EMPIRE, NATIONALISM AND INDEPENDENCE IN FOREIGN POLICY: TESTING NEOREALISM IN THE INDIAN CASE, 1919-1964

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DECLARATION

I declare that the thesis entitled **"Empire, Nationalism and Independence in Foreign Policy: Testing Neorealism in the Indian Case, 1919-1964"** submitted by me for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other university.

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CERTIFICATE

We recommend that this thesis be placed before the examiners for evaluation.

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Dedicated to my parents and my sister Apoorva

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CHAPTER 1

INTRODUCTION

Tracing the Origins of Indian Foreign Policy

The purpose of this study is to understand the origins of Indian foreign policy. These origins are traced not just to 1947 but further back in time, to the British Indian foreign policies, and the ideologies and world views of the Indian National Congress before independence. This study explores how these two elements amalgamated together to form the Indian foreign policy post-independence.

If one begins the analysis of Indian foreign policy before independence, then preliminarily one can notice both continuity and change in India's foreign policy after 1947. Continuities, according to Neville Maxwell (1970) Prasad (1965), Heimsath and Mansingh (1971) stem from the argument that in many respects independent India took on the role, attitudes and policies of the colonial Indian state. But there are also obvious discontinuities, such as India's policy towards the Soviet Union and China, as well as the Indian sense of its place in the world. The question about which of these perspective is valid has not been adequately tested. This issue has both a substantive importance as also a theoretical one. Substantively, it addresses continuing debates about the sources of Indian foreign policy. Theoretically, it has implications for Realist theory which expects that state policies are a function of their structural condition rather than of regime-type. Unfortunately, current literature on these issues has usually been impressionistic and based on single-issue studies. This research project investigates systematically whether and how much Indian foreign policy changed after 1947, the sources of such changes and the theoretical implications that follow. The time period under consideration for this study is from 1919 to 1964.

Analyses of Indian foreign policy mostly start at Indian independence in 1947; consequently Jawaharlal Nehru largely gets credited with the formation of it, being the first Prime Minister as well as the External Affairs Minister of the country. Nehru's contribution can in no way be belittled or ignored. However, what has to be realised is that the foreign policy of India was shaped by years of colonial experience and did not suddenly appear on the eve of Indian independence.[1] This is not to say that mainstream literature on foreign policy denies such a link, but rather it is at times hinted at or at best assumed, but has not been given widespread academic attention.

The literature that does talk of the pre-independence roots of the Indian foreign policy points towards strong linkages between the pre and post independence eras. Heimsath and Mansingh (1971) argue that even when the new Indian government post-independence had the opportunity of making a radical departure from its colonial legacy; it still did not choose to do so. Similarly, Neville Maxwell (1970) blames India's insistence on continuing to assert the legitimacy of borders drawn by the colonial administration for the Sino-Indian conflict. Toynbee (1961:190) claims "It is queer that lines drawn by British officials should have been consecrated as precious national assets of the British Indian Empire's non British successor states." This for Toynbee was an "unfortunate turn of History's wheel." These assertions posit interesting research puzzles. At one level the validity of such claims can be tested, at another level the reasons for linkages between foreign policies before and after independence can help enrich a theoretical understanding into the kind of factors that affect the making of foreign policies.

The research puzzles that this study attempts to address are as follows: First, what were the continuities and changes in the Indian foreign policy after independence? Second, will such a study of the linkages of the foreign policies before and after independence offer a hard test for the core claims of the

[1] Thakur (2014: 63) argues that in the context of foreign policy making, independence should be looked at "as a process and not as an event".

theoretical school of neorealism? An exploration of these puzzles will help us answer the perennial question; do ideological considerations trump material realities, or vice versa?

To address the first research puzzle, this study traces the foundational aspects of Indian foreign policy to two factors: British India's Foreign Policy and the foreign relations of the Indian National Congress. This direction of study gives us three possible starting points: first could be 1857, the second 1885 and the third could be 1919. The reasons for these possible choices are as follows. India formally passed under the British Crown after the revolt of 1857; this was also a watershed year in the sense that the British Crown promised not to annex any more territory in India. In essence, post 1857, the boundaries of the British Raj in India were clearly defined, which of course is an important step for having any concrete foreign policy outlook towards other states in the continent and the rest of the world. The second possible consideration for a starting point of the analysis is 1885, the year in which Indian National Congress was formed. Hence, while the effect of British India's foreign policy (primarily guided by checking the imperial interests of other European nations) remained, what added to the complexities was the growing sense that the Indian National Congress had, of its own understanding of foreign policy. However, a third possible starting point could be 1919. This starting point not only incorporates the realities created by the previous two starting points but also includes important factors that would help in understanding the foreign policy outlook before independence.

The major changes that the First World War brought in formulates the rationale behind choosing the time period of this present enquiry. It was post World War One that there were discernible shifts in world politics. The European alliances had undergone a massive shift. Britain, France and Russia went from being imperial rivals to allies in order to check German advances. The revolution in Russia further added its hues to the equation; as now, European nations particularly Britain and France were extremely concerned

with the spread of Soviet Russia's Communist influences. There were also efforts to create International Organisations that would be dedicated to promoting peace and cooperation. However, one of the biggest factors that emerged was the growing nationalist movements against imperialism. It was in this context that the Indian National Congress began to wake up to the need of having their own conceptions about the world, and their own image of what sort of a foreign policy an independent India should have. To add to the complexities was the rise of Fascism in Germany and Italy. Confronting this challenge was important for the Indian National Congress with respect to its stand on Fascism and the British government, in terms of the radically altering balance of power in Europe.

Hence, in the period from 1919 to 1947, there were two strong forces that were shaping the foreign policy. First was the foreign policy of the British government in India. This policy was primarily concerned with safeguarding their imperial interests. The British government both in India and England took great pains to prevent any imperial power- particularly Russia and France- from having any influence even in the vicinity of India, which could at a later stage threaten British presence in India. The second force was the growing realisation within the Congress leaders, of the need to think and articulate India's place in the world, and its relations with other states. This took the shape of the Congress leaders expressing solidarity with other nations under colonial rule, and also actively seeking the support of countries for the cause of world peace.

The shape that Nehru gave to Indian foreign policy from 1947 till his death in 1964 is extremely important. Even after many decades since independence, it is argued that we have not moved beyond Nehru's shadow (Mehta 2009). Heimsath and Mansingh(1971: viii) claim that "India in world perspective, even now, is largely the India moulded and projected by Nehru". Besides, Nehru's personal importance, this phase is crucial because it is in this phase immediately post independence that a clear divergence from British

foreign policy would have been logically expected, owing to years of oppressive colonial rule and deep ideological opposition to British foreign policy by Nehru and the Congress leaders. However, a radical departure from the colonial policy is not observed. Instead, what can preliminarily be noticed is a complicated spectrum of continuities and changes that demand academic attention. In accordance with such ideas, this study limits the post independence analysis of Indian foreign policy up to Nehru's death in 1964.

A thorough study of the Indian foreign policy before and after independence, will lead us to the second research puzzle of this study. The conclusions of the first part of the study will be used to test assumptions which form the 'hard core' of neorealism. In the neorealist paradigm structural changes are the primary causal variable. Hence, in the event that the colonial Indian government is seen as autonomous, then India's structural condition in terms of its own power capacity did not change. Irrespective of other important changes like the shift in the global structure from multipolarity to bipolarity and India's independence, India's structural position in the region did not change. It remained a predominant power with large power disparities between India and its neighbours. From neorealism's perspective then, since there was no change in its structural condition, we should expect no change in Indian behaviour. It is a hard case to test because of the difficulties that this case presents at two levels, first, to see colonial India and independent India as the same; second, huge difference in regime-type from colonial to independent, which would mean significant expectation of change in behaviour. Hence, if continuities are observed even under such dramatically different conditions, then it would mean that the theory is even stronger. The fact that this case will be a hard case to test the neorealist core assumptions is the rationale behind choosing to test neorealism and not any other IR theory.

Literature Review

Keeping in mind the objectives of this study, primarily four bodies of literature are being examined here. First, literature analysing the trends,

frameworks and ideological currents of Indian foreign policy is looked at to see if an analysis of the origins of Indian foreign policy is present in them. Also, this body of literature will help us in understanding the core features of Indian foreign policy. The second corpus of literature in focus, here deals with describing the British Indian foreign policy and its determinants. This will inform us about the foreign policies of British India, and it will help in defining key instances of changes and continuities with respect to the state policy. The third section of the literature articulates the position and thought processes of the Indian National Congress leaders, with respect to the kind of foreign policy that the leaders envisioned for India and the extent to which it was realised post independence. Lastly, the literature on neorealism will help us theoretically understand the discipline and its core assumptions in order to test it in the Indian case.

Indian Foreign Policy

The analyses on Indian foreign policy has largely been focussed till now on Nehru's role as the architect of Indian foreign policy (Appadorai 1992), the direction that he gave to the policy and the long and short term consequences of Nehru's decisions for India. Endless debates focus on whether Nehru was a genuine idealist or predominantly a shrewd statesman (Raghavan 2010). Still another body of research focuses on relevance of Nehru in the current foreign policy scenario for India. There are some who argue that India is slowly making that shift, though it has still not crossed the Rubicon (Mohan 2003). There are some who argue that Nehruvian policies are a default mechanism for India -in the absence of an alternative overall foreign policy framework (Mehta 2009). The common feature of these myriad debates however is that all this analysis takes 1947 as the starting point of Indian foreign policy. Most works like Rajan (1999), Dixit (2003) and Bandyopadhyaya (2003) that give a general overview of Indian foreign policy don't analyse the historical origins of foreign policy. As far as the conventional understanding is concerned, a foreign policy is an important

feature of a modern nation state. Each sovereign nation has the right to decide the nature of its interaction with other countries and entities of the world.

The question that is crucial to the current research, however, is that where are the origins of such patterns? What is the process through which the ideological underpinning of such an interaction is shaped? These are questions whose answers will greatly inform the theoretical analysis of foreign policy making in general. However, in the present context what is crucial is that considering that India had seen nearly two centuries of colonial rule, the formation of its foreign policy is bound to have been affected by it. William Barnds categorically claims that:

> The new Indian Government was heir to two distinct traditions in foreign-policy thinking. One was the foreign policy of British India; the other, the ideas on international affairs expressed by the Congress party in the years before independence (Barnds 1972: 45).

Barnds (1972) does not explore this claim further in detail as it is outside the scope of his book. Malone (2011), gives some sketches of the history of India from the Mauryan Empire to the British, in order to understand the concept of India in general; however, specific implications for foreign policy have not been discussed. Heimsath and Mansingh (1971), Bisheshwar Prasad (1965, 1967, 1979) and Bimala Prasad (1962), in their own respective analyses explore the pre-independence roots of Indian foreign policy. Heimsath and Mansingh argue that Indian foreign policy shows a lot of continuity and consistency after independence even though India had a choice of breaking free completely from its colonial past in this regard. The reason for such a step, Mansingh and Heimsath argue, is that India had achieved a quasi independent status in world affairs after the First World War. This meant that even though the Indian leaders were subservient to the British Crown and could not advocate a distinct foreign policy of their own, what happened however was that the end of the First World War saw dramatic changes in world politics. Myriad international platforms like the League of Nations began to materialise and India was an enthusiastic member and participant in

many of them. Indian leaders were constantly in touch with other world leaders. In essence, through all this India got a period of almost 30 years before its independence to interact and engage actively with the world and have a very clear idea about the kind of foreign policy it would later want.

Articulating similar ideas in an attempt to understand the pre-independence origin of Indian diplomacy Keenleyside (1992:42) writes "....India emerged from colonial rule with both a reservoir of diplomatic talent and an incipient orientation for its diplomacy, including a range of general foreign policy goals." At this juncture, Mansingh and Heimsath (1971) draw a distinction between foreign relations and foreign policy. Hence, according to their understanding, Indian National Congress' foreign relations became foreign policy after independence. This analysis is one of the only coherent and extensive explanations given for the link between pre and post independence foreign policy outlook.

The gap that arises out of Mansingh and Heimsath's work is that they do not deal with British India's foreign policy as a separate variable or factor of enquiry; and thus the foreign policy that the British government had for India gets subsumed in the foreign relation perspective that they give. This gap can be addressed with the work of Prasad (1965;1967;1979). Even though, Bisheshwar Prasad does not give a theoretical analysis or explanations of changes and continuities of foreign policy post independence, what he does give is a highly detailed account of British India's foreign policy and the compulsions and determinants behind it. This body of literature is explained in the next segment.

British India's Foreign Policy

The most detailed description of British India's foreign policy is done by Bisheshwar Prasad (1967, 1979) in two books that together cover the time period from 1860 to 1914. In these books a minutely detailed description is given of the British government in India and their policies towards Central Asia, Afghanistan and the Persian Gulf. The primary aim of these policies was

to advance Britain's economic, strategic or imperial interests in these regions. The account of J.W.S Wyllie (1984) of the external policies of India during the 19th century shows us the internal working of the Indian Foreign Office. Wyllie, a senior official of the India Civil Service, imparts interesting insights into the compulsions and reasons behind the external policies of the British Government in India. However, owing to his early demise, these memoirs only cover a brief period during the 1860's.

Certain trends pertaining to the differences of opinion between the British government in London and the British Government in Calcutta and New Delhi with respect to the foreign policy for India can be discerned from this body of literature. Even though the perspective of London government often trumped any discord, an analysis of this phenomenon gives us interesting insights in to the making of British India's foreign policy. Prasad (1965) points to this difference, in his description of the dealings of the Amir of Afghanistan, Abdur Rahman with the British. Perceiving the British Indian authorities as rigid, the Amir sought direct dealings with the British Government in England by sending his youngest son to London. The government in India did not favour such a contact and eventually Amir's plan was never realised and the Indo- Afghan border was demarcated with the Durand Line.

A similar tension was observed later when Lord Curzon wanted to pressurise Amir Habibullah for more concessions after the death of his father Amir Abdur Rahman. Habibullah resisted such demands and eventually, Lord Curzon had to accept a reiteration of the old understanding- under pressure from London. In essence, this difference of outlook between London and New Delhi can be effectively inferred and studied in the Kitchener- Curzon dispute. Cohen (1968, 1990) explains the details of this dispute in great detail. Kapur (2009) points out that this dispute was "....as much a product of the proverbial struggle for dominance in policy-making between the civilian and the military

branches as a reflection of contemporary contradictions in colonial foreign policy objectives."

Sharma (1978) emphasises that despite Lord Curzon's imperialist background, the Viceroy was primarily guided by Indian interests. Quoting J.N Dixit, Mohan (2003:204) writes "Curzon was among the greatest of the Indian nationalists". Lord Curzon, however, often came in conflict with his Secretary of State, over the issue of change in the perceptions of the Foreign Office in London, with regards to seeing Germany as a bigger threat, than Russia, and accordingly making policy changes. Lord Curzon preferred to still see Russia as the primary threat (Sharma 1978). Mahajan (2002) shows the role of India in British Foreign Policy from 1874 to 1914. In the time period that she describes, Russia was considered a major threat to British imperial interests. Mahajan gives an enriching account of how British foreign policies in that era were geared towards halting the Russian advances in Asia, primarily with the aim of safeguarding Britain's most cherished colony- India. Brobst (2005) in his book also points the importance that Sir Olaf Caroe placed on India. Sir Caroe (a leading geopolitical thinker of British India towards the end of the Raj), was of the opinion that "India had historically formed and would continue to be a central bastion of world power well beyond the end of British rule"(Brobst 2005: xiv).

This body of literature can primarily be divided into two categories. The first category is the literature that describes the foreign policy of the British Government in India till about the beginning of the First World War in 1914. The second would be after 1914, till Indian independence in 1947. While the former can clearly be discerned from a few exhaustive books dedicated solely to the subject, the latter has to be largely inferred from a wide variety of secondary literature in the field of British foreign policy - literature dealing with the end of British imperial empire, and literature that describes the British Raj in India. Another way of understanding the British Indian foreign policy post World War One can be through mapping out the

Congress's reaction to the foreign policies of the British Government in India. Before the First World War, there were no discernible responses of the Congress leaders towards India's foreign policy. This approach can be helpful as the interaction between the two forces under consideration in this present study can be clearly studied like this. A description of the literature dealing with the Congress's ideas on foreign policy is given in the following section.

Indian Freedom Struggle and the Indian National Congress's Conceptions about Foreign Policy

There are two ways in which the Indian National Congress's activities with respect to foreign policy can be categorised. The first would be the manner of interaction with the international community that the leaders of Congress had. Second, would be the ideological direction that Congress leaders thought, that an independent India should have. There are different phases that can be discerned in terms of the level of involvement with the outside world, and the growing ideological conceptions about foreign policy.

According to Bipan Chandra (1989), three trends can be discerned in the nationalist foreign policy before the First World War. The first was, support and solidarity with other nations fighting for their independence. The second was the rise of Asian consciousness and a realisation of a common Asian identity. The third trend, dealt with a growing understanding of the economic rationale behind the growth of imperialism. Post 1914, the nationalist foreign policy shifted towards opposing political and economic imperialism and cooperation of all nations for world peace. Nehru (1927) himself writes about how in the face of a larger good like world peace, India would not mind giving up elements of its sovereignty, to a just international body provided other countries also did it. A very active phase of nationalist foreign policy emerged in 1936.

In one of its initial attempts to reach out to the world, the Congress set up the British Committee. Jawaharlal Nehru (1927) in his essay writes that the

primary aim of this committee was to carry out propaganda in England to convince the British public of the righteousness of India's cause. This, however, did not produce the desired result and the committee was wound up in 1920 by the Nagpur Congress. It was later realised by the Congress leaders that effective action at home through the platform of noncooperation movement was bringing them more publicity in England, and other parts of the world, even when they were not actively seeking it like before. Hence, the resolve to spend their energy and resources at home was further strengthened. At the same time, Nehru was painfully aware of the fact that Indians were not liked in countries like China, Egypt, Burma, Afghanistan and many other regions of the Middle East, where the British took them as man power in the British army or the police. Nehru thought that Congress should work towards removing these Indians in armies and police from foreign countries and establish an environment of amity and friendship, as these Nations, also like India, suffered from colonial oppression.

Consequently, as Bipan Chandra (1989) points out, the Indian National Congress was extremely concerned with showing solidarity with the efforts abroad in fighting imperialism. Chandra (1989), further shows that Congress leaders in India publicly denounced and voiced their dissent of the British policy of waging wars with India’s neighbouring regions and in some cases annexing their territories. Burma was annexed towards the end of 1885; the Indian nationalists condemned this act as immoral and unjust in unison. The second Anglo-Afghan War was fought between 1878-80, and Surendranath Banerjea branded the war as a sheer act of aggression. Lord Curzon’s attack on Tibet in 1903 met with similar outrage.

In November 1921, the Congress adopted the first formal declaration of independence from British Foreign Policy; through it the Congress wanted to convey to other states that the Government of India did not represent Indian opinion and that the policies were guided more towards subjugating India rather than protecting its borders. India as a self governing country did not

have any designs on its neighbours or any other state. This was drafted by Gandhi who felt that India, as it matured for 'Swaraj' was bound to tell the world, the kind of relations that India wished to have with them (Prasad 1962). This book by Prasad (1962), discusses the Indian National Congress's role in world affairs from 1885 to 1947. The idea that the Congress leaders had about the positive influence, that an independent India can have on the peace and security of the world are further reiterated in Mehta (2009: 213), where he points to the beliefs of Balgangadhar Tilak. In a memorandum to George Clemenceau, Tilak highlighted that a strong and independent India would be a source of stability to the world. Tilak also envisaged strong ties with Britain in India's foreign and defence policies. Similar ideas were also echoed by Nehru, when he claimed that India's resistance was against the British policies and domination of India, cooperation with the British people however would be welcome "on the basis of Indian independence" (Kapoor 2011: 61).

The role that different Congress leaders played through their interactions with the international community and the ideologies that governed such interactions need to be further explored. India's policy towards the Middle East, Israel, and Palestine specifically is an interesting case for exploring the influence that prominent leaders had in laying the foundations of bilateral relations. Kumaraswamy (2010) effectively shows the role that M.K. Gandhi played for a prolonged period of time which later on greatly influenced India's relation with Israel and the Middle East. Gandhi's views on that region often reflected the same inconsistencies that India, at a later stage, showed in its relations with Israel. While being deeply understanding and sympathetic to the situation of the Jews, Gandhi never formally supported the Palestine partition plan for the creation of Israel and on occasions spoke against such a move. The subtleties and compulsions in Gandhi's views on the Middle East are described in detail in the work of Brick (2008).

Prominent Congress Leaders and Their Association with the International Community:

The literature dealing with this theme is varied. Starting from personal memoirs and autobiographies of leaders, there is some work that deals exclusively with this relation. In *The Peacemakers: India and the quest for one world,* Bhagavan (2012) comprehensively shows the active role that India played- in particular Jawaharlal Nehru and Vijaya Lakshmi Pandit- in the framing of global discourses on human rights. This book clearly shows the steps India took to realise its aim of world peace or 'One World' that would be free of war and exploitation and how the vision of Indian leaders helped shape and institutionalise the global norm on human rights. On the other hand Herman (2008) shows how the ideological incompatibility of Gandhi and Churchill contributed towards major decisions that ultimately led to the disintegration of the British Raj, and eventually the entire British Empire. In terms of world opinion on Indian independence, Rubin (2011) gives an insightful account of the support that Americans had given to the cause of Indian independence, and the slight hues of complexities that it caused between England and U.S.

This body of literature does not directly address the issue of Indian foreign policy making; however it gives us wonderful insights on the frequency and depth of the interactions that Indian leaders had with the outside world during a stage when they were in the process of foreign policy making.

Themes Explored In This Study:

There are certain links between, what became an integral part of our foreign policy after 1947 and certain situations and ideologies before independence. These links will help in mapping out continuities and changes in Indian foreign policy. These primarily extend in four directions. First, India's link with the Commonwealth, second, the ideological roots of the non-

aligned movement; third, to the kind of relations that India had with the USSR and fourth, continuance of treaty obligations and its implications for India's neighbouring regions. Heimsath and Mansigh (1971) inform us that Nehru was very adamant about joining the Commonwealth even in the face of opposition and criticism; as a matter of fact, joining the Commonwealth became the first major foreign policy decision of independent India (Iyer 1983). Much was attributed to the personal attachment of Nehru with the Commonwealth for such a decision. However, what is worthy of notice is that if this actually was the reality in 1947, then twenty years earlier Nehru's ideas had been dramatically different. Articulating his views on what a foreign policy for India should be like, Nehru in 1927 clearly conveyed that being part of the commonwealth did not resonate with India's moral fibre. According to Nehru, being truly equal members in the Commonwealth would always be a farce.

In terms of the roots of the non-aligned movement, scholars like Willetts (1978) have noted that there are some arguments made about the ideological origins of the non-aligned movement being in the 1940's and not solely in 1958, though it was known by different names at different times. Even though Willetts, himself disregards such assertions, his reasons for doing so are not entirely convincing, and are open to debate, as in doing so, he tends to confuse non-alignment with neutrality which other scholars like Murthy (1964) have clearly argued against. However, there could be credit to the assertion that ideas of non-alignment existed before independence, because as Bimla Prasad (1962: 28) shows, on 7th September 1946, Nehru declared that India had to keep as far away as possible from the power groups opposed to each other in the world. Hence, it was an attempt to have a friendly relation with all, and hostility towards none. Considering that this was the crude ideology behind the non-aligned movement later, the assertion that roots of its ideology were present before 1947 can be explored further.

With reference to the third assertion of India's relations with Soviet Russia, the point that needs to be stressed here is that having cordial relations with Soviet Russia is a pattern which is at sharp variance with British India's foreign policy. One major concern and objective of British foreign policy was to check the advances of Tsarist Russia and later Soviet Russia. Nehru (1927) had wondered, why would India after gaining independence continue to blindly accept the foes of Britain as its own foes? Nehru had specifically mentioned this in the context of Russia. This is not to suggest that this was the only reason for India and Russia to have good relations post India's independence. What is interesting here is that- these incidents offer an opportunity to try and understand the possible origins of certain ideas and ideologies, and finally the circumstances under which this idea or ideology becomes an important feature of our foreign policy. The main point of concern here is not the genesis of the idea or the ultimate foreign policy, what is important from the vantage point of this study- is the journey that the idea went through, for it to change or remain constant and finally take the form of a policy.

