CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W. 1, on Friday, 23rd May, 1947, at 11 a.m.

Present:

The Right Hon. C. R. Attlee, M.P., Prime Minister (in the Chair).
The Right Hon. A. V. Alexander, M.P., Minister of Defence.
The Right Hon. Viscount Addison, M.P., Secretary of State for Dominion Affairs.
The Right Hon. The Earl of Listowel, Secretary of State for India and Secretary of State for Burma.
The Right Hon. E. Shinwell, M.P., Minister of Fuel and Power.
The Right Hon. George Tomlinson, M.P., Minister of Education.
The Right Hon. Arthur Greenwood, M.P., Minister without Portfolio.
The Right Hon. Sir Stafford Cripps, K.C., M.P., President of the Board of Trade.
The Right Hon. J. Chuter Ede, M.P., Secretary of State for the Home Department.
The Right Hon. A. Creech Jones, M.P., Secretary of State for the Colonies.
The Right Hon. T. Williams, M.P., Minister of Agriculture and Fisheries.
The Right Hon. Lord Inman, Lord Privy Seal.

Also present:
The Right Hon. John Strachey, M.P., Minister of Food.

Secretariat
Sir Norman Brook.
Mr. S. E. V. Luke.

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Constitutional Position.
The Cabinet had before them a memorandum by the Prime Minister (C.P. (47) 158) covering the draft of an announcement to be made by His Majesty's Government on the arrangements proposed for the transfer of power in India.

The Prime Minister gave the Cabinet a general account of the recent political developments in India and the results of the discussions which the India and Burma Committee had had with the Viceroy.

The refusal of the Muslim League to participate in the work of the Constituent Assembly had destroyed any possibility that the Cabinet Mission plan could be successfully put into effect. The League had, indeed, entered the Interim Government, but the failure of both Parties to co-operate within that Government made it improbable that it could continue to hold together for much longer. The extensive discussions which Lord Mountbatten had had with the various political leaders since his arrival in India had convinced him that there was no prospect of a Union of India either on the basis of the Cabinet Mission's plan or on any other basis, and further that, unless a very early announcement was made of the method by which His Majesty's Government intended to transfer power, widespread communal disturbances would be inevitable. All the Indian Parties were now convinced that, in view of the recalcitrant attitude of the Muslim League, some form of partition was unavoidable. But the Congress view was that, if partition was to be conceded, it was a necessary corollary that there should also be a division of Bengal and the Punjab.

The Viceroy had convened a conference of Indian leaders for 2nd June, at which he would make a final effort to secure agreement on the basis of the Cabinet Mission's plan. If, as he expected, he failed to do so, he intended to lay before the Conference the text of an announcement by His Majesty's Government, which was contained in the Annex to C.P. (47) 158. The plan outlined in that document had already been discussed with the Indian leaders, and represented the maximum degree of common agreement that was ever likely to be achieved. The announcement stated that His Majesty's Government had reached the conclusion that the attempt to secure a Union of the whole of India on the basis of the Cabinet Mission's proposals must now be abandoned, and that arrangements must therefore be made whereby power could be transferred to more than one authority. It then proceeded to set out a detailed plan under which the different parts of India could choose, through elected representatives, whether their future Constitutions should be framed by the existing Constituent Assembly or by a new Constituent Assembly composed of representatives from those areas which held aloof from the main body; and it provided for the establishment of a new Constituent Assembly for the areas which opted for separation. The probable result of the plan would be that, in the North-West of India, Sind, the Western Punjab and possibly also the North-West Frontier would stand out from the existing Constituent Assembly. In the North-East there were good hopes that Bengal might decide to remain united on the basis of a coalition Government elected on a joint electorate. If, however, that did not happen, Eastern Bengal and the one predominantly Muslim district of Assam were likely also to stand out.

