'independence' they had added to the title.

The final stages in the preparation of the Bill were a race against time. A sense of critical urgency brought out the best in all of us, ministers and officials alike. My staff at the India Office was unflagging and earned a well-deserved tribute in a message from Mountbatten. The deadline was 20 July, which meant that it had to get through both Houses of Parliament in a fortnight, an unprecedented hustle for a measure of such historic importance. We did not receive the Congress and Muslim League comments on the Bill, and Mountbatten's comments on their comments, until shortly before the India Committee met at 9.30 am on 3 July. A number of important amendments had then to be inserted, including some proposed by Indian leaders. For example, at the request of the Muslim League, the awards of the boundary commissions would be binding on the parties to any dispute. Another amendment was needed to prevent administrative chaos when those treaties and agreements with the Princely States, which had not been renegotiated, lapsed on Independence Day, 15 August, It was therefore provided that those concerning customs, communications, irrigation, posts and telegraphs, would continue until denounced by either party, or superseded by a fresh agreement. And this vital amendment was made at the request of Congress.

It can truly be said that Britain and India legislated together for Indian independence. In none of the old Dominions had such a partnership fashioned the precise terms of the United Kingdom legislation which gave them Dominion Status.

On the eve of 3 July the India Committee sat until midnight, and it was just possible to get a copy of the Bill to the clerk at the table by 1 a.m. on 4 July, the latest time if the Bill was to reach the House of Commons on the same day. It was printed during the course of the night, and formally presented to the House by the Prime Minister at 11 a.m.

With the blessing of all three political parties, it was now certain that the Bill would have a smooth passage through both Houses of Parliament. But we had not only to secure acceptance of the principle of the Bill, but to avoid alterations by way of amendment. Any amendment of substance was bound to breach our agreement on its contents with the Indian leaders, and throw out our strict timetable by delaying its passage. This problem did not arise in the Commons, where the Government had a solid majority, but gave us concern in the Lords with its overwhelming preponderance of Conservative peers, about our treatment of the Princely States, and several amendments had been tabled to put this right. But the broad considerations of policy outlined by Lord Salisbury, the Leader of the Opposition, whose word was almost law, and other peers with special knowledge of India, finally carried the day, and the damaging amendments were not even

moved. So it was possible for the Royal Assent to be given to the Bill by a Royal Commission of six Privy Councillors, sitting in their robes in the House of Lords on Friday 18 July, just two days ahead of our deadline.

Before the India Office disappeared for ever on 15 August, the day of Indian Independence, I was expected to return my seals of office to the King. But when I asked for them, I was informed by my officials that they had been lost a long time ago by one of my predecessors. This has always seemed to me rather a strange story, as Secretaries of State do not go about with their seals of office like small change in their pockets. But I daresay the mystery of the vanishing seals will remain one of the unsolved mysteries of history.

Anyway, in spite of my failure to produce the seals, the King was kind enough to invite me to Balmoral, to thank me personally for my contribution to the success of the operation. He was particularly pleased that his advice to Mountbatten to accept the Viceroyalty had turned out so well, and felt that his success in India had added lustre to the Royal Family.