Relations with Nepal and Bhutan: There are strong continuities in terms, of the relations that Nepal and Bhutan shared with British India and with India after independence. Through the treaties of Sagauli in 1816, and another treaty signed in November 1860, between British India and Nepal, the boundaries were largely defined between them. In 1926-27 boundary pillars were erected along these lines and after the British withdrew from India in 1947, this border was maintained between India and Nepal in principle (Upreti 2009: 123). A similar trend was seen in the case of Bhutan also, Kharat (2009:139) writes "...Nehru had reassured all the neighbouring countries that his government was bound by the treaties and agreements of former British India." In order to limit Chinese influence over Bhutan, British India had signed the Treaty of Punakha in 1910. Under the provisions of this treaty the Government of Bhutan agreed to conduct its foreign relations as per the advice of British India. In 1949, after Indian independence, India and Bhutan signed a

treaty whereby India assured that it would respect the independence of Bhutan and for its part Bhutan agreed to maintain the same relationship that existed with the British (Kharat 2009).

Relations with Myanmar and Tibet: In variation to the situation in Bhutan and Nepal, British India's relations with Myanmar or Burma were of a different nature as Burma was annexed by the British in 1885. It was administratively a part of British India, and gained independence in 1948. Burma offers an interesting case to study the various forces at work in foreign policy decision making. It was annexed at a time when the Indian Nationalist Movement was gaining momentum with the formation of Indian National Congress. The Nationalist leaders at that time vociferously opposed the British actions in Burma and supported the cause of Burmese independence. Chandra (1989: 390) highlights its importance by claiming that "It was during their [Indian leaders'] opposition to the Burma war in 1885 that consciousness of an Asian identity emerged, perhaps for the first time". By 1921, the Congress announced that free India favoured Burmese independence from India. Gandhi in 1922 wrote that the Burmese have a civilisation of their own and should never have been made part of British India in the first place (Chandra 1989:392). However, the British policy with respect to Burma was guided by its desire to protect the frontiers of India (Mahajan 2002:20).

The British encroachments on Chinese territories were from the direction of India, and guided by its incessant need to safeguard India. Das (1923: 91) shows that British officials were of the opinion that irrespective of the British policy to not increase its territorial possessions, there were certain places next to British possessions that commanded such great strategic significance for important British routes that Great Britain could not see them pass into other hands. The strategic importance of Burma for India has been further stressed by Heimsath and Mansingh (1971). There is a land connection with Burma as well as it helps in controlling the Bay of Bengal. However, despite this importance the Indian government post independence did not

conclude any security agreement with Burma on the lines of Nepal. In fact, India post independence (perhaps in accordance with the attitude towards Burma during the freedom struggle), "went to great lengths to recognise that Burma's foreign policy was independent of India's and had to remain so for the sake of Burmese national feeling" (Heimsath and Mansingh 1971:239).

Tibet, in many ways epitomised the Indian government's desire to carry on with the British policies and at the same time grappling with the changing situation. Maxwell (1970), Stobdan (2009), Ghosh (1977), give details about Tibet and its role in Sino-Indian relations. The policy of maintaining a buffer zone in the Himalayas between China and India was largely nurtured by the British. Tibet was an important component of this ideology, and recognising this fact Lord Curzon had sent a military expedition to Tibet in 1903 to check the Russian and possible Chinese advances towards India.

A decade later in 1913, this effort to manage Tibet ,as buffer zone, took the shape of the Simla convention. Considering the Indian government's insistence to fall back on the provisions of this treaty signed between Tibet and British India, it can be argued that it was in many ways the foundation of India's Tibet and Chinese policies immediately after independence. Newly independent India had to walk a tight rope between continuing to enjoy the privileges that the treaty provided to British India, which could possibly antagonise the Chinese by appearing to challenge their suzerainty over Tibet; on other hand, letting go of these privileges also meant a possible Chinese advancement into Tibet, which would be a challenge to India's security, as the buffer zone would no longer exist (Heimsath and Mansingh 1971). A thorough understanding of the compulsions behind the British Indian policy towards Tibet and a possible similarity of compulsions behind Indian policies towards Tibet, will help in making theoretical generalisations as to the relevance of regime type in foreign policy making.

Neorealism and Implications for Continuities and Changes in Foreign Policy Analysis:

The case of continuities and change in Indian foreign policy represents a good test for structural Realism or Neorealism, especially the Waltzian variant. For most International Relations theories, domestic arrangements make a difference to foreign policy, but not for structural Realists. Even for more recent versions like Neoclassical Realism, this is valid. But for structural Realists, the only factor of primary importance is the position of the state in the structure and nothing else. For Waltz (1979), states are functionally like units but the similarities in the states do not end here for Waltz. The system has its constraining effect on the behaviour of the state. This behaviour is regulated through socialisation and competition. Hence, within a particular system and structure states tend to behave in very similar ways, because, the behaviour that is punished or rewarded becomes very clear to them.

Waltz shows us that even revolutionary states soon realise the perils of not conforming and often revise their stands, this was seen with USSR, when Lenin advised his foreign minister to "avoid big words" at the Genoa Conference of 1922 (Waltz 1979: 128). Hence, as long as the structure remained constant and India's place within that structure did not change, in Waltz's analysis then, transfer of power from British government to Indian government would not have any causal influence on the foreign policy of India. Waltz's analysis will accept a structural change as a source of change but not a transfer of power, as that would be considered a unit level variable.

Accepting that system has a constraining effect on the state, Neoclassical Realist would in addition give importance to the manner in which the state perceives and reacts to the systemic constraints (Taliaferro et al. 2009). This is where the analysis of foreign policy is situated for them. However, the important factor here is that even though this variant of neorealism allows for some agency in state behaviour, the primary causal variable is still the system, with the reaction of states being an intervening

variable. Hence, in the absence of a systemic change, a fundamental change in state policy will not be possible.

Neorealism and Foreign Policy

Since Kenneth Waltz advocated his version of structural realism, two things of note happened: first, the field of international politics had a theory that was parsimonious and yet very elegant in its explanatory power. Second, it was increasingly being realised that although this theory was very capable in explaining the menu of options that were open to a state, it was inadequate in explaining specific foreign policy behaviour. Hence, even though neorealism could predict the range of state behaviour, it could nevertheless not predict any specific foreign policy outcome. There have since been a number of attempts to make neorealism more suited for foreign policy analysis.

Colin Elman's (1996 a) article can be considered as yet another attempt to make neorealism more capable to probably predict specific outcomes, and decisions that states will take as opposed to just offering a menu of options that states have or might not have. In this regard, the scholarship of what Gideon Rose called 'Neo-classical' realism has been growing, with the efforts of scholars like Schweller, Snyder etc (Rose 1998). This essay by Elman is significant in one very important respect. Whereas the attempt by scholars mentioned above is largely to bridge the gap between theories of foreign policy and Neo-realism by introducing intervening variables (Schweller 2004;Rose 1998;Taliaferro 2006), Elman has taken up the mantle of interpreting Neorealism itself in a way that it can be used as a theory of foreign policy. This is evident in the title of the essay itself, which is, "Horses for Courses: Why Not Neorealist theories of foreign policy?" The interrogatory nature of the title points out to yet another feature of how Elman actually makes this argument. He uses a double negative argument so as to say that he addresses the problems that critics have raised regarding why neorealist theories cannot be used for Foreign Policy. In doing so, he attempts to pave the way clear for neorealism to take up the mantle of also being a

theory for foreign policy. According to Elman, if neorealism cannot help in answering questions of foreign policy, then its usefulness can greatly be questioned.

Even though Elman's effort is understandable, the way he goes about proving his point can be questioned from the very beginning. In the beginning of the essay, Elman highlights four mainstream criticisms that are often cited against the suitability of neorealist theories as foreign policy. He then disproves each of these criticisms and hence shows that neorealism can indeed be used as a theory for foreign policy. The question then arises, that who is to ascertain that such a list of concerns is indeed exhaustive? Hence, he goes about this project in a little unconventional manner. However, in his response to this article, Kenneth N. Waltz (1996) basically debates the point of why Colin Elman actually makes the argument and not how the argument is being made. Hence, the concern for Waltz is not in the detail of how Elman makes the argument, but that the very conception of such a project is a futile and useless exercise. For Waltz, the usefulness of his theory should be questioned only in the domain that it is made for. He concedes the fact that "international political theories can be used to determine state behaviour only when external pressures dominate the internal disposition of states, which seldom happens" (Waltz 1996: 57). However, for Waltz, the solution for this problem is to create a new theory that will be capable of defining both state behaviour and international outcomes. Or the other option is to use theories of foreign policy. Trying to twist and turn a theory to fit a domain that it was originally not designed for is not the solution. This debate and Waltz's position can be summed up very beautifully in another article written by him. According to him, "[t]he question is not what should be included in an account of foreign policies but what can be included in a theory on international politics" (Waltz 1997: 916).

Colin Elman (1996 b) makes a counter claim to Waltz's argument by stating that Waltz distinguishes between theories of international politics and

theories of foreign policies by their independent variables. And he further claims that there is no necessary correspondence between the independent variable and their levels of analysis. In essence, he wants to argue that the independent variable for a theory predicting systemic outcomes need not always lie at the systemic level; it can be at the domestic level also and vice-versa. In essence, his point may be correct but what matters is that is it the exception or the rule? Waltz (1997) concedes that nuclear weapons are indeed a unit level factor that has systemic outcomes but the list stops at that more or less. Hence, even if there is not a necessary correspondence, as Elman puts it, there is definitely an important correspondence that cannot be ignored and probably should not be ignored also. The second point that Elman makes about the need for neorealists to start practising what they preach and stop making foreign policy predictions, can still be given some credence; however, a point persists that the line blurs between personal opinions and theoretically validated statements. Hence, as Elman rightly points out, such a practice is unlikely to stop anytime soon.

Hence, having said this, a pertinent point still prevails that until that day actually dawns when there is one comprehensive theory of international politics as well as foreign policy, such debates will prevail, as there always are attempts to make existing theories more conducive to serve our present purposes. Colin Elman's effort can be seen as trying to work out the nitty-gritty within the larger context of this unresolved debate.

The main concern for this chapter, however, is not to use neorealism as a framework for explaining Indian foreign policy decisions but to test what the theory predicts with respect to regime change within a situation of structural consistency.

In terms of what neorealism as a theory tells us about state behaviour there is one crucial point that can be made. The only factor that is capable of eliciting any change in state behaviour is a change in a state's structural position. If a state's material capability within a structure does not change, a

state's behaviour is also not likely to change. Factors like drastic regime change or another internal factor is not considered strong enough to induce any change in a state's behaviour. As Kenneth Waltz notes in Man, State and War that irrespective of the kind of regime a state might have, it still engages in war. Hence, for Waltz, the causal variable or independent variable to explain state behaviour does not lie at the level of the nature of a state. Neither does it lie at the level of the individual or in other words the leadership of the state; for as far as Waltz is concerned, irrespective of the type of leadership of a nation, a state is still likely to go to war. Hence, in terms of the three levels of analysis for Waltz, the causal variable to explain state behaviour has always been at the systemic level.

It is the anarchical nature of the world in which a state has to ensure its safety that defines the way a state behaves in international politics. Hence, within this system that operates in the realms of international politics a state has a limited menu of choices that it can exercise to ensure its survival and maximise its security. The menu of choices available to a state is further affected by the kind of structure that operates in the international system. Structure in international politics is understood mainly as the number of superpowers that are there in the world at any given time. The power is largely understood to be material in nature. Hence, a world could have either a unipolar, bipolar or multipolar structure depending on the number of countries that are powerful enough to affect outcomes in world affairs. These are primarily the factors that affect the range of state behaviour within the understanding of neorealism. If the international system which is defined as being anarchical in nature changes, then the theory predicts that state behaviour will significantly alter. Additionally, if the position of a country within the structure of world politics changes, even then a change in state behaviour could be observed for advocates of structural realism. In the absence of any of these changes, a significant change in state behaviour would not be observed as far as the understanding of this theory goes.

Waltzian Neorealism's Core Aspects that Pertain to Foreign Policy Analysis:

Kenneth Waltz has repeatedly claimed that neorealism is not a theory of foreign policy; however, many theorists have contributed to the impression that Neorealism and even Realism has a lot to offer in terms of foreign policy analysis by claiming that internal matters did not really matter in terms of foreign policy choices of a state. As Shibley Telhami (2002) says very appropriately, just because neorealism does not claim to be a theory of foreign policy does not mean that the insights that can be concluded for Neorealism will not have ramifications for studying foreign policy. A foreign policy theory cannot afford to ignore factors like the importance of self preservation and the important consequences of relative power; even if these factors in themselves would not constitute a theory of foreign policy.

To understand what can be inferred from neorealism for foreign policy analysis, one has to first understand what neorealism tells us about state preferences. The primary preferences for all states that neorealism assumes as basic are that all states seek self preservation. This is not an end in itself, but just a bare minimum that all states will seek to ensure. There is a subtle but an important difference between the postulate that states seek self-preservation as claimed by Waltz, and that states seek to maximise their power as claimed by Morgenthau. The fact that states would want to maximise their power is a claim that Waltz would not disagree with; however, he claims that important features of international politics like balance of power can be explained by taking the basic assumption of self-preservation as a starting point. One need not start off with the power maximisation principle. Hence, all states would seek to maximise their power; however, at the very least, all states would seek self-preservation. Scholars like Fareed Zakaria point out that it is not just power that states seek; ultimately, all states seek to maximise their influence. Hence, for states, it is important to have an opportunity to implement their own state preference in the international scenario. Neorealist would claim that the best way to create that opportunity is for the states to increase their

material power. For them, a state's material power is the only way to ensure that a state can exert influence in a sustained manner.

The next important aspect of state behaviour for neorealism flows from the principle of relative gains, which many neorealists' tend to hold as sacrosanct. Hence, once states have assured their preservation, they are likely to pursue other objects that might be different for different states. Hence, put simply, after ensuring their survival at the very least, states have to also ensure that they pursue goals that give them an edge over other states and tilt the balance of relative gain in their favour. In a world which is characterised by systemic anarchy, a state's relative capability with respect to other states is what makes a crucial difference in terms of state survival and getting an opportunity to exert influence.

There are different variants of structural realism. The most prominent of them which has a direct impact on foreign policy analysis is Neoclassical realism. For this variant of structural realism, a state's relative position in the system is what guides foreign policy behaviour of that state; however, it is translated into actual foreign policy choices of the state through certain intervening variables. Hence, the primary causal variable or the independent variable lies at the level of the system for neoclassical realists. However, this independent variable does not exert a direct influence on the dependent variable, which in this case would be a state's foreign policy choices. The independent variable in this case gets filtered through another set of variable in terms of how the state perceives or chooses to perceive the pressures exerted by the system. Hence, the pressures that a system puts on a state is important but how a state perceives that pressure and more importantly a state's internal capability to react to that pressure are also what would define a state's foreign policy choices.

Neorealism is often accused of ignoring the influence of domestic factors in its analysis. Equally conspicuous by its absence is the role of morality in politics. The fact that states sometime take decisions out of a moral

stand is something that neorealism would not take into consideration at all. In fact, it would revolt against its very grain.

Neorealist's account for differences in states with respect to their state preference that they respectively seek to promulgate by exerting their material capability; these state preferences could be guided by ideology, preference of a leader and also some would argue moral stands. However, within the neorealist world a state's decision being influenced by moral considerations will not be given any credence. As far as Neorealist's would be concerned, morality specifically and ideology in general are often used by states to sugar coat their real motives to render them more acceptable and agreeable at the international stage.

Outline of the Study

The research puzzle of the current study, can be defined as- an exploration of Indian foreign policy pre and post independence. The study seeks to understand the roots of Indian foreign policy in British India's foreign Policy and the world view of the leaders of the Indian National Congress. In this regard the study does not see the beginning of Indian foreign policy solely in the independence of the country on 15th August 1947. There will be an attempt to map out the continuities and discontinuities in the policies pre and post independence. The key terms used in this study have been defined in the following way.

The term 'British India' has been used to depict the British Government in India. The Interpretation Act 1889, defines 'British India' as "... all territories and places within Her Majesty's dominions which are for the time being governed by Her Majesty through the Governor-General of India, or through any governor or other officer subordinate to the Governor-General of India" (James 1971: 326). The Government of India Act 1935 and the India Independence Act 1947, defines 'India' as ".... British India, together with any territories of any native prince or chief under the suzerainty of Her Majesty

exercised through the Governor-General of India, or through any Governor or other officer subordinate to the Governor-General of India" (James 1971: 326) In this study, the definition of 'British India' given above has been used; however, 'India' in this study would only be defined in terms of Article 1 of The Constitution of India (Bakshi 2007: 5), and not in terms of the definition that appears in the two acts mentioned above.

The term 'Anglo Indian' has not been used for this purpose even though it does appear in some literature (Prasad 1965) as the term denotes people with mixed European and Indian ancestry. Hence, for the purpose of this study the term British India is better suited.

Drawing on the distinction made by Heimsath and Mansingh (1971: 3), in the context of the Indian National Congress the phrase 'foreign relations' has been used because the ideas of the leaders of the Indian National Congress on world affairs, had not taken the concrete form of a foreign policy before independence, and neither did they have the agency to do so. Hence, these ideas went a long way in the shaping of Indian foreign policy post independence; however, owing to the fact that India was not independent before 1947 the term 'foreign policy' has been used in the context of British India and for India after independence.

In terms of the theoretical component of the study, constancy of India's structural condition refers to its structural position within the region as the predominant power. In articulating 'Nehru's perception of national interest', the term 'perception' has been used in a similar sense as Willam Wohlforth's perception of power. For Wohlforth (1987:353), "If "power" influences international relations, it must do so through the perceptions of those who act on behalf of states". Hence, 'national interest' as perceived by Nehru strongly influenced Indian foreign policy in its formative years. This concept will be operationalised through statements and policy decisions.

The rationale of the study lies in the fact, that a rigorous analysis of the pre-independence historical roots of Indian foreign policy and its continuity and change after 1947 has not been given adequate attention in mainstream foreign policy discourses. A thorough historical understanding of the foreign policy will help us understand- why our foreign policy took the direction that it did, and help us identify key patterns in the Indian foreign policy more thoroughly, and also the reasons behind it. Such a study will help in understanding whether imperatives of national security and geostrategic realities trump ideological concerns or not. Strong continuities between British Indian foreign policy and Indian foreign policy post independence could point towards the perennial relevance of security concerns, as a newly independent state has every reason to disassociate themselves with all aspects of their colonial oppressors. The reasons for not completely disassociating from the colonial policies could point towards interesting aspects of foreign policy analysis. In addition, it addresses important issues in Indian diplomatic history, especially with regard to India's post-independence policy towards the neighbourhood. Theoretically, it points towards the question of whether the nature of a state matters in the making of foreign policy.

The scope of this study first extends to the time period that has been chosen, which is 1919-1964. Hence, the study will map out the continuities and changes in the policies pre-independence, and during the foundational years of Indian foreign policy under the leadership of Jawaharlal Nehru. Second, the scope can be defined in terms of the prime focus of the study, which will be, to draw certain conclusions, about how the thinking and imperatives in pre-independence era shaped Indian foreign policy post independence.

Third, this study keeps the external affairs of the princely states of India outside its scope. Two reasons can be given for such a measure. First, with nearly six hundred princely states in India, at the time of independence, a study of this magnitude should be dealt with independently, to do justice to it.

Second, the British government had almost complete control over the external relations of these princely states. Hence, any influence that the princely states would have had over the Indian foreign policy has not been addressed in this study.

Lastly, the theoretical concern of this study extends to *testing* the core neorealist assumptions and *not* to use neorealism as a framework to *explain* continuities and changes in Indian foreign policy. Hence, the concern of this study is to test a theory and not use theory as an explanatory framework.

In keeping with the research puzzles of this study, the method employed has the following approach, Indian foreign policy analysis would be used as a case study to test neorealism as a theory; and this case study would be analysed by using a comparative approach. The following paragraphs give a clearer description of this method.

To test the main premise of neorealism, the method followed first involves stating the main postulates and assumptions of neorealism clearly. The effort is then directed towards formulating clear hypotheses from the theoretical premise that are then tested. In terms of testing a theory two possible methods could be followed, which are namely experimentation and observation. In the present study the latter approach is used, which in turn entails two possible techniques, namely, a large n' analysis or a case study. Hence, in this study, to test neorealism, the technique of observation is used through a case study analysis. The case study here would be the analysis of Indian foreign policy before and after independence, as mentioned below.

The objective of the case study is to understand the link between the Indian foreign policy before and after independence. Consequently the technique used is to divide the time period under consideration into two parts, and do a comparative study. The first part is before independence (1919-1947), and the second is after independence (1947-1964). Based on the

conclusions of the comparative study, an overall assessment is made with regard to the continuities and changes in the foreign policy of India.

The case study is descriptive in so far as giving details of Indian foreign policy before independence is concerned. It will give a historical account of British India's policies and map out the ideational discourses on foreign policy within the leaders of the Indian National Congress. This section for its sources relies on primary source materials available in the archives in New Delhi and London. This part of the study also involves a qualitative analysis of the foreign policy trends before and after independence.

Hypotheses

Based on the broader research puzzle of this study, as highlighted in the sections above, the following hypotheses are plausible. These have been tested in the concluding chapter of this study.

1) There are strong continuities between Indian foreign policy before and after Indian independence, because India's structural conditions- defined here as India's position in the regional,. rather than global balance of power- remained the same.

2) Indian policy towards USSR-as seen in British Indian foreign policy- changed dramatically post independence as a consequence of Nehru's different perception of national interest.

3) Non-alignment was a fundamentally new approach in Indian foreign policy which had its roots in Indian National Congress' thinking on foreign policy issues before independence.

4) The greatest continuity in foreign policy before and after independence could be seen in the bilateral policies in South Asia, especially with respect to Bhutan, Nepal and Tibet.

Brief Introduction to the Chapters:

In all there are four substantive chapters in this thesis. The first of these substantive chapters (Chapter Two) titled 'The British India's Foreign Policy' deals with the determinants of British Indian Foreign Policy and the details of how those determinants and considerations played out in practical terms with respect of the foreign policy that was ultimately enacted on ground. This chapter highlights that British Indian Foreign Policy was primarily concerned with ensuring that no other imperial power came even in the vicinity of India. To ensure this the British Government primarily followed a policy of creating buffer zones around Indian Territory. This meant that in those zones, the British struck a deal with the native rulers- to not let any foreign power have any influence over the workings of that state. So the British did not directly annex these territories but they did have a considerable say in the workings of that state, specially their foreign policy. These states had to maintain a neutral position with respect to all European imperial powers and under no circumstances could they transfer any territory to any rival nations or take any significant concessions from them. Tibet and Afghanistan primarily fell in this category.

The second point of focus in this chapter is the relationship between British Governments in London and New Delhi. Often because of communication hassles and other practical difficulties, the government in India had a little more say, in terms of implementing the policies on ground. The policies were made in White Hall keeping in mind considerations of European balance of power. However, policy makers were often not aware of actual ground realities in India and in other countries surrounding India. Consequently, a lot of decisions regarding implementation of the policy were taken by officials at New Delhi. Often, it was noticed that New Delhi and London differed on the sources of threat, and the action to be taken related to it. This was seen in the Kitchener- Curzon dispute, wherein Kitchener increasingly thought of Germany as the primary threat, but Lord Curzon on

the other hand being more aware of geo-political realities in the subcontinent, continued to perceive Russia as the primary threat. This trend of differences between New Delhi and London was most perceptible till the First World War. After this time period however, there was a discernible shift in favour of consolidating efforts at implementation of foreign policy. This was aided by two primary factors. First, as the communication systems increased, aided by the opening of the Suez Canal, setting up of telegram and telephone facilities, the practical difficulties of communicating decisions on urgent matters disappeared. Consequently, it was now possible to keep London informed about the changing situation on ground in a more efficient and swift manner. Second, during the First World War and even after that; war effort had to be coordinated at a global level. Hence, it was imperative that a certain amount of consistency be maintained in terms of policy. Another theme that runs through this chapter is the British rivalry with Czarist Russia and later Soviet Russia.