The Prime Minister drew attention to the difficulties and dangers necessarily inherent in any scheme of partition. The situation in many parts of India was already highly inflammable. In the Punjab, in particular, the proposed announcement was likely in the Governor's view to provoke serious disorder and bloodshed. The application of the plan to that Province would involve the division of the Sikh community in fairly even proportions between the two successor States, though their position might to some extent be eased by the Boundary Commission, which would establish the final boundary. Partition would also involve highly complex administrative problems, such as the division between the successor States of the Indian Army and such subjects as finance, trade and industry, which were at present the responsibility of the
Central Government. But, whatever the practical difficulties involved, there appeared to be no alternative to partition. Unfortunately, there was now reason to fear that the Muslim League might after all decide to oppose the plan. In that event, the best course would be to impose it as an award by His Majesty's Government. It seemed unlikely that the attitude of the Congress leaders to the plan would similarly change. If it did, a more difficult position would arise and the whole plan would then have to be reconsidered. During the past fortnight, however, there had been a further development of major importance which put the whole matter in a different light. While Mr. Jinnah had always claimed that Pakistan would wish to remain within the British Commonwealth, it had been the policy of the Congress Party that India should be a sovereign independent republic and they had secured a resolution to that effect in the Constituent Assembly. The prospect that one part of India would wish to remain within the Commonwealth when the other had become an independent republic had always involved issues of great complexity. It now appeared, however, that some of the Congress leaders had become increasingly apprehensive about the difficulties which the grant of immediate independence would involve, and a most significant approach to the Viceroy had been made by Pandit Nehru and Sardar Patel, who had suggested that in the event of partition Hindu India should be granted Dominion status, at any rate as a temporary measure. They had explained that they would hope to secure the agreement of their supporters to this course by arguing that acceptance of Dominion status would enable power to be transferred to Indian hands at a date substantially earlier than June 1948, and that once she had attained Dominion status Hindu India would be free to secede at any time from the Commonwealth.

This was a most important development, and the India and Burma Committee had felt that full advantage should be taken of it. If Dominion status were conferred on the two successor States as part of the plan for the transfer of power, this would greatly ease the difficulties inherent in partition. For example, both the Indian Parties wished to retain the services of European officers of the Indian Army to assist in carrying out the division of the army between the new States and building up effective military organisations on a fresh basis: this would not be possible if the successor States had become independent republics. More important, it was reasonable to suppose that the Indian Parties, in the light of practical experience of the advantages of Dominion status, would be slow to exercise their right to secede at a later stage. India's decision would also, no doubt, be closely watched by Burma, who would shortly have to choose between independence and Dominion status; and Ceylon would also be greatly influenced by the line taken by India on this question. But it must be remembered that the proposal made by the Congress leaders was that Dominion status should be granted and power transferred as early as possible in 1947. Moreover, after the proposed announcement had been made, the interim Government would become increasingly ineffective; and it was essential for practical reasons that the interim period between the announcement and the actual transfer of power on the basis of Dominion status should be reduced to a minimum. It would, therefore, be essential to enact, before the end of the present Session, legislation amending the Government of India Act, 1935. The purpose of this legislation would be to confer Dominion status on the States emerging from the plan for the partition of India and to provide the necessary machinery enabling the new Constitutions to be established and the division of powers to be gradually completed.

The grant of Dominion status to the successor States would, of course, mean that the India Office should cease to be responsible for the handling of United Kingdom relations with India: this was a point on which the Indian leaders were emphatic. The alternative arrangements needed further consideration, but it
seemed possible that the best solution might be to expand the Dominions Office into a Department for Commonwealth Relations responsible for handling our relations, not only with the existing Dominions, but also with India and Burma and subsequently with Ceylon and any other territories which might attain a position of "independence within the Commonwealth."

In discussion the following points were raised:—

g) When these Constitutional changes in the status of India took effect, it would be necessary that The King should divest himself of the title "Emperor of India." He would become King of those parts of India which attained Dominion status. His Majesty had already mentioned this point to the Prime Minister.

(h) This possible change in the status of India also emphasised the need for some further review of the existing relations between the various parts of the British Commonwealth. Though it might prove possible and appropriate that parts of India should attain the status prescribed for Dominions by the Statute of Westminster, there were other parts of His Majesty's Dominions for which some different form of "independence within the Commonwealth" might be more appropriate. The Prime Minister said that he was taking steps to set in hand a comprehensive review of the constitutional relations between the various parts of the British Commonwealth.