The third chapter deals with thoughts of Indian National Congress on foreign policy. As Indian National Congress leaders began to demand independence for India, they increasingly realised that a very large part of preparing for independence was to conceptualise what sort of a foreign policy independent India would have. It was further realised that building connections with other world leaders and organisations- especially with nations which were also fighting colonialism, helped in creating a solidarity network, that could work together to fight colonialism. These associations went a long way in laying the foundations of India's diplomacy. Besides the personal bonds that were forged between different world leaders; what also emerged was a growing experience of interacting at myriad international platforms and forums. This experience gave Indian leaders an exposure of different world views and relevant global issues of that time. More importantly it gave them a time period to understand the intricacies of world politics, and get their own chance at forming conceptions about a foreign policy for an independent India.

Certain trends could be discerned in Congress's foreign relations. The engagement of the nationalist leaders with the outside world started with a concern for Indians living outside of India in other parts of the world. Many Indians had settled abroad; most of them had been taken by the British to work at different plantations or other commercial establishments as cheap labour. These Indians often lived under hard conditions and ensuring their welfare by coordinating efforts with different organisations or by putting pressure on the British government, was one of the first impetuses for Indian leaders to take an interest in international affairs. Indian leaders often saw India as a beacon of peace and tranquillity which could contribute immensely to building a just and peaceful world. Many of these ideas in time developed into the concept behind non-alignment which later took the form of a movement.

The fourth chapter titled 'At the Cusp of Independence' highlights the foreign policy choices of independent India. This chapter begins with the foreign policy decisions that India took immediately at the time of independence- during the phase of transfer of power. The primary point that emerges from this chapter is that independent India took on treaty responsibilities of the British Indian Government. Hence India agreed to abide by the International treaties concluded by the British Government in India, especially the ones pertaining to boundary agreements. This is a crucial point- that needs to be evaluated further. At the time of independence, it was concluded after extensive legal discussion on the legality of the issue that the dominion of India would be the successor state to British India; and the Dominion of Pakistan was to be treated as a new state.

Hence, all memberships to international organisations British India devolved upon the dominion of India, and Pakistan had to apply for a fresh membership to all these organisations. What is even more crucial is that it was not the case that the British Government had imposed such an understanding on India and Pakistan. Through the accounts that one gets of the negotiations on the issue, it seems that the Indian leaders took it as a logical conclusion that

the Dominion of India, should be the one that inherits the right and obligations of British India. Leaders from Pakistan were not happy about this scenario, and tried to argue that the British Indian state was being succeeded by two new dominions and hence there should not be any question of any one dominion taking on the rights and obligations of the British Dominion. After careful consideration the British Government, citing international legal arguments, concluded that only the dominion of India would indeed be treated as a successor state, and not Pakistan. Only those aspects of British Indian treaties that were relevant for the territories that would constitute the dominion of Pakistan would devolve on the dominion of Pakistan.

This has important implications for the purpose of this current doctoral thesis. A couple of decades before independence, the Indian National Congress while formulating their visions for independent India had repeatedly distanced itself from British Indian foreign policy. They did so on the grounds, that the British Indian foreign policy took into account only British and European considerations. They felt that British Indian foreign policy was not a reflection of what India as a nation stood for. However, at the time of independence the Indian leaders were quite willing to take on the role of being a successor state to British India, which came with the baggage of being responsible for treaty obligations of British India. This chapter also gives details of the priorities and compulsions of the HMG with respect to the devolution of treaty obligations. The trajectory of British Government's decision making is traced and important implications are discussed.

Another crucial aspect traced in this fourth chapter is the politics behind Commonwealth membership. India had the distinction of being within the commonwealth first as a colony then as a dominion and then later as an independent Republic. In this chapter, the British and the Indian compulsions are discussed with respect to India joining the Commonwealth as a Dominion at the time of independence. However the actual implications of this membership for Indian foreign policy are discussed in the next chapter.

There are three basic themes covered in the fifth chapter titled "After Independence'. First, is to highlight the practical implications of the devolution of the treaty obligations on the Indian dominion. This aspect is primarily explored in the context of treaty obligations of India's immediate neighbours on the North Eastern border. The second, theme pertains to highlighting the implications of India continuing with its Commonwealth membership as a republic. The British efforts to accommodate India within the Commonwealth are also given focus.

In this chapter there is also an attempt to make a comparative assessment of the two phases of Indian Foreign Policy, one after the independence and one before. This comparative assessment is done with the aim of assessing the degree of continuities and changes within Indian foreign policy. As the degree to which Indian foreign policy continued after independence would have defined the extent to which neorealist principles hold. As the discussion in the previous paragraph shows us, the fact that the dominion of India at the time of independence was more than willing to take on the role of being a successor state to British India, is an important condition towards the continuities of Indian Foreign Policy. Being a successor state meant that Indian government would have to take on the rights and obligations of various International treaties signed by the British Indian government specially the ones signed on border issues. This had important ramifications for Indian foreign policy and helped lay the foundations of independent India's external relations. This shows that the Indian state after independence continued to willingly function like the British Indian state especially in terms of its foreign policy.

The concluding chapter of this study maps the basic theme of continuity and changes in Indian Foreign Policy. Primarily four major themes are discussed. These are: Treaty obligations of British India, Commonwealth membership as a source of continued association with the British, the shift from British Indian foreign policy to independent India's foreign policy in

relation to perceptions of Soviet Russia and lastly, exploring the concept of non-alignment as a novel thought, that had its roots in the thinking of Indian leaders at the time of freedom struggle. The implications for neorelaism of continuity in treaty obligations are also discussed in detail. The different hypotheses of this study are also primarily derived to test these themes: and hence their validity is tested and discussed in detail.

CHAPTER 2

EMPIRE

British India's Foreign Policy

It is not too much to say that this gold hoard in the East [India] caused Great Britain, like the giant Fafner, to turn herself into a dragon, watchful, warlike, ready to rush from its cave breathing fire, its existence a curse and a menace. (Lovett 1923: xiii)

Introduction:

India has always enjoyed geographical and cultural importance within Asia. It was an important player within the Indian Ocean trade route. The Indian Ocean trade block in turn occupied a very important and dominant place within the global trade market. It behaved like a unique entity in itself and had extensive trade, cultural, religious and political linkages. These linkages were sustained through the activities of the Arabs, South Asians and the Malays. The sustenance of these networks was not only through sea routes but also through well developed overland caravan routes. India was very much a fulcrum of this extremely complicated spectrum of Indian Ocean trade. It was strategically located and connected the South China Sea to the Persian Gulf which in turn led to East Africa.

Robert Blyth remarked rather insightfully that the Indian Ocean World was "regionally a flourishing interdependent world" (Blyth 2003). Sugata Bose (2009: 6) saw the Indian Ocean in a similar light as an "interregional arena of politics, economic and cultural interaction." Bose (2009) prefers the use of the word 'interregional' for Indian Ocean rather than 'system' as the latter has a rigid connotation. The world of Indian Ocean for Bose has a deeper cultural and economic meaning.

Historically speaking, this ocean has always been a highway of ideas, culture and affluent commerce (Varma 1964). The trade within the Indian Ocean block was often extremely profitable and consequently many European powers made serious attempts to enter the trade market and where possible tried to capture it. The Portuguese came at the beginning of the 16th Century and then came Spanish, Dutch, French and British traders. The British, through India latched on to the existing trade practices of the Indian Ocean block and eventually started dominating it (Blyth 2003). Although they had initially come as a trading company, they eventually established political control beginning with the Battle of Plassey in 1757. This was then expanded and most of India was captured by the East India Company's forces. In 1857, India passed under the British Crown directly.

With the establishment of political control comes another important demon that any ruler has to deal with and that is the protection of its frontiers. Britain was no exception and it jealously started guarding the frontiers of British Raj, from the rest of the European nations. Britain's priority was to deter any European Nation to make any strong hold even in the vicinity of India that could later be used as a threat against British interests in India.

> India may in fact be regarded as the centre or pivot of Britain's Empire in the East; and for this reason alone, setting aside all other considerations, must be defended against foreign aggressions. It is not only British supremacy in that country itself which is at stake; the uninterrupted intercourse with her eastern colonies themselves would at once be threatened, should foreign invasion take place.[2] (Colquhoun 1901: 203)

Be as it may, Britain knew very well that the end of the British control over India meant the end of the British Empire and it was most keen to guard this brightest jewel in the Indian Crown. With the colonisation of India, Britain garnered unprecedented material power, and it soon became a dominant player in world politics with its colonies spread out in most parts of

[2] Also quoted in Das (1923), pg 4

the world. The vastness of the British Empire, together with the fact that most strategic locations of the world fell within its gambit; ensured that Britain was constantly in conflict with other European nations.

> It is not so much in the vastness of British possessions that are found conditions provocative of war as it is in its geographical distribution. It is not a segregated sovereignty occupying, as the Russian Empire, a corner or contiguous portion of the earth, but forms on the other hand, a circle around the entire globe, within which are placed all the other powers if the world; and not one of them can follow their lines of natural expansion without, sooner or later, being brought into direct contact with the British Dominion. [3] (lea 1912:15-16)

Broadly speaking, British interests in India and the subcontinent were largely guided by two factors, expanding its commercial ties and protecting the empire. The economic motives behind their policies were very strong and these invariably lead to clashes with other European powers. The European power that first emerged as a threat to English interest in the region was from France (Das 1923). Napoleon's interest in Egypt, the Mediterranean Sea and other regions of Asia was an attempt to block British access to India,. These French efforts combined with Tipu Sultan's attempt to garner French support resulted in Britain formulating its foreign policy with the aim of checking French advances.

The situation was further aggravated by French alliance with Czarist Russia. The Russian interest in the region started with this alliance, and even after the French strength had collapsed, the Russian interest in the region remained (Prasad 1965). Since the latter half of the 19th century Russia, and later the Soviet Union remained the dominant threat to British interests in the region and many features of their foreign policy were dictated by stalling the spread of Russian influence, especially in the vicinity of India.

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[3] Also quoted in Das (1923), pg 8-9

British Indian Foreign Policy- Main Features:

L. S. Amery (1935: 231) gave a brief description of India's physical features and the kind of foreign and defensive policy that it required. Amery described India as a "continental state with a frontier exposed to immediate invasion". These possible invasions Amery expected from the "fierce and warlike frontier tribes".

Beyond these tribal areas lay Russia, whose distance from India was decreasing at a fast pace owing to modern means of communications. Writing in 1935, Amery still conveyed his mistrust for Russia. For him Russia was now a lethal mix of her age old tradition of territorial expansion and "her new essentially aggressive fanaticism." Amery (1935: 231). Besides Russia, Amery did not consider any other entity like Persia or Arabia of much consequence to India. In the east the only threat he perceived was from Japanese Navy. He realised that in the future, India would need to considerably focus on her naval defences and just a general maritime supremacy that the British Navy offered would not be enough.

India's land defences even in peace time needed a large standing army. The British from the beginning of the 20th Century considered land defences of paramount importance against European foreign powers like Russia and France. In fact Friedberg (1988) argues that a perceived inadequacy of its ground defences was a major reason for Britain to consider Russia as a primary threat to India.

Indian Land Defence and the Russian Threat:

The Boer Wars, in which Britain was very close to suffering a humiliating defeat, had made the HMG take their preparedness for land warfare very seriously. The war in South Africa, had revealed glaring gaps in the drills and ground warfare techniques of the British Army. A primary concern in this relation- was its implication for the defence of India. HMG

realised that it would need to pay attention to defending India against Russia or France in a proper conventional ground war if the need ever arose, or else they would have stood to lose India. This was a situation that was unacceptable to Britain under any circumstances. For the British government, at the start of the 20th Century, the most likely enemy was thought to be Russia and the most likely battlefield was the "barren and treacherous terrain of Afghanistan" (Friedberg 1988: 211). The thought of fighting a modern European power in these lands was an extremely horrifying prospect for the British.

With its real might displayed on the seas, Britain was always a reluctant power on land. In this regard, the prospects of technology like railways, and other means of faster land travel always haunted the British policy makers, with Railways being "the real villain of the piece". The possibility of large scale movement of goods and manpower that the railways afforded was perceived as a major threat because this made other countries less vulnerable to an attack from sea and made Britain more vulnerable to an attack by land (Friedberg 1988: 213). To keep this threat at bay the British policy makers devised the concept of creating Buffer States around India. In fact, Mahajan (2015: 53) argues that in international politics, the concept of a buffer state is "primarily of British-Indian Coinage".

This Anglo-Russo rivalry did not subside for decades. Even after the collapse of Czarist Russia, Britain continued to view Soviet Russia as a threat. Writing in 1928, Sir W. Tyrrell in an official memorandum referred to Russia[4] as an "ever-threatening menace to civilisation". He noted that both Russia and Britain had fundamentally different world views. The British Policy is geared towards ensuring the safety of its Empire and protection and promotion of its trade; which is the lifeline of British wealth and influence. Consequently, Britain sought peace in various regions to ensure smooth functioning of

[4] Although by 1928 Russia had become USSR, this official memorandum and most other official correspondence still referred to the country as Russia and not USSR. Hence, even in the text of this chapter Russia is used more often that USSR.

economic activity. For him, on the contrary Russian policy was based solely on spreading of communism; which obviously could only be achieved by changing the world order as it currently stood. Ever since the Bolshevik revolution, Russia hoped to spark a revolution everywhere and for this purpose it had specifically made it its aim to target Britain; and spread a negative propaganda against it. Overthrowing the British Empire was perceived as a chief goal of Moscow. Most importantly, this memorandum perceived Bolshevik Russia perusing the same goals as Czarist Russia; the only difference being that the new regime in Russia was doing so more openly and with greater resolve and coordination (Churchill Archives Centre 1926, July 28).

Government in London Vs Government in Calcutta/India:

Robert Blyth (2003) makes a relevant distinction between the relative importance of British Governments in London and New Delhi. In the years preceding the First World War owing to reasons of geographical distance and the consequent challenges of communication problems; different presidencies in India, often found themselves calling the shots.

Many issues and situations required a quick response, and it was not always possible to communicate swiftly with London. So, theoretically the control of foreign policy formulation was with London, however, its practical application often depended on quick diplomatic decisions which the person in-charge, and on the ground had to take. Hence, London could not exert any meaningful control on important things like, minutia of treaty negotiations or small scale naval or military operations. In such a situation London could only provide a broad framework of policy, but the crucial details were handled by the authorities in different Presidencies in India. With many of the Missions and officials establishments in neighbouring regions being paid by the

Government of India, officials in India could further extend their control on these regions.[5]

With authentic information being scarce, policy makers in London did not have a clear idea of the actual situation on ground; and neither was the general public in London too bothered about policies in far away land. A similar problem of communication existed even within the difference presidencies in India. The Governor-General sitting in Calcutta, could do precious little to exert any meaningful control over the Bombay Presidency or the Madras Presidency.

These major issues that arose out of insufficient infrastructure for communication got handled soon- with the advent of First World War. Since this war, was being fought at a global scale; it became absolutely essential that war effort be also coordinated efficiently at that scale. Hence, new systems of communications were incorporated in official use, and different war departments were created to coordinate the war effort. Hence, as Blyth (2003) points out- 1914 became a watershed year in terms of London's involvement in foreign policy execution for its vast empire, particularly in India. British government in London now was able to exercise greater control over British India's foreign policy.

Since this doctoral study primarily focuses on a period after the First World War; London's hold on details of foreign policy making could clearly be seen. This is not to suggest that opinions of officials on ground were rejected outright or not taken into consideration; however, concerns of London always took priority. In fact officials in London were often required to frequently take permissions from London for all decisions big or small. If it was anticipated that a particular situation could warrant a quick response, then in such a situation, permission was sought in advance from London to

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[5] For Example, the Permanent British Mission in Lhasa, three other trade posts in Tibet and the office of the Political Officer in Sikkim were all being paid for by the Government of India (National Archives of India 1947 c).

designate a person in advance who had the authority to take decisions on behalf of HMG for that particular time. Even then the limits of those decisions were clearly defined and almost always detailed communication followed on it.

Spheres of Operation:

According to Robert Blyth (2003), the external policy of British India can be divided into 'three distinct but overlapping spheres of operation'. These were; the Central Asia and the associated Anglo- Russian "Great Game", the second sphere was Burma, the Malay Peninsula and East Asia and third was the largely maritime frontier stretching from the Gulf to Eastern Africa.

This chapter however observes British Indian Foreign policy primarily operating at two distinct levels. British government mostly navigated great power rivalries through these two means. The aim was to ensure that British India's borders were always kept free of any rival influence. First, was to ensure the defence of India's land frontier. This was primarily ensured by creating buffer states around India. The second major aspect of ensuring India's defence was to maintain control of strategic locations along the massive coast of the Indian Ocean. Hence there were two major sectors to British operations in this sphere, the Eastern Sector, characterised by control of Malay, Burma, and Singapore; the Western Sector, characterised by control of Aden and Palestine among other areas. By controlling strategic locations in these two sectors, Britain could assure India's safety, as well as control the dominant trade routes of the region.

Consequently, this chapter is divided into two main sections. The First section looks at the politics behind the creation of Buffer States, primarily, Tibet and Afghanistan. The Section looks at the politics of the Eastern and the Western sector of the Indian Ocean, with primary focus on the Middle East.

British Strategy of Forming Buffer States:

One of the central features of British Indian Foreign Policy was creating buffer states around India. The policy was to have a protected state sandwiched between Britain's actual territorial possession and territories of other hostile powers. To counter any influence of hostile foreign powers British found the policy of maintaining buffer zones profitable (Mahajan 2015).

The British Government had envisaged far-reaching plans and strategies for India's defence. This involved creating infrastructure for effective communications, like roads, railways and telegraphs. These would have been built along the frontiers of India, in the territories of buffer states. These states did not have an option of not adhering to these British 'requests' because to do that was to risk their autonomy or independence, as was the case in Burma (Prasad 1965). The Buffer state in essence had internal freedom but could not conduct its foreign relations according to its own will (Mahajan 2015).

Gradually, the British Government in India had built a comprehensive system of Buffers around Indian Territory. It was called the "the ring fence" and consisted of an outer and an inner ring. The out ring contained the Buffer of Afghanistan, Iran and Tibet and the inner ring consisted of the Himalayan Kingdoms of Bhutan, Sikkim and Nepal (Mahajan 2015: 53).

The Outer Ring of the Buffer System:

Afghanistan: For the British the strategic significance of Afghanistan lay in the fact that it was the only prominent land route through which India could be invaded, historically many of India's Muslim invaders had come through Afghanistan (Das 1923: 73). It is because of this reason that during the Russian expansion, Afghanistan was at the centre of Russian and English intrigues. Both these powers wanted to control Afghanistan and use it against

the other. It is against this backdrop, that Afghanistan was maintained as a buffer by the British.

The beginning of this policy started with the French-Prussian and Russian ambitions in Asia. By the 1890's Afghanistan was a friendly state, whose foreign relations were being controlled by the Government of India. In return the Government of India agreed to come to Afghanistan's protection in case of an external aggression. This was done with the intention of creating a barrier against a possible Russian aggression. The Russian empire was expanding rapidly in Central Asia, thereby creating fears in Calcutta as well as Kabul. The development of a Central Asian Railway by the Czar (with French financial backing) added to British worries, because one of the branch of this planned Railway line was to connect with Herat, which was considered a "the key to the Gateway of India" (Prasad 1965: 24).

However, with the collapse of Czarist Russia in 1917, Kabul did not feel the threat of a Russian invasion and cordial relations that had existed between Kabul and New Delhi disappeared. As the Afghans attempted to move away from British influence, Afghan troops struck at the Indian border and the Third Afghan War started in 1919. Even though Britain was war weary it still managed to defeat Afghanistan. Britain continued to look at Afghanistan as a protectorate, even though Afghanistan was given the freedom to conduct its foreign relations (Mahajan 2015).

Tibet**:** In terms of lasting foreign policy implications of British Indian foreign policy; Tibet occupies a high ground. Relations between China and British India were strained even in the 18th and the 19th century over the question of Tibet. A detailed précis written by H.E. Richardson of the Indian Political Service in 1945 gives a history of the Tibet's dealings with the British Government in India, which began under Warren Hastings, when he sent his forces to capture the Bhutanese raiders who had entered Cooch Bihar. Tibet had then written to Hastings, on the behest of Bhutan, to stop all hostilities against Bhutan. Hastings sent George Bogle on a mission to Lhasa to establish

a friendship with Tibet. Bogle however succeeded only in building a rapport with the Tashi Lama and did not achieve anything much of consequence because of the obstacle posed by China. Britain soon realised that its influence in Tibet would always be limited by China's presence (British Library 1945). By the time Lord Curzon had come to India, Chinese influence was declining and HMG was increasingly getting suspicious of Russian involvement in Tibet and consequently decided to take a direct interest in Tibetan affairs.

Anthony Eden, as Secretary of State in 1943 had written a memorandum for Dr. T.V. Soong, defining British position on Tibet. This was a concise summary of British dealings in Tibet and its policy of recognising Tibet's autonomy and was often quoted by officials within the HMG as a basis of their position on Tibet (National Archives of India 1943, August 5).

According to this memorandum, Tibet had enjoyed de-facto independence since the Chinese Revolution of 1911. Chinese forces withdrew from Tibet and since then Tibet regarded herself as completely autonomous and resisted attempts by China to regain control. Since then the British government in India had made repeated attempts to bring about an accord between China and Tibet. The only viable line of thought that could have accommodated everyone's concerns' (though largely British Concerns) was to consider Tibet as autonomous under the nominal suzerainty of China. This became the basis of the tripartite convention of 1914, which was initially initialled by the Chinese representative but was not ratified by the Chinese Government. The main bone of contention between China and Tibet was their own boundary. The region that China was laying a claim to was considered as an exclusively autonomous territory by the Tibetan Government. China and Tibet were not able to resolve the boundary question between themselves; consequently in 1921 Britain unilaterally decided to recognise Tibet as an autonomous state under the suzerainty of China. Lord Curzon who was the Secretary of State for Foreign Affairs told the then Chinese Minister, Dr. Wellington Koo that "the British Government did not feel justified in

withholding any longer" their recognition of Tibet's autonomy. This became the basis of British dealings with Tibet (National Archives of India 1943, August 5).

This memorandum further claimed that the British Government- was always prepared to recognise Chinese suzerainty over Tibet, but on the sole condition that Tibetan autonomy be recognised. The British government as well as the Government of India had no territorial ambitions in Tibet, and only desired, friendly relations and peace with a territory that shared its borders with India's North Eastern frontiers. The memorandum indicated that HMG would be willing to offer its help to China and Tibet- to enable and support them in settling this matter between them. However, he specified that any agreement reached between China and Tibet, should be based on Tibet recognising Chinese suzerainty in return for "an agreed frontier and an undertaking to recognise Tibetan autonomy" (National Archives of India 1943, August 5). Hence, Tibet's autonomy was the corner stone of HMG's policy. This was essential for Tibet to be maintained as a buffer zone, which Britain considered extremely crucial to ensure India's safety.

In 1945, HMG wanted to take stock of its policy in Tibet, and asked the Government of India for its comments and suggestions. In a top secret letter, sent to the India Office, the Secretary to the Government of India in the External Affairs Department laid out a detailed analysis of HMG's policy in Tibet. It proclaimed that there was no cause to revise HMG's policy of supporting Tibetan autonomy. The Secretary of State strongly advocated this policy, in connection to the Chinese threat that India could potentially face (British Library 1945, September 19). This policy letter, did not consider Russia to be an immediate threat in the region; however, it did warn London authorities that- if an uncertainty is detected in HMG's attitude towards Tibet then there was a possibility that Soviet Russia might be "tempted to either support Chinese policy in Tibet or even develop an interest there herself"- this the Secretary of State thought would constitute a more formidable threat than

even China. The letter did not rule out the possibility of Russia trying to maintain her influence in the region through the "goodwill" of China rather than directly being involved. The letter noted that, even though the political situation in China was at present chaotic, and China did not seem to possess the material capability to control Tibet, however, the important point was that the Chinese intent to control Tibet was very much present. As for Tibet, the letter pointed out that the Tibetan authorities had been of late unhappy with the efforts of Government of India to establish its own treaty position in the tribal regions of Assam, at the Indo-Tibetan frontier in accordance to the McMahon line. Even though at that juncture the depth of Tibetan unhappiness had still to be ascertained; the Secretary of State thought that this point could possibly be responsible for Tibet to look towards China more than India (British Library 1945, September 19).

For British India, the strategic value of Tibet being maintained as buffer lay in the fact that on ground British India did not merge with India, except at Kashgar in Gilgit; it was possible to ascertain the security of a thousand mile long frontier (excluding the Nepal frontier) with the minimal of cost and manpower. The letter pointed out that during the resurgence of China in the period from 1906-1911, India became acutely aware of the Chinese threat to its eastern frontiers. China claimed both Bhutan and Nepal as its vassal states and had positioned its forces at the Bhutan border and in the tribal areas of North-East Assam. Even after the collapse of the Manchi Empire in 1912, sporadic Chinese interest in these two states could be observed. The Chinese in their maps, had claimed areas up to the Brahmaputra in the Assam plains. Seen in this light of an intrusive Chinese interest in Indian Territory the Secretary of State advised that the need of the hour was to put even greater pressure on China to let Tibet remain a buffer, in accordance with HMG's understanding of it. Tibet with its vast desserts and its high altitudes formed a natural barrier that had to be maintained as a neutral buffer. Else the cost of manning and protecting a huge border would require a considerable amount of effort.

An essential part of this policy to maintain a buffer in Tibet was to ensure that the Himalayan Kingdoms between India and Tibet conducted their foreign policy according to New Delhi's wishes. Hence, Nepal, Bhutan and Sikkim formed an essential part of India's North Eastern defence structure. These Himalayan Kingdoms are sandwiched between India and Tibet and hence occupy an important position for the politics of the South Asian region. Nepal is the largest of these three Himalayan Kingdoms. Nepal is separated from Tibet by the Great Himalayan Range. Bhutan is the second largest of the Himalayan Kingdoms and geopolitically its location between the Tibetan Plateau and the plains of Assam and Bengal is of immense strategic importance. Sikkim, the smallest of the three kingdoms ~~and~~ is located at a strategic location besides the Chumbi Valley. It historically commanded an extremely important place as a trade link between the Indian Subcontinent and the Asian heartland (Jha 1986).

These states were maintained by the British primarily as a Buffer between India, China and Tibet. Sikkim was strategically important because its location made it a convenient transit route for Tibet (Mahajan 2015). The status of Sikkim- as described in the official files- was that of an Indian State; it was similar in status to Travancore, Mysore or Kashmir. However, for practical convenience relations with Sikkim were handled by the External Affairs Department and not the Political Department. Hence, any future action with regards to Sikkim had to be similar to the action taken for other Indian States (National Archives of India 1947 b).

However, unlike other Indian States, Sikkim's position on the external frontier and its close affinity with Tibet rendered it a place of extreme strategic importance. Bhutan's position had never been clearly defined. It was *not* listed as an Indian State in the First Schedule of the Government of India Act of 1935 and enjoyed full internal autonomy. However, through treaty provisions its external affairs were controlled by the British government, and in practice

it was controlled by the Government of India. Hence, Bhutan was described as a British Protectorate (National Archives of India 1947 c).

Strategic Locations to Control Access to India

Scott (2015: 470) points out rather insightfully, "Location is a geographical constant, whereas the implications of locations are a matter of calculation, strategy, policy and action." India holds a natural advantage in the Indian Ocean because of its central location between the eastern and the western littoral states and the fact that it juts deep southwards into the ocean with a huge coastline. This strategic location of India, within the Indian Ocean made it absolutely imperative for the British government to ensure that its naval defences were well catered for. Hence, Britain made every possible effort to control all those areas in the Indian Ocean that could strategically be used to threaten India. These British activities were primarily along two sectors, the Easter sector and the Western Sector.

The Eastern Sector

Most of the initiatives in the Eastern sector of the Indian Ocean region were overseen by the government in Calcutta. Malay and Ceylon for a certain amount of time were administratively controlled by the Government of India controlled by the East India Company (Prasad 1965). The two primary areas of strategic importance in the eastern sector of the Indian Ocean were Burma and Malaya.

Burma and the Malaya Peninsula: British interest in Burma was first sparked due to the French activities in that area. The Burmese coast controlled by the French- would have meant a constant threat to Bengal and major British shipping routes. This was a very compelling motive for the British policy of eventually annexing Burma. The additional reason for such a policy was an aggressive stance of Burma, and Assam and Arakan in its possession. By the first quarter of the nineteenth century the British had annexed the entire

coastline of Burma from Chittagong to Victoria Point[6]; consequently, the eastern fringe of Bay of Bengal was under the British influence. This when combined with Singapore being a British stronghold and other naval points in the south east region being under the influence of Dutch (who were friendly to Britain) ensured that the naval protection of India was assured (Prasad 1965).

Under Napoleon, France had acquired former Dutch colonies that were commercially of huge strategic value in Southeast Asia. This directly challenged British supremacy in this region and potentially threatened India. To counter the French, Britain focussed on acquiring Java and other strategic places on the Malayan coast. Eventually, Java and its neighbouring islands were returned to the Dutch. However, Britain maintained its hold on Malaya and this eventually lead to the development of Singapore as a strong naval base and a major commercial hub (Prasad 1965).

Japan**:** At a time when most countries of Asia were being colonised by European nations; Japan was showing imperialist tendencies and was an exception to this rule. Japan was a dominant player in East Asia and the British dealings with it went through considerable changes. The first Sino-Japanese war of 1894-95 saw Japan emerge as a major power in Asia. Subsequently, in the face of a common Russian aggression, Japan and Britain started out as being allies against Russia. When Japan and Russia were fighting a war in 1904-1905, Japan had assured the British government in India that should Russia attack the borders of British India it would send troops to fight against Russia (Das 1923).

In July 1926 Sir W. Tyrrell wrote an official memorandum on British foreign policy for Japan and Russia. Britain perceived a major threat in East Asia from Bolshevik Russia as it had perceived from Czarist Russia and hoped that an obvious counter to the spread of Soviet influence could be the ‘resurrection of the Anglo-Japanese Alliance’, which had originally been a measure to check Imperial Russia’s policy towards China. Stating that it is

[6] This place is now known as Kawthaung.

easier to denounce an alliance rather than to resurrect it; the memorandum identified other issues that could potentially crop up with the resurrection of the Anglo-Japanese alliance. The primary problem with renewing British ties with Japan would have been complications between Britain and USA. Britain had denounced the alliance in the first place primarily to please USA. This denunciation of its Japanese alliance had won Britain considerable public favour in America and had greatly helped their bilateral relations (Churchill Archives Centre 1926, July 28).

The memorandum, further noted that Japan had experienced certain internal changes. Japan was perceived as becoming increasingly democratic, and less militaristic. Britain also felt, that maybe as a consequence of such a change, Japan was considerably more open to Soviet Russia than it had ever been with Czarist Russia. Hence, Britain was not too sure of how a anti-Russian pact aimed at combating Bolshevism would be perceived in Japan.

The same democratic spirit was also being reflected in Japanese policy towards China. Britain felt that it was no longer aiming to absorb Manchuria through military means; instead Japan was trying to gain control of Manchuria through economic means. This change in policy was additionally perceived to be divergent with British policy in China and could be a potential cause of friction between Japan and Britain.

Considering all these problems, Sir Tyrrell obviously saw no merit in resurrecting the Japanese alliance; as the costs seemed to outweigh the benefits. He nevertheless recommended maintaining friendly relations with Japan. He further insisted that Britain's primary threat was Russia, and not Japan. Britain could possibly only face a commercial rivalry from Japan, and nothing more. He further added- that an increasingly nationalistic China could also offer a guarantee against Russian threat; and consequently Britain should maintain a sympathetic stance towards China.

Sir Tyrrell's observation that Britain was likely to face only a commercial threat from Japan, did not stand the test of time. Japan, in the 1930's was increasingly showing expansionist tendencies. Japanese actions in Manchuria alarmed the British, but after the First World War they were materially not in a position to challenge Japan outright and neither did they use the League of Nations to any particular advantage. Anglo-Japanese relations were deteriorating fast. Britain's alliance with United States was getting stronger, which further created suspicion in Japan, as it was perceived as a means to check Japanese influence (Scully 2011).

China**:** After China had been decisively defeated by Japan in the Sino-Japanese war of 1894-1895, there was speculation by the European powers that China would collapse and there was a scramble amongst them to divide China in their respective areas of influence. This arrangement did not last long and in 1900 the Boxer rebellion broke out in China to drive the foreigners out. China was severely punished for such a rebellion; and Chinese grudgingly accepted foreign presence on its land. It slowly started westernising its systems and tried to understand foreign customs. These small changes however culminated in the revolution of 1911; when China broke away from its monarchic past and established itself as a republic.

In 1926, a Foreign Office memorandum on its Chinese policy stated that the British concern in China was primarily commercial, and that Britain did not harbour any imperialistic ambitions of territorial annexation of China. To protect its commercial interests, it maintained a strong presence in Hong Kong and saw to the protection of its maritime routes. Related to this was also an attempt to safeguard British lives, property, and business in this region. The second major British concern, was to ensure that China did not fall under the influence of any one European power and instead remained open to all powers to pursue their respective commercial interest. To keep other powers from having any significant influence in China, it was imperative that Britain collaborated with other powers to ensure that China remained strong. This

remained the bedrock of British policy towards China (Churchill Archives Centre, 1926, February 2).

As is generally the case in world politics; there was obvious friction to this British policy by other powers, even though there was an outward appearance of harmony. Japan was not keen on a strong and united China; and Bolshevik Russia was trying very hard to get China outside the influence of the west. Bolshevik Russia was also attempting to denounce the unequal treaties that China had signed with other nations. Britain felt that Russia was increasingly diverting the nationalist movement in China to an anti-British movement. Britain was also not very trustworthy of French actions either and observed that the French would often delay crucial proceedings for their own gain. As for the Americans, there was a basic agreement on the overall policy; however, between them Britain and the US often lacked the coordination that was crucial at times (Churchill Archives Centre, 1926, February 2).

British Policies in the Middle East

As compared to the Eastern Sector, e.g. Burma and Malay, or the Indian Subcontinent; the western sphere of British influence held a distinction. It was here that the British Indian Government tried to keep its formal commitments to a minimum and followed a policy of direct annexation in limited cases, for e.g. Aden was incorporated into the Indian Empire (Blyth 2003). British interest in the Middle East took a more serious turn only towards the end of the nineteenth century, because this phase saw a consistent interest in the region from other European powers- particularly France, Germany and Russia. However, with the start of the First World War, the European involvement in West Asia took a graver turn.

Klieman (1968) argues that the existence of a strong Ottoman Empire was considered by Britain, as an essential part of maintaining the existing continental balance of power. Hence, Britain first tried to impede the entry of Ottoman Empire into the war, even putting pressure on France and Russia to

stop Ottomans from entering the war, but once the Ottomans had joined the war on the side of Germany, England had no choice but to wage war against it. It also seemed like a good way to break the stalemate that had set in on the western front of the ongoing war. Overall though, Britain was unhappy with the status quo changing in the Middle East, with the Ottoman rulers joining the war against the Entente powers.

HMG feared that this change in the status quo, will give France and Russia an opportunity to pursue their long standing foreign policy objectives, and substantially add to their respective powers. Russia saw it as an opportune moment to finally attain their long standing goal- of attaining control of the straits that lead to the Black Sea. France on the other hand saw it as an opportunity to gain cultural, religious and commercial pre-eminence in the Levant. This, France perceived as its birthright. In addition to the fear created by what Britain's adversaries might gain, HMG was worried about Britain waging war against the Caliphate (Klieman 1968).

Alliances struck during First World War and immediately afterwards, are a defining period for the Middle East even till today. Most of the current issues of the Middle East owe their origins mostly to this period. This period shows interesting aspects of British Foreign Policy making. It had all the elements- striking deals with old enemies to defeat new ones; making false promises to new players in the political scene. Fear of an ideology; and an obsession to go to any lengths to safeguard all strategic points leading towards India. Overall the British policies in the Middle East were primarily guided by rivalry with two European powers, namely France and Germany.

Competing Claims of Britain and France in the Middle East:

May 16, 2016 marked a century of the signing of the Sykes-Picot agreement. The Sykes-Picot line was an agreement between the French and the English that should they win in the war, this is how they would divide the

region between them. [7] They drew lines where none existed, and created the map of the Middle East, which went on to influence the Middle East map as we know today. Sykes-Picot negotiations, took place between November 1915 and May 1916. Even though the borders drawn as part of the Sykes-Picot agreement were not implemented, as per the original plan of the agreement itself; it nevertheless formed the basis of the subsequent division of mandates, and consequently of drawing the borders of the countries in the Middle East as we know today. A look into the negotiations gives an idea as to the main strategic interest of the British government in the Middle East.

This agreement between France and England had the assent of Russia, and was kept a secret from the rest of the world. This treaty like many others of its kind was an expression of imperialistic ambitions- of dividing the spoils of war between colonial powers. However, according to James Barr (2011), even by the standards of those times, this somehow came across as an excessively and unabashedly self-interested pact. The world had increasingly started blaming imperialistic ambitions, for the ongoing First World War and the voice of President Woodrow Wilson was the principal one amongst this ever growing anti-imperialistic chatter. [8] This agreement was signed in anticipation of a favourable outcome in the First World War.

Britain was worried- that should the Entente powers be successful in the war, then it should have an agreement in place with other European powers that would lay down the basis of division of influence in the Middle East region. It is pertinent to note that- Britain's concerns were based on securing for itself locations that would be crucial in securing India's defence.

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[7] The French claims to the Middle East were largely influenced by their role in the crusades. The y looked at it as their historical legacy.

[8] President Wilson's anti-imperialist ideas, in favour of self-determination however, presented a growing challenge to British imperialistic ambitions. It is not very clear how much France accommodated them but they did seem to pose a challenge for the British. It did not decisively deter the British but it created an additional obstacle that they needed to work around.

Another budding concern was with respect to oil. The British naval ships, had at that point of time, recently started using oil as fuel; and with this change crude oil became a commodity of strategic interest for the British. The negotiations with France had started in 1915 itself, shortly after the war had started. French interests in the area were also very strong, and Britain was keen to reach an agreement with France in order to secure its own interest. Russia, had agreed to the division of French and English areas of influence after the Constantinople Agreement signed on 18th March 1915.

British interests in the Middle East were first articulated in the De Bunsen Committee report. Sir Maurice De Bunsen headed the committee which was set up on 15th April 1915; and the committee submitted its report to the War Council on 30 June 1915. The main objective of the committee was to consider 'British desiderata in Turkey-in-Asia' (Klieman 1968:237). The importance of the report according to Klieman, lay in primarily three things; first, it represented a major policy departure of HMG with respect to Turkey. Second, this was the first formal effort by HMG to specify their territorial ambitions in the Middle East. Third, the importance of this report also lies in the backdrop that it formed for the myriad agreements that HMG sought to have with the French, the Arabs and the Zionists in the Middle East.

Mark Sykes was part of this committee as a representative for Lord Kitchener. He was from a wealthy family from Yorkshire, and was an elected MP from the Conservative Party. He had travelled extensively in the Middle East and considered himself an expert on the region. He had even written several books on the Middle East. As part of the committee Sykes advocated a British controlled area from the Mediterranean upto Iraq. The De Bunsen committee had rejected his proposal, and had instead recommended a British sphere of influence- rather than actual control of it. Sykes was later sent to India and the Middle East, while he was there, he increasingly began to fall back on his own original ideas.

Later that year, a British War Committee meeting was held in London on 16th December 1915. Prominent people were present at this meeting, which included the British Prime Minister H.H Asquith, Lord Kitchener, David Lloyd George and Arthur Balfour. Mark Sykes was summoned to that meeting and was asked to give a report of his travels in the Middle East. Sykes wasn't an expert on Middle East, but he certainly gave an illusion of being one at the meeting. One of the cabinet members even got the impression that Sykes could speak Arabic and Turkish; when in fact he could speak neither. It seems that Sykes sort of dotted his speech with words from these languages and conveyed an overall aura of being an expert. Much of what Sykes said that day, at that important meeting, became the basis of British policy in the Middle East (Barr 2011).

Britain's policy before the decline of the Ottomans had been to support the empire; however they had to abandon that policy once the Ottomans started showing signs of bankruptcy. Most British investors left with their money- only to be replaced by the French. France already enjoyed some degree of cultural capital within the Ottoman areas, through their building of religious institutions and schools- that were fairly popular. French interests in these areas had been gradually rising. The Turks at this juncture had started losing most of their possessions in Europe and Northern Africa; and their control was now effective only over Turkey, sections of Saudi Arabia, Syria, Palestine and Iraq. The Caliph still held influence over the Sunni Muslims. However; with time even this was challenged by Arabs, who were now seeking greater autonomy under the Turkish rule (Barr 2011).

This was roughly the situation in the Middle East, when Sykes was summoned at the meeting- to decide a course of action that could be followed with respect to dividing the Ottoman territories between them and the French. He was asked to indicate on the map territories that he would want under British rule and also territories that he was willing to concede to the French. The British Prime Minister, at that juncture was quite anxious that issues with

France be resolved diplomatically. Britain and France had almost come to the brink of war, over the scramble for Africa, a couple of decades back; and Britain was determined to avoid a similar situation over dividing the Ottoman territories. In the face of an ever resurgent German threat, an Anglo- French alliance had to be maintained; albeit a fragile one.

Britain wanted to protect its interest in the Suez Canal and the Arab provinces; they were keen to hold on to strategic locations that would help them in maintaining control over routes to India. In an attempt to break the stalemate in Mainland Europe; Britain and France had opened an Eastern front and embarked on the Gallipoli Campaign. They however suffered a major setback.

To counter the Ottomans at this point the British decided that it should divert Ottoman attention inward by starting a propaganda war. They decided to enter into dealing with the Sheikhs of Mecca- who would spread propaganda that the Muslims were in better conditions with the Allied forces than the Ottomans. Also, the British were afraid that if the Ottomans played the same card, then the Muslims in India and other British (mainly Egypt) controlled territories might revolt.

Hussein- McMahon Correspondence: Although there had been correspondence between Britain and Hussein before the war too; this correspondence however was very crucial. McMahon was the British High Commissionaire in Cairo. Hussein offered support against the Ottomans in return for British support for an independent Arab kingdom. This kingdom would include provinces in the Arab peninsula, and it would be ruled by the Hashemite. There were three crucial elements to this correspondence. The first was that the Arab state would have three main provinces, namely the Arab Peninsula, Greater Syria and Mesopotamia; these were to be the main components of the Arab state as a whole. The second point spoke about full independence of an Arab state. The third aspect in the correspondence was

discussing future relationship with the British and the scope of military and economic cooperation in the region.

British had promised parts of Greater Syria to Sharif Hussein, however at the same time as the Hussein-McMahon correspondence, the British also assured the French that no borders of the Arab state would be finalised without their consent. Britain knew that the French had a huge interest in Syria. British had even requested a French representative to draw the borders of the Arab kingdom with Syria. The French suggested the name of Picot, and he had his first meeting with the British in London on 23rd November 1915. The British delegation had representatives from almost all the departments and ministries involved. The Colonial Office, the War ministry, the Foreign Office etc. The meeting however did not go well; Picot demanded a lot of territory that the British were not willing to give, and the negotiations could not continue. The English viewed Picot as very stubborn, and thought that no agreement could be reached with Picot at the helm of affairs (Barr 2011).

The French, seemed to lay claim on large parts of the Middle East as their own, because they felt that those areas were French by right, ever since the crusades. This is where the French interest in them was coming from. The British were fine with the French taking the northern part of Greater Syria (The Jaffa) region, because they wanted the French to be a buffer between them (i.e. The British) and Russia. After the war Britain thought that Anatolia (Eastern Turkey) would be with the Russians and hence they did not desire to share a border with them.

The British wanted to secure the route from Basra to the Mediterranean coast because it was an alternative and faster route to India. The British even had plans of building a railway between Jaffa and Basra.

By 1914, under the recommendation of Winston Churchill, who was the British Navy Minster at that time, the British had started using oil instead

of coal as fuel in their navy. Consequently, for the first time then, ‘oil’ became a key strategic resource for the British.

Towards the end of December 1915, Sykes and Picot tackled the issue of Palestine. The French considered it their role to continue to protect the Christians in the East, have control over Jerusalem and hence, by extension the whole of Palestine. This historical point was hard for the British to negotiate. As far as the British were concerned it was imperative for them that they control the eastern bank of the Suez Canal. Additionally, Sykes had to balance the demands of Picot for control of Syria and the promises that were made to Hussein- which the British had effectively accepted.

Sykes and Picot together marked out territory under two categories: First- territories that would be controlled absolutely either by the French or the British. Second some territory in between (a sort of hinterland), where the Arabs would have autonomy. However, in this area the British and French were allowed to have indirect influence. These areas were to be listed as area ‘A’ and area ‘B’ (Barr 2011). Palestine was for that time being put as an international zone as, all the three European powers concerned i.e. the British, French and the Russians could not decide who had greater claim to it. So, this decision was deferred.

By January 1916, however, both Sykes and Picot decided to ignore the borders of any ‘future’ Arab kingdom out of their negotiations and started drawing the lines that we now know as the Sykes-Picot agreement. This agreement clearly defined what would go to whom. Areas under direct French control were: South of Anatolia, Eastern Turkey, the Syrian coast and Beirut. Areas Under direct English control: Basra and Baghdad. Mosul and Damascus were put under French protection and were called Area ‘A’. The Rest of Mesopotamia and the South of Greater Syria were put under British protection and called Area ‘B’. Palestine, including Jerusalem was designated as an international zone.

Sykes-Picot agreement was not implemented; however it did form the basis of future negotiations on mandates in the Middle East. The British ensured that this agreement remained secret because it might have cost them the Hashemite support for the allies. The Sykes-Picot agreement was approved by Russia and in a correspondence dated 16th May 1916, the deal was finalised (Barr 2011).

However, as soon as the agreement was signed, there was a lot of criticism in England with respect to what Britain had agreed to. Some British policymakers thought that Britain had conceded too much land to the French; the question of Palestine and its increasing importance for the Jews, was also a concern. Most importantly, the British wanted Palestine to control the eastern bank of the Suez Canal. Putting Palestine as an international zone was as unhappy outcome for both the French and the British but the British were particularly unhappy with it- because of the Suez Canal issue.

Hence, Britain was now looking for a way around the Sykes-Picot agreement and consequently, Sykes immediately started talking to the Zionists. The Jewish lobby was growing in Britain and the British government was taking it seriously. The Zionists although wanted an independent state could not, at this juncture, openly declare it as that might have provoked hostility towards them. On 2 November 1917, Sir Arthur Balfour, British Foreign Secretary at that time, wrote a letter to Walter Rothschild, which is now famous as the Balfour declaration.

However, a month before the Balfour declaration, Russia under the new Bolshevik government made public all the secret dealings that Tsarist Russia had entered into. They made this public in order to distance itself from it, as the new government in Russia saw itself as anti-imperialist and anti-capitalist. Consequently the details of Sykes-Picot agreement were also made public. For Bolshevik Russia it was a blatant violation of the people of Middle East. At a time when the Hashemite army was fighting alongside the Allied troops in the Middle East, the Hashemite leaders naturally saw it as a huge

betrayal, because Britain seemed to be making simultaneous deals for the same areas with both the Hashemite leaders and the French.

Anglo-German Rivalry in the Middle East

As the section below would show, the Anglo German rivalry in the Middle East had two primary aspects to it, countering railroad projects and a fear of Pan-Islamism.

The British were threatened by German presence in the Middle East at the beginning of the 20th Century. It was believed that if Germany gained a strong presence in the Persian Gulf then whole balance of military and naval power would shift in the Middle East. Moreover, India would have been at an extremely vulnerable position because a hostile naval base would have existed in her vicinity. It is for this reason that the British considered the construction of a railway route that would connect the Mediterranean Sea and the Persian Gulf by land as an extremely important strategic asset. This was to counter the Berlin-Baghdad Railway, which was seen as a principal threat to British interest in the region (Das 1923).