(c) How would India's attainment of Dominion status affect the position of Indians in South Africa? The Cabinet were informed that these people, though Indians by race, were mostly South African citizens by nationality; and their national status would not be affected by India's achieving self-Government as a Dominion. The political difficulties which had arisen over the position of these Indians would at least be no greater if India became a Dominion than if she became a foreign country.

d) The Lord President said that, in view of the congestion of the Parliamentary timetable, there would be no hope of passing a Government of India Bill before Parliament adjourned in the summer unless this legislation had the full support of the Opposition. The Prime Minister said that he had received a firm assurance in writing from the leader of the Opposition that this support would be forthcoming if the proposals of His Majesty's Government proved generally acceptable to the leaders of the Indian Parties.

(e) The Prime Minister said that communal feeling in India was now intense and it was possible that serious disorders might break out in the Punjab and certain other Provinces at any time after the announcement of the plan for partitioning India. It was the Viceroy's considered view that the only hope of checking widespread communal warfare was to suppress the first signs of it promptly and ruthlessly, using for this purpose all the force required, including tanks and aircraft, and giving full publicity throughout India to the action taken and the reasons for it. In this view the Viceroy had the unanimous support of his Interim Government. It was important that he should also be assured that this policy had the support of His Majesty's Government.

The Cabinet agreed that the policy which the Viceroy proposed to follow in this matter should have their full support.

(f) The Prime Minister explained the arrangements which were being made for the publication of the proposed statement of policy. It was expected that the Viceroy would be ready to publish the announcement in India on the evening of Tuesday, 3rd June, and any last-minute changes in the text would be telegraphed to London so as to enable a simultaneous announcement to be made in both Houses of Parliament. The Viceroy also proposed to broadcast, later that evening, a message to the people of India. It was hoped that he would record this in London before returning to India, so that it might be broadcast simultaneously in this
country. The Prime Minister's broadcast would then take the form of an introductory statement by way of preface to the Viceroy's broadcast.

The Cabinet endorsed the plan outlined in C.P. (47) 158 for determining the successor authorities to which power should be transferred in India. They welcomed the further proposals which had been explained by the Prime Minister for the early attainment of Dominion status by the various parts of a partitioned India. They expressed their warm appreciation of the outstanding service rendered by the Viceroy, and by the Prime Minister and his colleagues on the India and Burma Committee, in evolving these new proposals for further constitutional development in India. If this scheme could be carried through successfully, it would be a notable landmark in the development of the British Commonwealth.

The Prime Minister, in summing up the discussion, paid tribute to the remarkable skill and initiative which the Viceroy had shown in his conduct of these difficult negotiations with the Indian leaders. It was essential that, in the concluding stages of the negotiations, the Viceroy should be given a large measure of discretion to amend the details of the plan, without prior consultation with His Majesty's Government, so long as he kept within the limits of the broad policy which had now been approved by the Cabinet.

The Cabinet—

(1) Approved in principle the draft announcement annexed to C.P. (47) 158 regarding the procedure for determining the successor authorities to whom power would be transferred in India; and agreed that this should be adopted by the Viceroy as a basis for his final discussions with Indian leaders on 2nd and 3rd June.

(2) Took note with approval of the proposals outlined by the Prime Minister for the early attainment of Dominion status by the various parts of a partitioned India;

(3) Agreed that, in the concluding stages of his negotiations with the Indian leaders, the Viceroy should have a large measure of discretion to amend the details of this plan provided he kept within the broad limits of the policy approved by the Cabinet;

(4) Agreed that His Majesty's Government should give full support to the policy which the Viceroy proposed to follow, with the agreement of his Interim Government, in using whatever force might be necessary to check the first signs of any widespread outbreak of communal warfare in India after the announcement of the proposals for Partition.

Cabinet Office, S.W. 1,
23rd May, 1947.