A few years before the First World War, Britain had maintained friendly ties with the Ottoman rulers; however when the Ottoman's started showing closeness with the Germans, by allowing them to build their railways through Ottoman territory. England changed its tune and the Ottomans lost favour in their eyes. War time alliance during the First World War further added to this complexity (Prasad 1965). Hence, breaking up of the Ottoman Empire, and encouraging Arab revolt marked a decisive departure for British foreign policy, which till then had been focussed on preserving the Ottoman Empire (McKale 2008).

Britain maintained that during the First World War, their policy of assisting the Arabs was to help them in breaking free from the clutches of a dying and rotting Ottoman Empire. Like every great power of its time, Britain also seemed to find merit in giving their adventures in the Middle East a

humanitarian spin. However, scholarship since then has helped map out the real British motives in the area. They were guided by a desire to check the Russian and French advances in the region. Additionally they wanted to control the Arabs and the Jews in the area, to safeguard British interest in the region and also to ensure safety for its prized Imperial possessions; i.e. India and Egypt.[9]

McKale (2008) argues that these explanations although not incorrect; do not capture the intricacies of British policy in the Middle East during the First World War. Building on his argument McKale claims that the prevalent scholarship has not taken into account the threat that Britain perceived from Imperial Germany and the influence that this threat perception had on policymaking both before and after the war. Since a little before the First World War, Germany had replaced France and Russia as Britain's primary source of threat in the Middle East.

British policy in the Middle East was guided by two primary fears, first was a long-held fear of pan-Islamism, and second was the growing German power in the Middle East. These two aspects had convinced the policy makers in London that, together they posed a grave threat to British rule in India and Egypt (McKale 2008).

The Anglo-German rivalry was triggered by German attempts to build the Baghdad railway. To construct this railway the Germans had managed to secure wide concessions from the Sultan of Turkey. The British feared that these railways would be a threat to India; additionally it would also translate to a huge economic benefit for Germany. Hence, the Indian Government viewed the project as a big threat and tried every possible means to stop its progress.

[9] Control of Egypt meant that Britain could control the Suez Canal which was vital for safeguarding its imperial possessions along the Indian Ocean route, including India. Hence, for Britain Egypt was extremely important strategically.

The railhead for this railway was to be situated in Kuwait for which they needed consent of the Sultan of Kuwait. The Germans approached the Sultan of Kuwait however the English forced the Sultan to deny Germany the required permissions. Additionally Britain entered into a covenant with the Sultan of Kuwait; under its terms the Sultan could not cede any of his territory to any foreign power. Such a covenant was similar to what was signed in Tibet (Prasad 1965). Turkey tried to resist such a covenant by sending a corvette which was in turn resisted by a show of force. Since Turkey had actively assisted the Germans in pursuing the railways; Britain changed its attitude towards Turkey and now considered it a hostile entity, whereas before the railway project Britain had shared friendly relations with Turkey.

There was another looming threat from an impending railway project that was bothering Britain. Russia in its search for a warm water port had planned to build other railways through Persia to connect Russian territories with the Persian Gulf. This also met with British opposition, but Lord Curzon could not do much to stop Russian surveys for railway construction in Southern Iran. The British however were successful in blocking Russian attempts to obtain a coaling station at Bunder Abbas. Russians however did manage to open consulates at Bunder Abbas and Bushire. Maintaining friendly relations with Persia and retaining control over the Persian Gulf was a principal feature of British policy. However, when the German threat increased Britain and Russia reached an agreement in 1907 regarding their respective spheres of influences in Persia, thus ensuring India's security (Prasad 1965).

The Anglo-German rivalry was fuelled by another factor; a mutual fear of pan-Islamism. A doctrine by which, the Caliph/Sultan exercised authority over all the Muslims in the world.[10] Furthermore he could call upon them to

[10] It should be noted that traditionally the Caliphate has been a head of Sunni Islam and not Shia Islam.

fight the European infidels and safeguard the Caliphate, Ottoman Empire and the faith of Islam.

In itself, this doctrine would have meant nothing, but both Germany and England for their respective reasons considered it a grave threat to the West. They both feared this doctrine, and sought to control it to achieve their own ends. German Emperor Wilhelm II expanded the Reich's influence in Ottoman territories, in the hope of exploiting the power of a unified Islamic force- against a war between rival European nations. The idea behind this was that Germany's imperial rivals would be engaged in fighting these Islamic forces in their respective Empires. This would prove to be a double advantage for Germany; it would weaken its rivals by weakening their respective colonies, additionally since their rivals (Imperial rivals of Germany) would be busy at other theatres of war, Germany could then prevail upon them easily in mainland Europe. Out of all the imperial rivals that Germany had, i.e. Russia, England and France, England was the most vulnerable to such an onslaught of jihadi attacks because English colonies had the maximum Muslim subjects in them. This possibility of a 'jihad' directed against them, lent the British very worried and they sought to take steps- to prevent such an act from taking place. The British Empire had 90 Million Muslim subjects, which amounted to nearly one-third of the Muslim population of the World (McKale 2008).

Conclusion:

The main attempt of this chapter was to highlight the primary motives of the British Indian foreign policy. The main purpose of the policy was to protect India and they achieved this aim by following a comprehensive two-fold foreign policy. Hence, at one level British government created buffers around India's territorial borders. These buffers were created in the form of two rings. Tibet and Afghanistan formed the outer ring and Bhutan, Sikkim and Nepal formed the inner ring. The main purpose of these buffers was to keep any hostile foreign power at a distance. These buffer states were allowed

independence in their internal affairs; however they were not allowed to have contact with any foreign nation- without British government's consent.

The other major aspect of British Indian foreign Policy was to control all major strategic locations around India, primarily in the Indian Ocean region. Hence, annexing Burma and the Malay Peninsula in the East and Aden in the west was an important aspect of this policy. In addition to directly annexing territories the British government kept a close watch on the activities of other European powers in this region, and often engaged in secret deals and negotiations to ensure that no other country held any strategic position in vicinity of India.

A major characteristic of British Indian foreign policy was rivalry with Russia. Britain had always perceived Tsarist Russia as a major threat in Asia, and consequently Britain was particularly keen to defend India and to counter any Russian influence- even in the outer vicinity of India. At the juncture when monarchy collapsed in Russia and the Soviet regime took over, the rivalry still did not end, and in many ways got further intensified. .

CHAPTER 3

NATIONALISM

Indian National Congress and Foreign Policy

Introduction

This chapter seeks to highlight the thinking of Indian leaders on foreign policy issues during the struggle for independence. Attempts at articulating what a foreign policy for independent India should look like, had started at least two decades before independence. Considering the primacy of Indian National Congress in the Indian independence struggle, this chapter primarily focuses on their thoughts only. This is not to suggest, that many other leaders outside the ambit of the Congress had not articulated any thoughts on the issue. A through articulation of these ideas, and where they diverge or merge with the Congress could well form an excellent point of academic enquiry. However, considering the aim of this present doctoral study, highlighting the ideas of the Congress on foreign policy become crucial; because post independence it was the Congress, helmed by Jawaharlal Nehru, that formed the Government in India. Hence, for the purpose of this study, focussing on the similarities and differences (if any) in the thoughts and actions of the Indian National Congress before and after independence becomes crucial. As Mehrish (1985: 506), correctly remarks "[t]he Indian National Congress was the chief vehicle of the Indian national movement for freedom", hence it is to the Indian National Congress that one must turn to, to understand Indian thinking on foreign policy issues especially before independence.

During the initial phases of the establishment of the Indian National Congress, leaders were not critical of British policies in general and only hoped to get a bigger share for the Indians in the British Administration. A similar attitude of being non-critical of the British policies could also be

observed in the field of foreign policy. However, in time a rudimentary beginning in this direction was visible, with Congress leaders being critical of British expansion in Upper Burma, Tibet and Afghanistan (All India Congress Committee 1992: 70-75). Even though the Congress was critical at this juncture of these expeditions because they thought that these expeditions were a drain on Indian resources, nevertheless when the First World War broke out, it expressed its solidarity and support to the British crown and resolved to stand by the Empire (All India Congress Committee 1992:75).

Within the scope of this study, another very important development took place in this phase in 1921; Congress passed a resolution through which it dissociated itself from the British imperial interests and the kind of foreign policy that it followed. Congress formally questioned the right of the British government to sign treaties on its behalf. Congress was now increasingly formulating their own brand of foreign policy, which was characterised by a message of peace, goodwill and cooperation with India's neighbouring countries and the world. Gandhi was the chief architect of such an outlook. Congress publicly pledged support for other nations fighting for their independence and sought cordial relations with these countries. China was a focus of special attention during this phase, and there was an attempt to articulate a concept of an Asian Federation (Bimla Prasad 1962). Gandhi believed in the inherent dignity of each nation, and realised that no country can live in isolation and hence advocated a healthy interdependence (Patel 1960: 5).

The phase between 1918 and 1929 was very important and can be considered as the phase where the foundations of Congress's understanding on World Affairs began. In this phase in February 1927, Nehru participated in the 'Congress of Oppressed Nationalities' in Brussels. This was a landmark event in terms of forging alliances of solidarity between different nationalist movements of Asia. Nehru had attended this conference as a representative of the Indian National Congress (Nehru 1995). It is at this conference that Nehru

developed sympathy for the world Communist Movement- because of its opposition to imperialism. During this phase, Nehru also visited the Soviet Union and found much to admire in their systems. This is where Nehru's ability to look at the world from a Soviet point of view emerged. A related attitude that developed during this time was of Nehru's suspicion of the US as being another extension of British imperialism. However, the work of lobbying with the American citizens for the cause of Indian independence continued. This phase also saw an interest of many individual Americans in Indians, especially Gandhi. Also in this phase it could be increasingly noticed that -the Indian National Congress had rejected the idea of a Dominion Status and articulated their demand for complete independence in 1929 (Prasad 1962).

Indian National Congress starts thinking of a Foreign Policy:

The Congress's interest in foreign policy started in the 1920's. Till then according to Nehru (1992) only the socialist communist or some Muslim organisations (that too mostly regarding the question of Palestine and the plight of fellow Muslims) took some interest in it; Congress mostly stayed engrossed in internal politics. Congress began to rudimentarily start expressing its foreign policy on an anti-imperialism stance; and connected to this was the notion of forming connection with other countries that were oppressed because of colonialism and were also fighting it. The idea was to form a kind of a cooperative between nations (Nehru, 1992).

In time, Congress leaders started developing their world view through extensive travelling. They built foreign contacts through these travels and even established nationalist representatives abroad. At this stage, the main objective of the leaders was to garner support and sympathy for the cause of Indian independence. Gradually, they even started participating in international organisations and started articulating their views and expressions on different international events of those times. India, could no longer see its problems in isolation, but as part of a larger problem of imperialism. The leaders realised

that developing these foreign contacts was also very crucial for Indian independence struggle, as India could not be isolated from other political developments of the world. This exposure proved to be crucial for understanding the intricacies of diplomacy. There were two main trends that could be discerned in the initial world view of the nationalist leaders at that time. First, was an attempt to view most International events and phenomenon through the lens of imperialism and second, most leaders also saw an active element of spirituality in India and felt that India's policies should reflect this spirituality (Keenleyside 1966).

Culturally, the Indian leaders perceived the role of India to be crucial after the Second World War. Kirpal (1992) argued that India's situation in Asia and her relations with the rest of the world placed her in a unique advantage to contribute significantly to a world- that was increasingly becoming more and more integrated. Of note in Kirpal's arguments however was a belief that India had the right to be a spiritual leader of the world. Similar thoughts on India's moral superiority were also echoed by T.B. Mukherjee (1992: 278), when he claimed that India was one of the only countries in this world that did not have hidden dealings and secret agreements with other nations. This moral conduct he felt was nothing new for India and was "characteristic of our ancient land and past heritage." Articulating these thoughts on India's independence, Mukherjee claimed that India desired no aggression, and was eager to start her journey in the international sphere as a free nation, based on the teachings of Mahatma Gandhi.

A couple of decades after independence this naivety soon started eroded in public discourse. Quoting W.D. Brogan, S.A.H. Haqqi wrote, "[e]very nation has its pet illusions, the German have the illusion of self-pity, the French have the illusion of being universally loved by all civilised people..." The Indian continued Haqqi (1992: 297) "have the illusions of being superior to the material West..."

Propaganda in Other Nations:

Keenleyside (1966: 20) highlights the details of the propaganda effort of India in other countries. In one of its initial attempts to reach out to the world, the Congress set up the British Committee. Jawaharlal Nehru (1927) in his essay writes that the primary aim of this committee was to carry on propaganda in England, to convince the British public of the righteousness of their cause. This, however, did not produce the desired result and the committee was wound up in 1920 by the Nagpur Congress. It was later realised by the Congress leaders that effective action at home, through the platform of non-cooperation movement was bringing them more publicity in England and other parts of the world- even when they were not actively seeking it. Hence, the resolve to spend their energy and resources at home was further strengthened. The propaganda efforts however were later renewed.

The Simon Commission was announced in 1927, by the British Government- to look into reforms for the Government of India Act. This move had angered the Indian Nationalist leaders a lot; because there was not even a single Indian representative on the Simon Commission. A call was given of a widespread boycott of the commission; and simultaneously the Indian National Congress also decided to actively look into measures to convey the Indian point of view to the world. With this in mind efforts at propaganda were renewed. In the May of 1928, 60 Indian Residents of London formed an Organisation of London Indians under the chairmanship of Srinivasa Iyengar. The purpose of this organisation was to unite Indian community in UK and other European Nations to forward the Nationalist agenda and also to garner support to boycott the Simon mission (Keenleyside 1966).

Different branches of the Congress were set up in different countries; and they were carrying on propaganda about the cause of Indian independence in their respective countries. Attempts at organised propaganda were focussed on United States, Great Britain, Germany and Japan. At the Calcutta Congress in December 1928, Nehru moved a resolution that was unanimously passed.

Through this the London organisation of the Indian Community was made an affiliate branch of the Congress. Simultaneously, another unofficial bureau in New York was also given a similar status of being an affiliate branch. Nehru further urged the Working Committee to consider the application for an associate status to a newly formed organisation in Kobe, Japan. A similar organisation was set up in Berlin also, though much later in 1929.

Another important development at the Calcutta Congress was the setting up of a Congress Foreign Department. The objective of this department was to be a nodal agency, for other organisations and people of the world, who were also fighting imperialism like India. The idea was that such an organisation would help in coordinating efforts and cooperate with each other in their common goal of achieving independence. However, propaganda carried out by the foreign department was negligible. The propaganda efforts of the different affiliates of the Indian National Congress were also not very substantial. Eventually this task was carried out much more effectively by the Indians residing overseas and by eminent Indians who would travel abroad (Keenleyside 1966).

This tactic of propaganda did not last very long because it was getting difficult to maintain a coherence between ideologies and approaches of the Indian National Congress and these various other branches. As was seen in the case of United States- when disillusioned by the president of the Congress bureau, some Indians and Americans left the bureau and created a rival organisation called the India Independence League of America.

Mr. Sailendranath Ghose, the president of the bureau was advocating independence for India by any possible means which included even violence. This created a huge rift, and by March 1930, Jawaharlal Nehru moved a resolution in the Indian National Congress to disaffiliate the American Congress branch because its office bearers were known to have carried out public propaganda; which was against the declared policy, methods and belief of the Congress. The India Independence League that was created as a rival

organisation was not merged with the Congress, neither was any other formal association established with them. Hence in time, the Indian National Congress was not involved in any direct propaganda efforts in the United States of America (Keenleyside 1966).

The efficacy of individual propaganda efforts are also in some doubt. Although in USA the period from 1927-1930, did indeed see an increase of media coverage; it was more in the nature of news coverage rather than an editorial attempt to shift public opinion in India's favour. A shift in opinion would have marked some success of the propaganda. In fact Indian nationalist leaders were even cautioned at times, to not move too quickly and to compromise with the British.[11] Another factor that was operating in the American case was the fact that most Americans who were sympathetic to the Indian cause were often influenced by their own experiences in India and not necessarily due to Indian efforts at propaganda. Americans in general, were also more likely to be sympathetic to nationalist causes for subjugated people ,due to their own history of an independence struggle from the British. Hence, the relative sympathy that did exist in America for the Indian cause could not directly be linked to the effectiveness of the Indian propaganda effort (Keenleyside 1966).

The London affiliate, also met with a similar fate as the one in United States, though a little later- in August 1931. The London organisation was disaffiliated by the Congress Working Committee of again on similar charges of not complying with the official policies of the Congress. The efforts of the Berlin information bureau were also turning out to be ineffective and hence even that was wound up in July 1931. The unofficial Kobe Congress in Japan did meet with some initial success in terms of being able to increase its membership. However, it could not carry out any substantial propaganda with the Japanese government which did not display any sympathy for the cause of the Indian Nationalist movement. The membership of the Kobe Congress was

[11] New York Times, May 2 and May 11 1930. As quoted in Keenleyside (1966).

largely comprised of Indian businessmen, and their primary concern remained their economic wellbeing, it did not broach any political topics with the Japanese Government (Keenleyside 1966).

Indian National Congress and a Quasi Independent Status

Indian leaders in the Congress, soon realised that to view the question of Indian independence as an isolated issue- was not feasible. Indian problem had to be viewed in context of the global problem of imperialism that was affecting many Asian and African states. While effort was directed towards Indian independence in particular, the global issue of decolonisation in general also demanded attention. India could not have had any claim to her rightful place in world politics if she did not actively lead the movement against imperialism. It is in this context then that forging ties with other independence movements around the world became a prime objective of the Indian National Congress. With this aim in mind the Calcutta annual session of 1928 established the Congress Foreign Department. The mandate of this department was to get in touch with all such organisations in the world that were in the same position as India. This department had a short life span though. It could never build any meaningful contact with other organisations in other countries fighting for independence. An additional problem was the preoccupation of the Indian leaders with the struggles at home, owing to the ongoing independence struggle. Congress foreign department was later revived in 1936 under the leadership of Dr. Ram Manohar Lohia. Under Lohia, the department did manage to build better contacts, and its newsletter became its central focus. This however, could continue only till the start of the Second World War, with the press censorship in place and the resignation of Dr. Lohia, the department became inoperative again (Keenleyside 1992).

A major source of exposure for the Indian leaders was travelling. Many of the prominent leaders travelled abroad extensively, especially during the interwar years. This helped them in understanding the workings of the world. It was also an opportunity for the world to see and hear the Indian story,

directly from the Indian leaders. A major part of this was the various international conferences that the Indian leaders made a point of attending whenever they could. For e.g.. The Congress of Oppressed Nationalities held in February 1927 in Brussels was a turning point for Nehru, in terms of him building his own conception of world politics. Gopal (2004) in fact remarks- that personally for Nehru, it marked a watershed moment in terms of coming out of Gandhi's shadows and building his own view points about the functioning of the world. The basic foundation which Gandhi had built of course remained; however Nehru was now seeing the world from a slightly different perspective.

An important part of this conference at Brussels was the setting up of 'The League against Imperialism". Nehru was one of the five honorary presidents of this league and on Nehru's recommendations at the Madras annual session the Indian National Congress passed a resolution recognising the Congress as an associate member of the League in December 1927. In a couple of years India's relations with this League began to sour. This league was formed on very strong Communist principles, and considered the manner in which the Indian National Congress functioned- as unsatisfactory. For the league, Indian National Congress was not radical enough. After Congress agreed to the Gandhi-Irwin pact, the League expelled Nehru in March 1931 because this deal temporarily ended the Civil Disobedience movement and paved the way for Cooperation with the British at the Second Round Table Conference (Haldar 1992) (Keenleyside 1992). Indian leaders' stint with international conferences however was far from over, and in years to come they attended many such conferences and forged many links both in terms of a common cause for independence, and more importantly, it paved the way for building a personal rapport with many people who in time became leaders in their respective countries. In the years immediately after independence, such connections formed by India earlier on went a long way in supporting her diplomatic efforts.

With the outbreak of the Spanish Civil War, Nehru again got an opportunity to be part of major events in world politics. Due to his insistence, the Indian National Congress passed a resolution on the Spanish Civil War that highlighted Congress's sympathy and anxiety over the conflict in Spain. It also expressed its disappointment over British government's policy of non-interference in the Civil War that hampered Spanish people's fight against the Fascist rebels (Haldar 1992: 287).

The horrors of the rise of fascism in Europe, were being felt by other Congress leaders as well. Mr Lohia after a four year stay in Germany, (in which he submitted his doctoral thesis) observed with sadness and horror that in Germany under Hitler; the opposition had been completely crippled and civil liberties had completely vanished. He could only now wonder in despair as to how long such a situation was likely to last? (Kapoor 2011: 21)

India's sense of its place in this world

India increasingly began to see itself as an active participant in the building of a new world order. This new order would be free from the shackles of ugly power politics and every citizen of this world would be free to explore his or her potential. India was actively involved in setting up of the United Nations and perceived it as a body that could be instrumental in realising the image of 'One World'. However, Indian leaders did eventually realise, that even United Nations became another arena, for power politics to be played out. Mrs. Vijaya lakshmi Pandit voiced these ideas in the Constituent Assembly on 20th January 1947. She lamented the fact that many Asian countries could not be part of the San Francisco Conference as free nations and consequently the real spirit of the United Nation Charter could not be realised. These countries then "only echoed the voice of their respective Imperialist powers" and consequently the Asian countries could not insist upon the implementation of the Charter (Constituent Assembly Debates 1947, January 20).

Having registered the fundamental failings of the United Nations, Mrs. Pundit went on to highlight her ideas about India's sense of its own place in the world and the kind of politics that it stood by in the global scenario. She claimed,

> ...India even today has shown within herself the power of giving a lead to the world. An Independent India would no doubt assume leadership not only of Asia but of the world, and so when we meet here in this Assembly to draw up the future Constitution of our country, we must not forget that it is not only to ourselves we owe a duty but also to the world which looks to us... (Constituent Assembly Debates 1947, January 20)

She continued further to claim that India had always stood for Democracy and the right to independence of all nations. India even when it was not free itself, spoke for the other oppressed nations of the world.

Jawaharlal Nehru's conceptual understanding of non-alignment was could possibly seen as a logical corollary to realising the concept of 'One World'. For Nehru, a world that was changing at a fast pace, isolation was really not an option. A nation could either fight another nation or cooperate with it. Nehru indicated that if India could help it, she would not like to fight another nation. What India would really want is to cooperate with other nations and build a new world structure, which could be called 'One World' or something else. Nehru saw in United Nations a rudimentary reflection if this concept of a new organised world structure and declared that India was committed to realising this concept and contribute towards its completion. In such a world every country was connected with every other country, and there was no room for countries to group together. In fact the way Nehru envisaged this new world, the idea of countries existing in small groups would weaken the structure of this 'One World'(Constituent Assembly Debates 1947, January 22).

Ideological Roots of Nonaligned Movement:

In terms of the roots of the non-aligned movement, scholars like Willetts (1978) have noted that there are some arguments made about the ideological origins of the non-aligned movement being in the 1940's and not solely in 1958. Nonaligned movement was known by different names at different times. Even though Willetts, himself disregards such assertions, his reasons for doing so are not entirely convincing and open to debate, as in doing so, he tends to confuse non-alignment with neutrality which other scholars like Murthy (1964) have clearly argued against. However, there could be credit to the assertion- that ideas of non-alignment existed before independence; because as Bimla Prasad (1962: 28) shows, on 7th September 1946, Nehru declared that India had to keep as far away as possible from the power groups opposed to each other in the world. Hence, it was an attempt to have a friendly relation with all and hostility towards none. Considering that this was the crude ideology behind the non-aligned movement, later, the assertion that roots of its ideology were present before 1947 can be explored further.

Nehru in the Constituent Assembly, gave a clear statement of what independent India's Foreign Policy would look like. He referred to the world being divided into separate blocks, and said that the situation is so unpredictable again, that there is again talk of aggression and war. What would really happen, no one really knew. However, Nehru pointed out that India as a newly independent nation did appear to stand on a precipice's edge, where on one side was war and destruction and on the other peace and co-operation. Nehru urged that all those who want peace, will have to desist the urge of joining any block, because blocks tend to be hostile and in a volatile situation one just does not know what might happen. Highlighting that this same principle should hold true for Indian Foreign Policy as well and that Indian should stay away from these blocks and work towards cordial relations with all. A free India would choose to cooperate with all nations on equal terms,

including, Great Britain, The Commonwealth of Nations, The Soviet Union, United States of America and all other nations as well. However, Nehru claimed that this cooperation has to be born out of free will of nations and such cooperation cannot and should not be forced on any nation. Cooperation and compulsion cannot coexist (Constituent Assembly Debates 1947, January 22).

Itty Abraham (2008) makes a distinction between non-alignment as a movement and non-alignment as a thought process behind policy. He challenges the idea that non-alignment "emerged as fully blown from the collective minds of Nehru, Nasser and Tito in Brioni in 1956" (Abraham 2008: 196). He points out that the main ideas and the core concept of non-alignment was already part of Indian foreign policy before it took the form of a movement.

In highlighting the significance of the Asian Relations Conference held in 1947, Abraham (2008: 197) writes that it was the first collective expression of the views of many Asian and African countries. Countries that would soon gain independence. It was a watershed point because it marked the emergence of these nations from the shadows of colonialism, as self-functioning independent entities of a modern world (Abraham 2008: 199).

In an attempt to show how far post-independence definitions of non-alignment had come away from the original idea of non-alignment, Keenleyside (1980) highlights four points. These points according to him showcase the thought behind the non-alignment movement as it was meant to be. For Keenleyside (1980), the ideas conveyed in these points were the defining features of Indian National Congress's thoughts on foreign policy-before independence. These points were, first, a general alienation from the foreign policy of the western world. Second, maintaining as ambivalent attitude towards the two super-powers, i.e. USA and USSR. Third, was the opposition towards all kinds of military alliances and blocks in international political arena. The fourth feature was an inherent belief in the moral

superiority of the Indian approach towards international politics (Keenleyside 1980: 463).

It is important to note that the political opinion of the Indian leaders on world issues was largely being formed in the interwar years. The Indian leaders specially saw the adverse effects of the First World War and the rise of Fascism in the world at close quarters. Combined with their own experiences of being colonised, the Indian leaders consequently drew a very bleak picture of western politics. The alienation of the Indian leaders from the foreign policy of the West inherently flowed from an understanding that the policies followed by the western countries often resulted in war and hardship for countless people because of their policies of expansion and imperialism. As far as Indian leaders were concerned, these tendencies ultimately took the shape of fascism and were inherent in the western political thought process (Keenleyside 1980).

The Indian leaders genuinely believed that such western policies which lead to immense destruction and subjugation had to be eliminated from the world in order to ensure peace and happiness for all nations. They additionally had immense faith in their own ideas and potential to lead the world towards a new tomorrow. The efforts by some prominent Indian leaders to champion the cause of 'One World' could be seen in this light.

Kux (1993) highlights that almost a year before independence Nehru as head of interim government had publicly started speaking of non-alignment as India's policy. The interim government was set up in September 1946; Nehru headed that government and was also the finance minister in it. Nehru had sent instructions to Vijaya Lakshmi Pandit, his sister to stay clear of the two power groups at the UN. In this global tug of war, Nehru felt that there was a lot more just reasons on the side of the Soviet Union, even though this was not always the case (Kux: 51).

According to Kux (1993: 56), independent India's foreign policy had the following four characteristics. India's foremost object was its support for decolonisation. In addition to this Nehru also firmly believed in the pan Asian solidarity and sincerely believed that Asia's destiny lay in its own hands. Third, was India's deep resentment over racial discrimination, particularly in the US and South Africa. The primary factor however was Nehru's deep desire that India should play an active role in world politics without joining any power block. Kux (1993: 56), remarks that at the time around independence, Nehru used the term "non-entanglement" for this policy of not being aligned to any power block.

Relations with the Soviet Union:

Even though the British administration in India always viewed Czarist Russia and later Soviet Union as a threat, the Indian leaders somehow always viewed Russia as a western power with a difference. The anti imperialist stand that the Soviet Russia took, always appealed to them. Nehru in particular was deeply influenced by Soviet Russia and saw in it many elements that could be emulated in independent India.

Nehru's perception of Soviet Union began to take shape in the year 1927. Nehru read a lot on Soviet Union and even received a chance to visit the place. This gave Nehru a chance to understand what Soviet Union stood for; and most importantly he began to formulate an understanding of what sort of a relation India could have with Soviet Union. There were many attractions in the Soviet model that Nehru perceived could be relevant for a country like India, once it gained independence. India would need to show exceptional skill and speed in driving its own economic progress. The idea of a planned economy held a lot of attraction for Nehru and he imagined a similar system like Soviet Union, would be required to put in place in India as well.

Marxist understanding of world history also made a deep impression on him. He saw merit in the Marxist understanding that capitalism and

imperialism indeed grew together in world and understood that one would always exist as long as the other survived. A young Nehru, who deeply abhorred imperialism and wanted to fight it, saw an ally in Soviet Union; who at many times had publicly taken a stand against imperialism.

Nehru was not naive and realised that in time Soviet Union was likely to brandish its own version of imperialism and influencing the affairs of other countries. However, he realised that such a situation would not come to pass immediately and he saw no harm in building alliance with Communist organisations, in an attempt to forge a larger coalition against imperialism. He even agreed to facilitate and support the Communist Party of India. One aspect which Nehru abhorred was curbing of civil liberties by the state, and he was aware of a similar state existing in Soviet Russia. He had the sense to not be enamoured by Soviet Union lock stock and barrel, and tried to cherry pick the aspects that were acceptable to him, and which were likely to be useful if implemented in India.

No matter how enamoured Nehru or the Indian National Congress was of Soviet Russia, they never trusted them completely. Nehru understood even in 1927, that Russia was a powerful neighbour, which could either be a friend or a deadly foe (Keenleyside 1980: 470). Nehru always kept a close watch on Russian politics and was extremely disappointed with the No-Aggression Pact between Russia and Germany in 1939. Soviet attack on Finland was a further source of dismay for Nehru. With all this Nehru's resolve grew stronger that India had to strengthen herself, be self-sufficient and not depend on anyone else (Haldar 1992).

Indian National Congress and debates on Commonwealth

Heimsath and Mansingh (1971) inform us that Nehru was very adamant about joining the Commonwealth even in the face of opposition and criticisms; as a matter of fact, joining the commonwealth became the first major foreign policy decisions of independent India (Iyer 1983). Much was

attributed to the personal attachment of Nehru with the Commonwealth for such a decision. However, what is worthy of notice is that if this really was the reality in 1947, twenty years earlier Nehru's ideas had been dramatically different. Articulating his views on what a foreign policy for India should be like, Nehru in 1927 clearly conveyed that being part of the commonwealth did not resonate with India's moral fibre. According to Nehru, being truly equal members in the Commonwealth would always be a farce.

However, by January 1947 Nehru had a more conciliatory approach to the Commonwealth. Nehru speaking in the Constituent Assembly on 22nd January, 1947 said, that everyone is curious as to what kind of relations India as a Republic will have with other nations. In the past, India had always taken a pledge on every Independence Day that it would and should cut all connections with Great Britain, because a continuation of those ties would mean a continuation of British domination; something that would not have been acceptable even symbolically. However, Nehru clarified that these feelings however do not mean that India intends to have hostile ties with any country in the world, even the one that dominated it for centuries. At the cusp of gaining independence, Nehru wanted to reiterate that India sought friendly ties with all nations, even with the Commonwealth of Nations and with the people of Great Britain.

In this speech Nehru talked about having cordial relations with the British Commonwealth of Nations and not necessarily joining it. However in a few more months India gained independence with a dominion status part of the British Commonwealth of Nations. The compulsions that went behind are fascinating and have been described in the subsequent chapters.

In the Congress circles this debate was known as the dominion status versus complete independence debate. Since 1917, Indian leaders had started participating in the institutional set up of the Commonwealth. This took the

form of being independently represented at the Imperial Conferences, which included the United Kingdom along with the other dominions. However, since it was the 'Government of India' being represented at the conference; the scope for any popularly elected leader to be included in the Indian delegation was impossible. The delegation was headed by the Secretary of State for India and the Indians appointed to the delegation were there for the sole purpose of assisting him. This was a crucial difference between India and other dominions; whereas these other dominions were represented by their own prime ministers, India was not. This in turn meant that the views of the Indians in the delegation could not diverge from that of Great Britain.

There was only one point on which the views of the Indians on the delegation mirrored that of popular public opinions in India- and that related to the plight of Indians living in other parts of the Empire. Indians at the delegation attempted to exercise their diplomatic acumen using the Imperial Conferences as a platform to champion the cause of ensuring the welfare of Indian residents who were overseas.

Indians in many of the other British colonies were relegated to being second class citizens. Most of them were in countries which were self-governing dominions if the British Commonwealth and hence the British Government did not have any direct authority to intervene in the domestic working of those states. This increasingly made many Indian leaders realise that racial discrimination of Indians staying in the Commonwealth would make their membership meaningless. The ideas of equality within the commonwealth increasingly sounded hollow.

Conclusion:

The primary aim of this chapter is to highlight the main aspects of the foreign policy thinking of the Indian National Congress. Much before India gained independence, leaders of the Indian National Congress were aware of their responsibility to think in terms of what should be the foreign policy of

independent India. They felt that India should indicate to the world the kind of foreign policy that India would stand for. There were primarily two aspects to Indian National Congress's thinking on foreign policy. First, was their opposition to British Indian foreign policy and second were their attempts to articulate their own foreign policy.

Indian leaders received a window of almost thirty years before independence, in which they honed their thinking on foreign policy issues. This exposure proved to be extremely crucial for India after it gained its independence. This is what scholars like Heimsath and Mansingh (1971) referred to as the 'quasi-independent' period. During this period, Indian leaders often travelled abroad, represented India at various conferences, and built ties with other world leaders- particularly with other Asian and African leaders. In addition to these informal conferences, India was also officially represented at formal international organisations like the League of Nations and later the United Nations. India in the initial phases took its membership to these organisations very seriously and was often very active in creating many global norms. Many ideas that Indian leaders developed during this phase were later reflected in the policy of non-alignment.

Chapter 4

AT THE CUSP OF INDEPENDENCE

Treaty Obligations, Dominion Status and Commonwealth Membership

"It is at 'the moment of choosing' that one truly experiences one's autonomy (Das 2009: 281)." [12]

As India stood at the threshold of her freedom many important events took place which had far reaching implications for its foreign policy. Two instances are described in this chapter which were situated at a crucial juncture in Indian history and in subtle ways deeply influenced the politics of the region. These two instances pertain to becoming a member of the Commonwealth as a Dominion at the time of Independence and the signing of devolution agreements that made India a successor state to treaties signed by the British government in India. The first instance had major ramifications for the manner in which India gained independence and the date on which it gained independence and the second had a direct effect on the way India conducted its foreign affairs as an independent nation.

The Dominion status and being successor to the erstwhile signed treaties were very tangible legacies of the British government in India. From the point of view of this doctoral study, the important question that needs to be answered is- how much of a 'choice' did India really have in agreeing to these conditions at the time of independence? This is important because it is precisely at these two junctures that India's will to make a radical departure from British policies could have been observed. Having agreed to these two conditions, India made a choice about carrying on with these legacies. The

[12] Das (2009) is referring to Kant's ideas in this sentence; single quotation marks in the original quote.

choices that India exercised subsequently were those that were a consequence of these decisions. This is not an attempt to make a value judgement on whether Indian choices at this juncture were correct or not; instead it is an attempt to identify certain junctures where India *could* have exercised a choice of a radical departure from its colonial legacy in its foreign policy. In other words, what was the original point of departure? The reasons behind particular state choices are at times more insightful than the choices themselves. This chapter is an attempt to reconstruct the situation and the modalities that existed at that point in time to help understand the decisions that Indian leaders took.[13]

This chapter is divided into two main sections. The first section highlights the various issues relating to Commonwealth membership and Dominion status during the process of transfer of power. This section primarily highlights different concerns that the British administration had with respect to the manner of British withdrawal from India that had relevance for India acquiring a Dominion status during independence. The second section of this chapter describes the manner in which India came to acquire the international personality of British India and also agreed to abide by the obligations of all treaties signed by The Crown, His Majesty's Government (HMG), and even the East India Company with other foreign states. This section will also highlight the trajectory of British policy making in this regard. The conclusion of this chapter will highlight the implications of these two events for Indian foreign policy.

Dominion Status and Commonwealth Membership:

India gaining independence with a Dominion status had important ramifications for Indian membership to the Commonwealth. Joining the Commonwealth was seen as the first major foreign policy decision that

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[13] Raghavan (2010) insightfully points out that one of the primary aims of his book *War and Peace in Modern India: A strategic History of Nehru Years* was to understand how a particular situation would have presented itself to the decision maker of the time.

independent India took. There were mixed reactions within India to Indian membership to the Commonwealth and at that juncture this decision was attributed to Nehru's personal affinity for the British.[14]

Even before independence the leaders in Indian National Congress were divided on the question of commonwealth membership (Keenleyside 1966). This could be seen in the Constituent Assembly debates as well even as late as December 1946 when there were still voices against Commonwealth membership. Most of the opposition was on ideological grounds. Nehru himself had been consistently against the idea of Commonwealth membership since the 1920's. Nehru advocated strong ties with the British but he was not convinced that Commonwealth membership was the only way to achieve that. He considered India being a truly equal member of the commonwealth as a farce (Nehru, 1927). This begs the obvious question- what resulted in this change in Nehru's attitude?

Documentary evidence from the Mountbatten Archives in the University of Southampton suggests that, at the time of independence, Nehru did not have much choice as far as accepting a Dominion status for India was concerned at the time of Independence.[15] However, Nehru did drive a hard bargain to change the rules of membership to suit India's interest. [16] These papers also point towards another fascinating aspect of events that led up to Indian independence. The compulsion behind gaining independence with a Dominion status also sheds some light on why India's date for becoming an independent nation shifted to August 1947 rather than June 1948. This was no

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[14] As the discussion in the previous chapter shows, this point can obviously be refuted. Nehru in the years preceding independence had never really shown any particular propensity to join the Commonwealth. The change in terms of Nehru's decision to join the Commonwealth is something that can be observed during the time of independence. The reason for this change is the main focus in this chapter.

[15] That moment of choice came later for Nehru when he chose to let India remain within the Commonwealth even as a Republic after Indian independence.

[16] The details of how Nehru demanded that rules of Commonwealth membership be changed to accommodate Indian concerns have been discussed in detail in the next chapter.

minor change but one which had lasting consequences for the South Asian political history.

There were two key concerns that the British had with respect to the transfer of power in India. The first concern was the need for speeding up the process of transfer of power and the second was ensuring that all efforts are made to make sure that India becomes part of the British Commonwealth of Nation. Hence, this narrative begins with the reasons why the British had to withdraw from India as early as possible. Related to these concerns was the British desire that India should remain within the Commonwealth. British policymakers attached a lot of strategic significance to the question of India joining the Commonwealth.

British Reasons for Withdrawing from India: Making a Virtue Out of Necessity?

Mountbatten often mentions in his interview with Larry Collins and Dominique Lapierre (2015:19) that the British Government was materially in no position to govern India anymore. The prime institution through which the British governed India was the Indian Civil Service. Even though it was a small organisation, it was very efficient and was the backbone of British governance. The British had stopped recruiting new employees to the Indian Civil Services since 1939; additionally, the British government had stopped recruiting for the Indian Police as well. Consequently, many employees in these services were past their retirement age. Although this civil machinery had been working very efficiently, there was still a limit to how much the British Government could have pushed it. In the latter part of 1940's they were already at that edge, as Lord Mountbatten very clearly stated, this machinery "had run completely down" (Collins and Lapierre 2015: 19). Making it continue for another 25 years as Churchill had been advocating was absolutely not an option.

Lord Mountbatten had become the Viceroy of India on 24th March 1947; however, similar thoughts were echoed by Lord Wavell as well who had preceded Lord Mountbatten as the Viceroy of India. In a note dated 7th September 1946 as the Viceroy of India, Lord Wavell wrote:

> Most of our attention has been focussed on the political situation in India as possible cause of crisis and breakdown. But, whatever the political situation may be, there is also an administrative limitation to the continuance of our control. (British Library 1946, September 7)

Lord Wavell further urged that in case H.M.G wanted to rule India for a period of fifteen to twenty years then a public announcement declaring this intent would be necessary so that immediate reinforcement of the services could commence. However, if no such policy change was on the cards then the Viceroy claimed that "on administrative grounds we could not govern the whole of India for more than a year and a half from now." [17] (British Library 1946, September 7)

In addition to this, Prime Minster Attlee and the Labour Party represented the views of those British citizens and politicians who probably understood this reality and were in favour of granting independence to India. Lord Mountbatten claimed that the people within the Labour Party sincerely believed in independent rule within the Commonwealth because such a belief flowed from their ideology (Collins and Lapierre 2015: 51). However, even as the acceptance became widespread of the reality that India would indeed need to be given her independence soon, the mode of giving this independence had to be worked out.

The concerns of H.M.G regarding withdrawing from India boiled down to the most basic question: who do they actually transfer power to in India? There had to be a constitutional body to which the British government would have handed the power to. In the absence of such a body the British

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[17] This note by Lord Wavell was written in September 1946 hence this puts the estimated date for the end of British rule in India at March 1948.

policymakers were faced with really tough decisions regarding orchestrating their withdrawal. Furthermore, even though a withdrawal was considered inevitable, choosing an appropriate date for the withdrawal was a matter that required careful consideration.

Records of a Secret Cabinet meeting held at 10 Downing Street on 31 Dec 1946 concerning the withdrawal from India point to British anxieties regarding committing to an exact date of leaving India. This concern primarily stemmed from a problem of not having any assurance of a stable representative body to which they could transfer power and in the absence of such a body, abruptly leaving on an arbitrarily decided date could have potentially created a lot of chaos. Officials present at the Secret Cabinet meeting wondered if it was "wise to commit ourselves to a precise date when we had no assurance that there would by then be a representative authority to whom we could hand over power? It might be that if we left India at that date we should leave only chaos and the prospect of civil war behind us." (British Library1946, December 31)

Additionally, the document also shows that the British could also not ignore the possibility of other powers in India's neighbourhood taking advantage of the flux and start meddling in Indian affairs. Hence, any ill conceived haste in withdrawing could lead to- laying foundations for a major international conflict.

In addition, there were other international repercussions to consider with respect to the British Empire. British policy makers understood well that Indian independence would mean the beginning of the end of the British Empire. Consequently, they were anxious about the perception that would be created in other colonies as a result of their withdrawal from India. Indian independence was obviously not only bound to have repercussions for India's immediate neighbours but also other British colonies/mandates especially in the Middle East. Therefore, British officials were keen to leave India on a position of strength and not in a manner that would convey their vulnerability.

Administratively, they were not in a position to hold on to India beyond the beginning of 1948 as pointed out by the Viceroy, Lord Wavell.

The British were anxious to project their withdrawal from India, as a considered decision, and not because they could not afford to govern India anymore. Keeping all these concerns in mind, they realised that the best way forward would be to indicate their withdrawal at a specific time in 1948; this they thought might prove to be an incentive for different Indian parties to come together and form a representative body, to which power could be transferred. Since withdrawal was inevitable, the British were determined to extract as much advantage as they could out of the situation. The primary advantage that they could see was in projecting the right optics. They decided that "[t]here was, therefore, no occasion to excuse our withdrawal: we should rather claim credit for taking this initiative in terminating British rule in India and transferring our responsibilities to the representatives of the Indian people. ...." (British Library1946, December 31).

Even though the discussion above highlights that the British were aware of the dangers of just packing their bags and leaving abruptly, the subsequent discussion indicates that that till March 1947 (when Lord Mountbatten took over as Viceroy), they were at the threshold of doing exactly that- packing their bags and leaving abruptly.

The British were increasingly getting frantic over their imminent withdrawal from India. They were running out of options to leave India gracefully. The reason was the absence of a solution that would have been acceptable to all the warring political factions in India. A haphazard plan[18]

[18] The name of this plan seems to be clouded with some uncertainty. Lord Mountbatten claimed that the plan was named 'Operation Madhouse' and that Lord Wavell had given it to him when he was to take over as Viceroy from him. Alex Tunzelmann (2008) questions this claim saying that no plan with this name ever found its way to the archives either in India or Britain. Even though Tunzelmann does not take into account a possibility that the papers could have been destroyed, she however notes that there is a reference to a 'Breakdown Plan' in Lord Wavell's diary, which essentially spoke of a hurried British exist from India. Hence, even though the exact name for such a plan might not be very clear, the fact that such a plan existed cannot be disputed.

seemed to have existed, according to which the British were to evacuate in stages to the ports of Karachi or Bombay and then leave from there. Atlee remembered Wavell as being "defeatist". He correctly anticipated that Churchill would call this plan "ignoble" and decided not to look at it (Tunzelman 2008: 163).

The idea as per this plan, was to give power to the local authorities and principalities bit by bit, while retaining power at the centre and then eventually discreetly withdrawing even from there. This plan was supposed to be in accordance with what the Indian National Congress had been demanding for years; that the British just quit India. However, it was evident that this plan was sure to cause a civil war; the only advantage envisaged by Wavell in it was that the war would not be under Britain's watch.

This plan did not find favour in Whitehall though; it was unlikely that the British would have actually managed to leave in time and it would have obviously tarnished British image, but more importantly it was against what the United States would have wanted. The US was increasingly putting pressure on the United Kingdom to leave in a manner that would ensure that a democracy would thrive in India and not leave any vacuum for Communism to take root (Kux, 1993). There were already confirmed reports of Soviet funding coming to the Communist Party of India; and the last thing that the US would have wanted was a communist India (Tunzelmann 2008: 163-165).

As we now know, this plan thankfully did not come to pass; what did come to pass however was Britain transferring power to India as a Dominion within the Commonwealth of Nations. The long process of negotiations through which the British and Indian policymakers finally arrived at this solution has been discussed in the subsequent sections. However, before one delves into those modalities one has to understand another aspect of British calculations with respect to India, and that pertains to the strategic importance that the British accorded to India joining the Commonwealth. These British concerns have been described in the following section.

Indian Presence within the Commonwealth and its Strategic Implications:

There is ample paper work to show the importance that the British attached to the possibilities of India joining the Commonwealth upon independence. The British really put in a lot of effort in making sure that India became part of the Commonwealth. This interest on the side of the British manifested itself to the extent that they were even willing to reconsider, the one defining aspect of being part of the Commonwealth- that is owing allegiance to the British Crown.

For obvious reasons, India had strong objection to owing allegiance to the British Crown after independence, irrespective of how nominal such an allegiance would have been. This fundamental objection, somehow never deterred the British in following their aim of making India join the Commonwealth. In fact, it goes to their credit, that they genuinely put in considerable effort in trying to come up with another aspect, that would be a defining and fundamental characteristic of the Commonwealth- and still be acceptable to India. This was a difficult task as it questioned the very foundations of the original concept and did lead to a substantial watering down of the idea of Commonwealth, as it was originally envisioned. The sheer effort that the H.M.G was willing to put in just to ensure that India remained within the Commonwealth is in itself reflective of the immense strategic importance that the British accorded to Indian presence within the Commonwealth.

One normative reason that the British considered important was- if India joined the Commonwealth on its own accord then it would be a huge boost to its international image. Another crucial reason, was the strategic reason. The British attached a lot of importance to having some formal connection with India; as this would have been crucial in ensuring British interest in other parts of Asia and the Indian Ocean (Hartley Library 1947, May 9).

In a document titled "A Note on the Strategic Implications of the Inclusion of "Pakistan" in the British Commonwealth" dated11 May 1946, C. Auchinleck, made an assessment of the British interests and how best they would be served in case the following situation came to pass. [19] A scenario was envisaged wherein India would be divided and Pakistan would become part of the Commonwealth but India would not. Additionally, the document also took into account a possibility that India might come under the influence of a power that would be hostile to the British interest (Hartley Library 1946, May 11).

In this document, General[20] Sir Claude Auchinleck, who was the Commander-in-Chief of the British Indian Army listed five vital Commonwealth strategic interests in the Indian Ocean region. These were (a) the oil supplies from Persia and Iraq, (b) control of the Western entrance to the Indian Ocean – the Red Sea, (c) control of the Eastern entrance to the Indian Ocean - Singapore and the Malacca Straits, (d) ability to use the air routes across Arabia, Iraq, the Arabian Sea, India, Burma and Malaya and (e) the control of Ceylon for use as a port of call and a naval air base. The Commander-in-Chief further highlighted that an unfriendly India or one influenced by hostile powers such as Russia[21], China or Japan would render the British position in the Indian Ocean untenable and this would also adversely affect British communications with New Zealand and Australia.

The fear of Russia interfering in Indian politics was particularly strong in Auchinleck's mind; as per his estimates it was well within the realms of

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[19] A copy of this document was also to be sent to Lord Wavell, who was the Viceroy of India then.

[20] At the time of the writing of this document Sir Claude Auchinleck held the rank of a General and not a Field Marshal. This document is dated 11th May 1946, and just a few days after this document was written The London Gazette dated 28th of May 1946 held the announcement that General Auchinleck had been promoted to the rank of Field Marshal with effect from 1st June 1946 (The London Gazette, 1946)

[21] Russia at this point was known as USSR, however, most official British papers continued to refer to USSR as Russia, and this particular paper by General Auchinleck was no exception.

possibility that India would try and absorb Pakistan to unite itself and in this endeavour Russia was likely to help India. He wrote:

> A Hindustan outside the British Commonwealth might very well be tempted, in order to give effect to an inevitable urge to conquer and absorb Pakistan, and thus restore the unity of India, to throw in her lot with Russia. Russia with her taste for power politics and gangster methods would be likely to take full advantage of any such tendency on the part of Hindustan. (Hartley Library 1946, May 11)

He further stressed that "[a] Russian influenced Hindustan might well constitute such a menace to the security of the British Commonwealth as to cause its early dissolution." It is important to note that for General Auchinleck, India outside the Commonwealth and influenced by a hostile power- particularly Russia- was a grave threat to British interests that had the potential to break up the Commonwealth itself. This particular fear that Auchinleck had regarding the breakup of the Commonwealth was strong and he stressed on it repeatedly in the paper. This was a very serious concern and could further help in explaining the importance that the British attached to India joining the Commonwealth.

The bulk of Auchinleck's paper, however, was devoted to highlighting the feasibility of protecting Pakistan against external aggression (including Indian aggression). The conclusion reached by General Auchinleck was that against a hostile India, defending Pakistan (even with both the western and the eastern sectors) would be a very difficult task and might entail diverting a substantial portion of the Commonwealth and H.M.G's resources. Pakistan by itself would neither have adequate resources nor the strategic depth that would afford it a crucial advantage in any conflict that was increasingly likely to be dominated by atomic warfare. Such a massive effort might not in the end also be truly beneficial for them in terms of the British strategic interests. In the paper, there were two possible advantages that were highlighted that Britain was likely to accrue if it accepted the responsibility of defending Pakistan as part of the Commonwealth of Nations. The first was to dominate an

independent “Hindustan” so as to secure the existing sea and air communications in the Indian Ocean area. The second potential advantage was for the British to maintain their influence over the Muslim countries of the Middle East so as to check the Russian advance towards the Indian Ocean and the Mediterranean. As far as General Auchinleck was concerned, the first potential advantage was virtually unattainable because the cost of defending Pakistan would be massively disproportional to the resources that the Commonwealth was likely to have at its disposal in case hostilities broke out. He further highlighted that if this first advantage could not be attained then the second would automatically not be of any value because most Muslims countries would then know that Britain was no longer a power in Asia. Auchinleck concluded his paper by stating that:

> If we desire to maintain our power to move freely by sea and air in the Indian Ocean area, which I consider essential to the continued existence of the British Commonwealth, we can do so only by keeping in being a United India which will be a willing member of that Commonwealth, ready to share in its defence to the limit of her resources. (Hartley Library 1946, May 11)

Hence, strategically speaking an undivided India as part of the Commonwealth was Britain’s best case scenario. However, even with a division they certainly did not want a situation where India was not a part of the Commonwealth and Pakistan was. Jinnah had on more than one occasion indicated that Pakistan, if created, would be happy to join the Commonwealth (Hartley Library 1947, March 28). Nehru, on the other hand, had been fairly sceptical of the entire enterprise.

At that stage, amidst so much uncertainly, the British were logically right in inferring that they may very well have found themselves in a situation that would have been inimical to the British interests in Asia. Since partition almost seemed like a fait accompli, as the time for transfer of power neared and hopes of a united India joining the Commonwealth seemed impossible.

The British genuinely put in a lot of effort in ensuring that India indeed joined the Commonwealth, as a matter of priority after independence.

The strategic importance of India was reiterated by Lord Ismay[22], at a Staff Meeting with the Viceroy. The dynamics of both or either of the two i.e. India and Pakistan joining the Commonwealth had ramifications for their relations with the entire Muslim bloc in the Middle East and also the fact that the British Government needed harbours and naval bases in India. The British really did not want to be in a situation where they had to or could back only one part of India. Such a situation, they thought, will make India a centre of international tension and intrigue. The British situation would have become quite awkward because as Lord Ismay pointed out, when the time actually came, they would not be able to refuse Pakistan's request of being in the Commonwealth on moral or material grounds, as that would have had ramifications for other Muslim countries (Hartley Library 1947, May 1). Hence, it was a peculiar case wherein Pakistan's presence within the Commonwealth without India was not desirous but neither were they in a position to reject outright a request from Pakistan to remain within the Commonwealth. Even almost a year after General Auchinleck's paper, the fear that India would leave the Commonwealth and Pakistan would remain was echoed by Viceroy Lord Mountbatten himself. In a rather dramatic fashion, he claimed that "the last thing he wanted to see, and it would indeed be most disastrous, would be that Hindustan left the Empire irretrievably and Pakistan remained within irretrievably" (Hartley Library 1947, April 26).

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[22] General Hastings Lionel Ismay or Lord Ismay was Lord Mountbatten's Chief-of Staff and had retired from the army in 1946. He had served as Deputy Secretary to the British War Cabinet and was Churchill's Chief-of-Staff during the Second World War and went on to become the first Secretary General of NATO.

Pakistan had hinted on numerous occasions that it would like to remain part of the Commonwealth.[23] However, Lord Mountbatten wanted British India as a whole to remain inside the commonwealth and dreaded the idea of Pakistan remaining within the Commonwealth sans India. Although he was noncommittal to such a request, realising that he could not officially accept or deny such a request, he nevertheless toyed with the idea of using the Pakistan threat to remain in the Commonwealth as a lever to help Congress to "take the plunge" (Hartley Library 1947, May 1).

It seemed that Jinnah was using the prospects of remaining within the Commonwealth as a bargaining chip for the creation of Pakistan (Gopal 2004: 173). Jinnah had indicated that he could be persuaded to remain with the Commonwealth if granted Pakistan (Hartley Library 1947, March 28).[24] However, as it turned out, Jinnah was the only one who wanted to remain within the commonwealth. It seemed that there was a lot of excitement, amongst princely states about joining the Commonwealth. Many heads of princely states wrote to Lord Mountbatten regarding their possibilities of joining the commonwealth after the Lapse of Paramountcy.

Strangely enough, even Lord Mountbatten seemed to consider these proposals quite seriously and even considered using the interest that the princely states showed in joining the Commonwealth as a pressure tactic on Nehru for him (Nehru) to consider joining the Commonwealth. He was aware that he could not say or do anything that would deny the inherent principle of

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[23] Mr. Liaquat Ali had indicated to the Viceroy that he was not so sure if India as a whole would like to remain in the Commonwealth after June 1948, he considered it likely that the Hindus might not ask to join the Commonwealth but Pakistan, he stated, "would certainly ask to be allowed to remain in." It has to be kept in mind that the possible date for independence at this juncture was still thought to be June 1948 (Hartley Library 1947, April 21).

[24] This was the reading of the Nawab of Bhopal who had sent a telegram to Lord Mountbatten to give details of his four hour long meeting with Jinnah. However, Lord Mountbatten's advisors perceived Jinnah's hints as a "pre-conference" offer to balance his uncompromising stances that he had been displaying in his public speeches (Hartley Library 1947, March 28).

Indian unity. Nevertheless, he did not reject such requests outright and communicated them to London (Hartley Library 1947, April 26).

It was left to the Secretary of State to point out the one basic and rather obvious flaw in the otherwise exciting plan of the Princely States of India whether individually or as a group being granted Dominion status. Writing to Mountbatten, the Secretary of State called this idea rather 'fanciful' since, of course, the states are not at present British territory at all and 'they could hardly be incorporated'. The H.M.G., he pointed out, would follow the "lines of the Cabinet Mission's memorandum on States' Treaties and Paramountcy which noted the desire of the Indian States to contribute to the framing of the structure of the New India and take their due place in it when it is completed." (Hartley Library (1947, April 28)

It is possible that Mountbatten was just doing his duty of conveying such a request to higher authorities rather than dismissing it himself (Hartley Library 1947, April 26). The general tone of his reaction to the idea in the first place does seem that he did indeed consider it in the realms of possibility. He had even conveyed to the Nawab of Palanpur, under strict confidence that if the Princely states sent a joint request for membership to the Commonwealth then it might be possible (Hartley Library (1947, April 14). Although Lord Mountbatten also added that such a request could be more in line with maintaining a link with the Commonwealth rather than to actually remain within the Commonwealth. At another staff meeting after this, Lord Mountbatten speculated that if Pakistan and some of the other larger states like Kashmir, Hyderabad and Mysore were to make a public appeal to not be thrown out of the Commonwealth, then he could not imagine a situation where the members of the Commonwealth would not oblige them (Hartley Library 1947, April 26).

This line of thinking was largely limited to the Viceroy and was not the opinion of the British Government. As the extracts from the same staff meeting also indicate that the Viceroy had received no official instructions as

to what line he should take with respect to the possibility of requests from different parts of India expressing/indicating a desire for them to remain in the Commonwealth. He, however, had been enjoined to not take any steps or participate in any discussion that could challenge the chances of Indian unity. Lord Mountbatten himself expressed a desire that attainment of Indian Unity was and would remain his top priority. Retaining just parts of India within the Commonwealth was "undesirable" for him (Hartley Library 1947, April 26). He was also worried about the reaction of Indian parties if such a situation of the Indian Princely states joining the Commonwealth comes to pass. Hence, although he was aware of the risks involved in encouraging different factions of India to join the Commonwealth, he nevertheless tried to use it as a mild pressure tactic to help India join the Commonwealth, which was a matter of utmost importance to him.

It could not be ascertained if such pressure tactics by Mountbatten had any concrete effect on the Indian leaders. However, Mountbatten and the H.M.G did achieve their aim of bringing India within the Commonwealth fold. This, however, was achieved through the dramatic manner in which power was transferred to India.

Lord Mountbatten's Attempts to Transfer Power: from Operation Madhouse to Plan Balkanisation and finally to V.P. Menon's Plan:

When Lord Mountbatten became the Viceroy, he started working on a plan to guide British withdrawal from India. As stated earlier, Mountbatten had claimed that he had inherited a plan named Operation Madhouse from Lord Wavell; his own plan, though slightly different, was hardly an improvement in spirit on Operation Madhouse and neither did the new name i.e. 'Plan Balkanisation' inspire any particular confidence (Tunzelmann 2008).

The idea was to transfer power to the provinces that would have the option of staying independent as well. As Nehru correctly pointed out, the starting point of the plan was to negate the inherent unity of any idea of a

united India; this plan would have surely led to the disintegration of the Indian subcontinent (Transfer of Power 1981: 756). Authorities in Whitehall had approved this plan and Lord Mountbatten was to reveal this plan to the Indian leaders on a meeting planned for 17th May 1947. However, before this could come to pass, on 10th May 1947 Mountbatten, acting on an absolute "hunch" and against the council of his advisors, showed the plan to Nehru separately while on a visit to Simla. Nehru understandably was absolutely livid and rejected the plan outright. In such a situation, Mountbatten had to cancel the meeting straight away and the only consolation that he had was that a rejection of a plan privately was better than an outright rejection publicly that would have been a source of much embarrassment and could have possibly complicated the process of Transfer of Power further (Ziegler 1985).

The situation however did require urgent action to be taken by Lord Mountbatten and his staff to come up with an alternative plan for transfer of power. Now is the time when one starts seeing the making of the plan according to which power was actually transferred to India. The foundation ofthe plan[25] was laid by V.P. Menon in consultation with the Viceroy directly[26]. This built on the Government of India Act of 1935 and stipulated

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[25] Krishna Menon had indicated to Lord Mountbatten that it was his (Krishna Menon's) idea that power should be transferred early to India on a Dominion basis (Hartley Library 1947, May 10a). However no other document related to the evolution of this plan ever seemed to show even a remote link to Krishna Menon with respect to the origins of this plan. By all accounts the idea can be traced back to V.P Menon and not Krishna Menon.

[26] Lord Mountbatten's account in the interview given to Dominique Lapierre and Larry Collins in reference to who thought of the idea of power being transferred on the basis of a Dominion status is a little confusing. It seemed as if Mountbatten was struggling between trying to give V.P Menon credit for this rather ingenious solution and yet not coming across as completely irrelevant himself. He claimed that although conventional understanding has given credit to V.P Menon for thinking of the plan; however sole credit should not be given to V.P Menon. Mountbatten claimed that it was a joint effort; discussions and ideas flowed in a particular direction through mutual discussions. It is obviously understandable that V.P. Menon would have indeed consulted with Lord Mountbatten while drawing up the plan; however his effort in the formation and conceptualisation of the plan was indeed crucial and not just merely being part of the 'team' that was involved in thinking of a plan for the transfer of power, because as lord Mountbatten himself claims "[h]e discussed every step with me; but what is true is that we didn't bring the others in" (Collins and Lapierre 2015: 82).

that there would be two successor Dominions to British India with either a common Governor-General or two separate ones. The idea was to provide a stabilising influence in the form of continuation of the administrative structure so that the two Dominions may have time to set up their own respective administrative machinery. The question was left open if the Dominions would want to continue with their Commonwealth membership once their own constitutions had been set up. Ideally, the British policymakers wanted that the membership of the Commonwealth should continue; however, they were fairly clear that this decision should be voluntary and not forced. They tried to play their cards in such a way that India would find it advantageous to remain within the Commonwealth and not opt out of it.

The basis of the plan was partition of British India. However, what was different in this particular plan was that it would have meant breaking up of British India into just two Dominions and not multiple and independent parts. The princely states, however, still had a choice of acceding to either of the two Dominions. Considering the alternative, this was still acceptable to Nehru and Patel. The latter additionally felt that a Dominion status would go a long way in providing stability to the new states considering their own state machinery was not functional yet. Nehru, however, was worried about the psychological affects that a Dominion status might have on the people of India (Hartley Library 1947, May 10 b).

The rationale behind this plan has to be understood in detail. According to the official statement by the H.M.G, the date for the transfer of power had originally been set at June 1948 (British Library 1947, February 20). This announcement had been made by the British government on 20th February 1947. Procedurally, this would have been implemented by the British transferring power to an elected head of state after the Indian constitution had been made. The constituent assembly had already been formed and the deadline for forming a constitution had been set to a date that would have facilitated the transferring of power in June 1948.

Having said this one now has to understand the latent and pressing concerns that both Indians and the British had with respect to the transfer of power and eventual Indian independence. The British were materially in no position to govern their vast empire and were indeed looking for a way out as soon as they could manage it. A possible extension of the deadline on 1948 was a situation that even the British were not looking forward to. On the Indian side also there were concerns that under no circumstances should the date set for independence be extended (Transfer of Power 1981: 716).

Related to this were also concerns- whether the drafting of the Indian Constitution could actually be finished on time, and in case it could not, then what would be the procedure to be followed for transfer of power. In a situation of constant political flux such concerns, were liable to have taken the shape of genuine fears. An addition to this was the British obsession that India should achieve independence as a member of the Commonwealth.

The answer to all these concerns seemed to come in the form of a plan proposed by V.P Menon. As per this plan, the date for transfer of power could now potentially be moved; consequently, power could be demitted before June 1948.[27] Within this plan, the power would be transferred to India as a Dominion of United Kingdom. A Governor General would be appointed till such time as the constitution was ready, and then an elected government would assume responsibility of the nation.

Lord Mountbatten seemed to like the idea, and the government in London also did not have any serious objection to it either. Nehru was a little sceptical of the plan; he pointed out that the psychological ramifications of words like 'Dominion' were likely to create a lot of mistrust in India. Additionally, he was not sure how the constitution would shape up in the proposed timelines. This would then, essentially mean that India could continue to remain a Dominion, for an uncertain amount of time. Sardar

[27] In an official statement the HMG had indicated that they were willing to anticipate the date of transfer of power from June 1948 (British Library 1947, June 3)

Vallabh Bhai Patel, on the other hand, supported this idea and felt that a strong presence of the Crown at the helm in the form of a Governor General would be a stabilising force. The British responsibility, that would come with India being a Dominion might be crucial, in facilitating the complicated procedure of transfer of power and the merger of the Indian states.

Nevertheless, official papers do point to the growing acceptability in London, of granting an early independence, on the Dominion status basis to both India and Pakistan. India and Pakistan, did in theory have the option of walking out of their Commonwealth membership at any time. However, this was a provision that the British government agreed on, but preferred not to give in writing, as they feared that the existing Commonwealth members might accuse them of partiality. Though in theory and common understanding even other nations had the choice of remaining within or leaving the Commonwealth, it seems like it had not been written in black and white, and the British Government did seem a little sceptical of writing it in for India and Pakistan. However, from the records of meetings and exchange of letters and telegrams, there seems to be no reason to doubt the British intention, of letting India choose out of its own free will- whether to remain in the Commonwealth or not (Hartley Library 1947, May 22).

Actual Origins of the V.P. Menon Plan:

There seems to be a lot of confusion regarding the genesis of the plan for the transfer of power. The time line for the emergence of the idea and the actual origin of the idea both seem to be a little hazy.

From Lord Mountbatten's account from his interview with Larry Collins and Dominique Lapierre (2015), the picture that one gets is fairly straightforward. Mountbatten inherited a plan from Lord Wavell; he did not go ahead with it and worked on another plan of British withdrawal based on the mandate given to him by London and his reading of the political situation in India. Once London had approved the plan he was to reveal it at an all party meeting on

the 17th of May 1947. However, before that could come to pass, on a 'hunch' he showed the plan to Nehru and Krishna Menon in private. Nehru was livid seeing this plan and rejected it outright proclaiming that it would result in the balkanisation of India. With a key player like Nehru not backing his plan, Lord Mountbatten could obviously not go ahead with the plan and had to cancel the proposed all party meeting for 17th May 1947.

Lord Mountbatten then immediately started working on an alternative plan with V.P. Menon. As a result of this unexpected change Lord Mountbatten had to take a sudden trip to London and explain to the rather miffed authorities there why the plan that they had approved would not work and why it was a good idea that he showed the plan to Nehru breaking every protocol, and going against every advice given to him.

Lord Mountbatten then managed to sell the revised plan to the government in London as well as to Winston Churchill, who was the leader of the opposition and a staunch critic of the policy of granting independence to India. In the meantime, V.P Menon and Sardar Patel were selling the plan to the Indian leaders under his guidance. Hence, the picture that one gets is that Lord Mountbatten was in control of the situation throughout, and emerged a hero by drawing a proverbial rabbit from his hat at the eleventh hour.

This narrative would seem fairly straightforward if one was to leave it at this point. However, as is the case, the devil cannot be ignored once one starts to look a little deeper in detail. There are two claims that Lord Mountbatten makes in reference to this episode. First, V.P Menon was not the sole architect of the Dominion Plan and second, the formulation of Dominion plan started only when the other plan had been jettisoned. These claims are not completely true. The plan to transfer power on the basis of Dominion status had not suddenly emerged on that particular night. The idea had been discussed by the British authorities; in fact, an offer of a Dominion status was also the carrot that was offered by the H.M.G, in exchange for Indian support to the war effort during the Second World War. The Indian leaders however

were not impressed and had demanded complete independence. Hence, in British policy circles, the viability of a Dominion status in the case of India had been questioned and put on a back burner.

The idea of Dominion status got a new lease of life when V.P Menon penned down a plan for a possible transfer of power based on it, though he called it a "transitional constitution analogous to that of a Dominion Status". This attempt stemmed from an understanding that it was highly unlikely that the constituent assembly in India would be able to complete the process of making the constitution immediately. Secondly, a continued presence of the British administrators would provide stability till such a time as the constitution was ready and the new state apparatus was capable of taking charge of the country. Finally, as was the demand of the Muslim League at that time, the plan started with the assumption that India would be portioned, and a separate Muslim majority country would be created.

This plan was sent to the H.M.G and a copy of this plan can be found in their official papers. However, the H.M.G did not jump at this plan or consider it very seriously. The possible reasons could be, first, even if only a transitional one, the plan essentially meant a Dominion Status for India. H.M.G was not confident whether Nehru (in particular) would agree to it. Second, the plan started with the assumption of partition. At that juncture, Mountbatten was about to go as a Viceroy to India and partition, although now imminent, was still not confirmed. There was still some hope although not much that a compromise between Congress and the Muslim League was possible. Lastly, even if partition was to take place, the British Government wanted to avoid taking the responsibility of drawing the actual borders themselves.[28]

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[28] Mountbatten had mentioned this to Nehru though in a different context and just a few days before V.P Menon's plan was officially adopted as the basis of demitting power (Tunzelmann 2008: 189)

However, by the first week of May, the situation was gradually changing. Mountbatten had a note prepared on the main features of V.P. Menon's plan and discussed it in detail with his staff. Soon, Mountbatten reported to London that based on an unofficial meeting between V.P. Menon and Sardar Patel, it seemed that Patel specially, and even Nehru, were somewhat open to the idea of a Dominion Status for India, at least till such time as the constitution of India could be prepared. Mountbatten seemed excited at the prospects and genuinely thought that it would be a good way to let India into the Commonwealth fold. He had hoped that if India's experience within the Commonwealth was satisfactory then there was a chance that India might consider it as a permanent arrangement (Transfer of Power 1981: 699). Interestingly, this telegram was sent on 8th May 1947 to Lord Ismay, who at this time was in London with Mountbatten's original plan for transfer of power. What is even more interesting is that Mountbatten requested him to distribute V.P. Menon's plan to the Cabinet Committee[29] and requested Ismay and Abell to give it their full backing as this was "the greatest opportunity ever offered to the Empire". Hence, it can be clearly seen that this plan had been around for a while and Mountbatten himself had known of it. The only thing that had changed on the night of 10th May 1947 is that faced with Mountbatten's disastrous plan, the Indian leaders, particularly Nehru, were more open to the Dominion status plan. This is what gave Mountbatten the window of opportunity to make this plan the official plan of transferring power.

The Acceptance of the Plan by Indian Leaders:

All the merits of V.P. Menon's plan and, the wishes of HMG that India should join the Commonwealth aside, the question that still persists is: why did Indian leaders accept a Dominion Status and a consequent Commonwealth membership at the time of transfer of power? The picture that one gets, after a

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[29] Mountbatten in a telegram the next day i.e. 9Th May 1947, told Ismay to not take up any action in this regard with the cabinet since he had himself not spoken to Nehru or Patel about it (Transfer of Power 1981: 699).

careful reading of the situation is that -the decision to accept the Dominion Status and the Commonwealth membership that came with it was not so much a considered decision at that time, but as a sequence of complicated events, in which choosing the lesser of the evils often becomes the basis of the decision. The luxury of a considered decision came much later for India, when it chose to remain part of the Commonwealth of Nations as a republic. The considerations and politics behind that decision would be discussed in detail in the next chapter. For the current analysis, however, an appreciation of the flow of events (that had a relevance for India's Dominion Status) as they took place then is very important.

The primary reason behind Nehru's acceptance of a Dominion Status at the time of independence was that it seemed to be the only plan that accommodated the Muslim League's demands and yet not plunge the entire region in civil war, or make it prone to utter fragmentation. The plan that Mountbatten sent to London for Cabinet approval in April 1947 had the potential of ensuring that both the scenarios mentioned above could actually become the reality of South Asia. So utterly useless and dangerous was the plan, that even the author of Mountbatten's official biography, Philip Ziegler was left wondering about the rationale behind that plan for Mountbatten to even suggest it in the first place. He remarked rather intelligently, "[t]he surprising thing seems not so much that Nehru rejected the amended plan as that it should ever have been expected he would approve the original." [30] (Ziegler 1985: 379)

The plan would have created hundreds of smaller potentially antagonistic states, too small to survive on their own and consequently would

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[30] The amendment mentioned here refers to the minor changes that the Cabinet in London had made to the plan that Mountbatten had sent to them for transfer of power in April 1947. They had largely left the essence untouched and made some changes in language of the plan for the sake of clarity. Mountbatten had assumed erroneously that Nehru had approved of the plan in principle. He then rather naively tried to convince himself that probably the changes made by London had resulted in Nehru's refusal. This could hardly have been the case because Nehru had not seen the original draft. It took Mountbatten a while to realise that it was the central idea of the plan that Nehru was opposing and not its wording (Ziegler 1985: 379).

land up becoming vassal states or puppets of other big states or foreign powers. As Tunzelmann (2008: 190) writes, "What Nehru had foreseen was the prospect of Balkanisation, but on the colossal scale of the sub-continent..." Nehru had reconciled to partition, not fragmentation. Suddenly, the situation had changed and no matter how opposed he was to the idea of a Dominion Status, it was still infinitely better compared to the balkanisation of India. A Dominion status at this juncture was clearly a lesser evil for the following two reasons. First, it was a transitional arrangement, meant to be a transitional phase till the constitution of India was prepared. No matter how fast the Constituent Assembly had worked, the lengthy process of creating a constitution would have clearly taken a couple of years at the very least. Till that time, a well-functioning government was essential and British presence would have ensured it. Second, the option of walking out of the Commonwealth as and when India desired remained. So it was not really the case that Nehru was bargaining away India's freedom in any way.

At any rate, Patel had been open to the idea of a Dominion status on a transitional basis. He had known about this plan for nearly four months; Nehru had known of it for not even four days. V.P. Menon himself claimed that he had been discussing the plan with Patel and Patel had known of the plan for about four months (Transfer of Power 1981: 731). On the other hand, he had shown the plan[31] to Nehru in Simla just a day or two before 10 May 1947[32]. Nehru had indicated that he was anxious for an early transfer of power (Transfer of Power 1981: 731). An important point here is that when V.P. Menon was showing the plan to Nehru, he was not showing it as an official plan because for all practical purposes at that juncture, the plan for transfer of power was the one, which the Cabinet in London had approved and which was due to be shown to the Indian leaders on 17th May. As mentioned before, there

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[31] V.P. Menon had shown the plan to Nehru with Mountbatten's permission (NMML, V.P. Menon Papers). Menon remembers Nehru's reaction as being favourable at that time.

[32] Mountbatten had shown the draft of his plan to Nehru on the night of 10th May 1947. This is the plan that Nehru very vehemently rejected.

had been indications around the first week of May that Nehru might have been open to the idea of a Dominion status or Commonwealth membership (Transfer of Power 1981: 699). However, these were just unofficial indications; Nehru publicly had not said anything to this effect. What has to be noted is that such indications, even if true, were more in the realms of possible policies that India might have considered after independence; rather than being of any immediate consequence.

Nehru had always been known to be opposed to the idea of joining the Commonwealth. Hence, even with Mountbatten's personal affinity for the idea of Commonwealth being so high and his desire to bring India within the Commonwealth fold higher still, he still did not mention the Commonwealth in the plan that he had sent to London. This was primarily done with the view that Nehru would be opposed to such a mention (Ziegler 1985: 382). This is important and with its contrast highlights even more what V.P. Menon's plan was able to achieve when pitted against this plan of Mountbatten's. With V.P. Menon's plan of transfer of power what happened was that a Dominion status suddenly got linked to the act of gaining independence. This is a very important shift. What could have just been a benign consideration for a possible policy for a newly independent country now suddenly had very real and immediate stakes for independence itself.

Nehru barely had a day to take a call on this; once this call was taken and he had conveyed his assent, the British government seized this rare chance of a solution and moved at such a fast pace to see it through, that no one had any time to consider otherwise. Thanks to the fact that under this plan India was to be a Dominion, even Churchill had given his acceptance, favourably viewing the prospects of having India within the Commonwealth. He had always been a strong voice against Indian independence, and this plan by making India a Dominion gave Churchill a convenient way out. With support

from the opposition assured[33], the Labour Government passed the Indian Independence Bill in record time. The British had finally got a real chance for a fast and dignified exit from India and they now made sure that no one had the chance to jettison it in any way.

Their diminishing patience with what any of the Indian leaders had to say with respect to the plan could now be seen clearly. There was an indication that Jinnah had started showing objections to this plan. In such a scenario, the only option was to grant independence to Pakistan without a Dominion Status. London, however, did not seem to be in any mood to entertain such concerns by Jinnah. Once it was decided by HMG that independence would be granted early on the basis of Dominion status to India and Pakistan, they really did not show any inclination towards any requests that might upset this plan. In fact, it was clearly pointed out, that in case Pakistan raised any objections to the clause of Dominion status, it would be told that such an arrangement had become a legal necessity for transfer of power and as such would be outside the purview of negotiations (Hartley Library 1947, May 22). Indian leaders had already conveyed their acceptance of such a plan and even if they did have similar reservations as Pakistan did, it is very likely that they too would have received the same response from London, stressing it as legal necessity.

Hence, given the circumstances, Nehru did not have much of a choice in accepting a Dominion status at the time of independence; however, he did try to change the rules of membership to suit India's interest. This included not owing allegiance to the Crown and remaining within the Commonwealth as a republic. Both these were dramatic changes at that time and the British government had to considerably change their own laws to accommodate India. This was a testimony to how important Indian presence in the Commonwealth was for H.M.G. As Singh (1985) notes, India was absolutely vital for imperial defence. The only other way of ensuring a strategic presence in India would

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[33] The Conservative Party had the majority in the House of Lords and without Churchill's support as the leader of the opposition; getting the Indian Independence Bill passed through British Parliament would have been impossible.

have been to negotiate and sign treaties to that effect, the process for which takes a lot of time. Now given the hurried way in which transfer of power actually took place, a Dominion status and Commonwealth membership answered to this perceived absolutely vital need of the British government.

International Law and Treaty Obligations of India with respect to Treaties Signed by British India:

When India became a master of its affairs at independence, it did not begin with a clean slate. As Bisheshwar Prasad (1965;vii) writes:

> [i]n 1947 occurred a revolutionary change in the character of the government in India insofar as its policies, both in domestic and foreign affairs, were now primarily governed by the interests of the country. But the new government has [sic] also become heir to the rights and obligations of its predecessor.

How much of a 'moment of choice' did India really experience? In terms of Heimsath and Mansingh's (1971) analysis, how free was India really in exercising its choice of foreign policy decisions? Heimsath and Mansingh argue that India was free to make a radical departure from British Indian policies at the time of independence and yet it did not choose to do so. This understanding does make intuitional sense; however, between this black and white lies a few shades of grey in terms of treaty obligations that India inherited from the British that seem to have been left out of the picture.

Noorani (2015) and Raghavan (2015) have stated that the Indian government agreed to abide by British India's treaty obligations. However, Noorani (2015) does not delve into why or how the Indian Government came to accepting these obligations. Raghavan (2015), on the other hand, argues this point in terms of institutional memories and does not delve into what went into the decision making process of the Indian leaders at the time of independence that resulted in India agreeing to abide by the treaty obligations of British India. As it turns out, archival evidence suggests that India's acceptance of British India's treaty obligations has an interesting trajectory to it that has immense academic relevance. Consequently, this chapter attempts to address

this gap. In addition, conclusions derived from such a study have immense relevance for the formation of Indian foreign policy.

The following discussion is divided into three sections. The first section will give a brief outline of International Law with respect to treaty succession of newly independent states. This section is not indented as a detailed study of international law on the subject. It is instead written with the aim of setting the context in which treaties signed by the British government devolved on India can be viewed. In addition, documentary evidence shows that British policymakers did try to accommodate and refer to International Law while framing their policies, although it was never done at the cost of their own convenience. The second section will give details of British and Indian considerations that went into British Indian treaties devolving on the Indian state. The third and last section will briefly delineate the implications of such a course of action for South Asian politics. A detailed account of this aspect, however, will be given in the next chapter. The present section therefore primarily focuses on the process of decision making and not the consequences of those decisions.

Newly Independent States and International Law:

It is difficult to ascertain customary international law with reference to newly independent states because there has not been a uniform practice that has been followed in the cases of different dependencies, colonies or protectorates. However, the main approaches that have been followed can be summarised as thus.

There are primarily two theoretical approaches that can be discerned in such cases. The first is a nineteenth century theory called ‘universal succession’. As per this approach, the “new state inherited all the treaty rights and obligations of the former power in so far as they had been applicable to the territory before independence” (Aust, 2000: 309). This approach was prevalent till the 1960’s and was reflected in the ‘devolution agreements’ that

were signed by former Asian colonies. In the 1950's, most British colonies in West Africa also signed these devolution agreements with the exception of Gambia. These devolution agreements come into force from the date of independence and comprise of:

> ...all obligations and responsibilities of the United Kingdom which arose from 'any valid international instrument' would be assumed by the new state 'in so far as such instruments may be held to have application' to it; and the rights and benefit previously enjoyed by the United Kingdom by virtue of the application of such instruments to the former colony would be enjoyed by the new state. (Aust, 2000: 309-310)

The other approach is a 'clean slate' approach, wherein the successor state is under no obligation to honour treaty obligations of its predecessor state. This approach is enshrined in the Vienna Convention of 1978. The Vienna convention on the succession of treaties treated decolonised states as a separate category and referred to them as 'newly independent states'. This convention defined these states as "successor State the territory of which immediately before the date of the succession of States was a dependent territory for the international relations of which the predecessor State was responsible" (Vienna Convention on Succession of States in respect of Treaties 1978).

An important legal aspect related to colonial boundaries is enshrined in the principle of *uti possidetis juris*. According to International law, the territory of the colonial state becomes the borders of the successor state. This is accepted as a norm to avoid fragmentation of the territory when the colonial state has left. Many colonised states themselves choose to adhere to it, because challenging existing borders no matter how impractical they are might plunge the area into uncertain civil wars (Shaw 2008:527). A Chamber of the International Court opined that the "application of the principle has the effect of freezing the territorial title existing at the moment of independence..." The

Chamber also declared that this phenomenon would apply in a general sense to any country gaining independence (Shaw 2008:527).

In the case of most British colonies, the UK signed devolution agreements with their colonies. Under these agreements, the successor states were liable to honour treaties signed by British governments. India was no exception to this British practice and also signed similar agreements with the UK. As per this, India was to inherit most of the treaty obligations of the British Indian government except for those treaties that fell explicitly under the Pakistani purview and the British signed separate devolution agreements with Pakistan. In terms of Aust's two categories mentioned above, as far as international law was concerned, it seems that the Indian case seemed to fall under the first theoretical approach and the Pakistani case fell under the clean slate approach.[34]

The UN Secretariat in 1947 discussed the Pakistani position "in relation to the organisation, where it was noted that 'the territory which breaks off, Pakistan, will be a new state; it will not have the treaty rights and obligations of the old state'" (Shaw, 2008: 978). This is not to say that Pakistan did not sign any devolution agreement whatsoever with the United Kingdom. Treaties signed by the British government in India that had a direct implication for the Pakistani borders were devolved onto Pakistan. However, what the statement above really implies is that Pakistan was not considered a natural successor to British rights and obligations in general. In the United Nations and other international organisations it was expected to apply for membership anew.

International Law and the case of Indian Succession:

In terms of stipulations of international law, even though there are general guidelines (as mentioned above), there is no concrete law that newly independent states have to follow. The question that then arises is- why did

[34] This cannot be counted as a very strict distinction because Pakistan did agree to abide by those British treaties that had territorial application for Pakistan.

India follow the course of upholding treaty obligations of the British India and not follow the example of some other nation where the treaties were either not withheld or were withheld only for a stipulated amount of time? As Shaw (2008) has indicated, Britain followed the practice of signing devolution agreements with their former colonies. The rationale behind this practice as far as the British were concerned was convenience. As far as Shaw is concerned, this convenience is in reference to the newly independent state also.

However, going a step further the British official documents do paint a picture of the kind of convenience that the British hoped to achieve. They did not want countries with which they had signed treaties with to be bothering them anymore over inconveniences that they would have faced had Britain went without a successor state to honour them. It further seemed that the British were more concerned with India upholding their duties under the various treaties and were not keen on giving any definitive commitment to actually ensure that India enjoys the benefits of those treaties (British Library 1947, March 3 b).

Another interesting aspect that is revealed from these papers is a somewhat tacit understanding that what Britain really had to focus on was to get the Indians to agree to treaties that were signed before 1919 because after that date India itself had been a party to treaties in an individual capacity even though HMG was responsible for its foreign relations.[35]

India's position after independence is clearly spelled out in an official letter dated 27 August 1947 to the first Secretary General of United Nations Trygve Lie, by the Indian Liaison Officer P.N. Subramanian.[36] This letter was written to address legal concerns raised by Argentina over Pakistan's membership to the United Nations. The letter was based on communication with the Government of India regarding all international rights and obligations

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[35] This aspect further builds on Heimsath and Mansingh's (1971) analysis of India having a quasi independent status after 1919 in world affairs.

[36] He was officiating for S. Sen as the Indian Liaison officer at the United Nations.

that were enjoyed by the Government of India before 15th August 1947. This letter quotes the text of a constitution order on the subject of devolution of international rights and obligations. The letter spelt out that India was to be the successor of all British membership and other obligations that might arise out of such membership and that Pakistan would have to apply for fresh membership to organisations.

Attached to this letter as an appendix was a copy of the Indian Independence (International Arrangements) Order; signed[37] by Luis Mountbatten on 14th August 1947. Drawing on his authority that section nine of Indian Independence Act of 1947 bestowed onto the office of the Governor General, Lord Mountbatten drafted this order. The order stated at the beginning that leaders of both the Dominions had agreed to the contents of this order in a Partition Council meeting held on 6th August 1947. According to this order, after 15th August 1947 this order would have the "force and effect of an agreement between the Dominions of India and Pakistan" (British Library 1947, August 14).

This order clearly states that India will inherit the membership to all international organisations along with their rights and obligations that come with the membership; Pakistan will apply for a fresh membership. It also states in section 3(a) "Rights and obligations under international agreements having an exclusive territorial application to an area comprised in the Dominion of India will devolve upon that Dominion" (British Library 1947, August 14). Similar provision was made for Pakistan as well.

British official documents dealing with this issue, further show that British policy makers were aware that this order in itself had no "international effect but puts on record the view which the two Governments hold as to international obligations that each will assume" (British Library 1947, November 29). In addition another letter claimed that "[t]his view [as expressed in the order] is broadly the same as that which H.M.G. reached and

[37] This document was also signed by K.V.K Sundaram, Officer in special duty.

which we are advised is generally in conformity with the international law on this subject." (British Library 1947, October 6)

A reasonable inference that can be drawn is that even if this order in itself would have had no legal weight of its own initially, the fact that it was being used by the government of India after independence to clarify its legal position at the international stage in organisations such as United Nations gave it a legal life of its own.

The Evolution of the decision to devolve international treaties on India:

As logical and obvious as such a decision might seem at present, it was not always that obvious to anyone. There is a very interesting development curve to this decision. As mentioned above, the Indian Independence (International Arrangements) Order mentioned a Partition Council meeting was held on 6th August 1947. It was at this meeting that those terms were agreed upon, on the basis of which this Order was drafted.

The agenda of this crucial meeting of 6th August was "The juridical position regarding international personality and treaty obligation." Among those present at this meeting were Lord Mountbatten, Jinnah, Sardar Patel, Dr. Rajendra Prasad and Lord Ismay. At the meeting, primarily three things were discussed. First, Mountbatten asked Pakistan to apply for a fresh membership to the UN before 10th August so that the application could be considered for the September session of United Nations. Mountbatten offered to forward the application which would in turn have to be ratified by the Government of Pakistan after 15th of August. This was accepted by the members representing Pakistan. Second, Lord Mountbatten pointed out that there would be a "grave objection to India's national identity being extinguished by reasons of the partition." This, he said, would create an awkward international precedent, whereby states might borrow in excess and then go through a formal partition and then relinquish obligations towards the debt by claiming that neither of the divided country was responsible for the debts incurred before partition. To this

end, he said that the HMG "welcomed *India's offer* [emphasis added] to take over the international obligations and liabilities of the country as they existed on 15th August and expressed the view that this would not affect Pakistan's stature". Third, it was agreed that the treaties that run with the land would devolve only upon the Dominion concerned. However, Pakistan did try to put forward its point of view that both the Dominions should "assume all international obligations and enjoy all rights arising out of treaties and agreements negotiated by the existing Government of India or by H.M.G acting on behalf of the Dominions overseas." This would have given Pakistan the practical advantage of not having to negotiate fresh treaties (Transfer of Power 1983: 548).

Mountbatten, however, seemed non-committal to such a view point and requested Mr. Cooke, who was the Constitutional advisor to come up with a formula that would meet the case of both concerned sides. The decision reached at this meeting was that whenever such a formula would evolve, it would be placed before the Cabinets of India and Pakistan for their approval.

As logical as the reason given above (of strong financial consequences as a result of international identity of a nation being extinguished) might sound for India to continue with British India's treaty obligations, it curiously did not seem to exist when the British policymakers were originally considering implications for India to carry on with British India's financial obligations.[38]

Interestingly, for an important decision like the one mentioned above, archival evidence tracing the trajectory of this decision tell a rather haphazard story. It was never a foregone conclusion that India should indeed continue

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[38] Reference to these financial obligations in fact makes an appearance primarily in a memorandum by V.P. Menon on this subject. He was making a case for India to inherit the international personality of British India and this was one part of the many different examples he quoted. Mountbatten sent copies of this memorandum to London. However, except for Mountbatten himself who referred to this rationale often; it did not seem as if others in HMG were particularly concerned about this memorandum or what was written in it (British Library 1947, June 12).

with treaty obligations of the British government even within the British government.

Indian leaders, particularly Nehru, were the only set of players in this game who were actively aiming for continuing with treaty obligations or more importantly, continuing with British India's international identity.

The rift between India and Pakistan over who would inherit British India's international status began to surface in a meeting called by the Viceroy on 5th June 1947 at New Delhi. The idea was that leaders of both the Dominions discuss details of partition as envisaged in the new plan for independence. They were particularly discussing a paper titled "The Administrative Consequences of Partition" which had been given to the Indian leaders on the meeting held on 3rd June 1947. Amongst the people present at this meeting were Pandit Nehru, Sardar Patel, M.A. Jinnah and Liaquat Ali Khan. Nehru pointed out that he did not agree with a provision in the paper that called for a division of staff and records of the Central Civil Departments. Nehru further clarified that he was raising this objection because according to his understanding, there was an existing entity of India and that certain portions were seceding from this entity hence the seceding parts should build their own government and the function of the Government of India should continue as it always did. Jinnah countered this opinion and said that the starting point for him was completely different; as he saw it, it was "not a question of secession, but of division." (Transfer of Power 1982: 137).

Nehru's view caused considerable panic with the British administration in India, because they realised that this difference in understanding had the potential to be a major road block in the whole process of transfer of power. The more crucial point, however, at this juncture, was that the British government was not convinced of Nehru's view point, and their own understanding tended to wean more towards what Jinnah was arguing.

Immediately after the meeting a telegram was sent to London to ask for advice on the matter because Nehru's view was that "Hindustan[39] will succeed to India's position as an entity in international affairs and will be represented automatically at U.N.O." However, HMG's view at that juncture was "that two new states will be created and that neither of them can claim to be India." (Transfer of Power 1982: 144).

This was not the only time this matter was referred to London for advice; even Mountbatten himself wrote to Secretary of State on 9th June 1947 referring to the telegraph mentioned above and asking for expert advice on this matter (Transfer of Power 1982: 119-220). There was, however, a very important aspect that Mountbatten conveyed to the Secretary of State in connection to this issue. Mountbatten felt that Jinnah was only trying to damage prospects of Hindustan by objecting to Nehru's interpretation that Hindustan would succeed to the international position of India. Mountbatten then went on to ask for expert advice on two specific issues; first, what would be the possible advantages to Hindustan if Jinnah's view was to be accepted of two new states being created? Second, Mountbatten also wanted to know the possible advantages for Pakistan if such a view was adopted.

Mountbatten then proceeded to give his own view on the issue and claimed that H.M.G was likely to meet with "far greater difficulties from Congress if we oppose their view than from the League if we follow the Congress suggestion." He further highlighted that since Pakistan after partition was likely to at the most contain just 70 million of the entire population of India, then in such a scenario he felt that it would "solve many difficulties" if the rest of India was to "take over all the International obligations of the present government of India". Mountbatten also pointed out that "all the

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[39] Hindustan is a term that the British officials in their official correspondence would use to distinguish it from Pakistan. The Indian leaders did not like this name and preferred to call it India (Transfer of Power 1982: 288). Congress's insistence that the Dominion of India be called India and not Hindustan irked the Secretary of State a little, who thought that it would "entail much opportunity for confusion" while writing the Draft Bill (Transfer of Power 1982: 347).

Diplomatic Representatives of India are nominees of Nehru", and that he believed that this view was also supported by the President of the Board of Trade (Transfer of Power 1982: 220).

Hence, what Mountbatten was essentially saying is, the question of who was a successor state to British India seemed like a very important issue as a matter of principal for Indian leaders whereas as far as Pakistan was concerned, Mountbatten felt that Jinnah's stance seemed to come more from the position of creating trouble for India rather than really being concerned about the actual interpretation of how many new states were created or that who would be the successor of British India. The whole scenario increasingly seemed like a game of one-upmanship between India and Pakistan. Lord Mountbatten's reading that ultimately Pakistan was not too bothered about the question of secession or inheriting the international identity of India, was also based on his interactions with Liaquat Ali Khan. Mr. Khan categorically told Mountbatten that the "Muslim League did not want to argue about words. All that concerned them was that they should be assured of a share, in the assets and likewise the obligations, of the Government of India." (Transfer of Power 1982: 288). In other words, Mr. Khan claimed that he was a "realist" and the only thing that he was concerned about was a "fair proportionate divisions of assets and liabilities." (Transfer of Power 1982: 394)

Mountbatten's reading, that Congress took the issue of who would be the successor of the international personality of India very seriously, did not seem baseless though. Nehru did appear to be getting increasingly obsessed with the whole question of who would be the successor state to British India. He wrote to Mountbatten on 7th June 1947, in the hopes of getting access to the draft of the Independence Bill[40] primarily to ascertain that nothing in the language of the bill should betray this understanding of the Dominion of India

[40] The first draft bill of the plan for transfer of power was actually called "Indian Dominions" (Transfer of Power 1982: 362) and not a Independence Bill as it was later called. Churchill it seems was not happy with this change and had conveyed his displeasure to Attlee (Transfer of Power 1982)

being the successor state to India (Transfer of Power 1982: 220). However, making a request to see the draft of the bill was not a trivial matter; Mountbatten himself did not have the authority to give it and had to write to London to secure their permission for it (Transfer of Power 1982: 219). Authorities in London were sceptical of such a move and initially denied permission (Transfer of Power 1982: 260).

Mountbatten, however, was adamant and wrote another telegram to the Secretary of State to convince them to show a copy of the bill to the Indian leaders (Transfer of Power 1982: 318). The Secretary of State was still not convinced and feared that showing the Bill to the Indian leaders might derail the entire enterprise; H.M.G in any case barely had any time to get the bill passed in the British Parliament. The Secretary of State suggested that instead of the actual draft of the bill a detailed memorandum should be prepared which will convey the different provisions of the bill. He then realised that this could possibly create more confusion and subsequently settled on allowing the Viceroy to convey the main provisions of the Bill to the Indian leaders only orally that too only after the Bill had been approved by the India and Burma Committee (Transfer of Power 1982: 377-378). Finally, it was agreed that the bill could be given to the Indian leaders; however, it was the second draft[41] of the bill that was finally shown to the Indian leaders on 1st July 1947 (Transfer of Power 1982: 779) and that is how Nehru finally had the chance to comment upon it and scrutinise each and every syllable of it.

Tucked away in the V.P Menon papers at the Nehru Memorial Museum and Library is a fascinating document[42] that gives details about Nehru's comments on the draft bill (NMML,V.P Menon Papers). This document was prepared by the Congress Committee and spelt out their comments on the Draft Bill; however, this document does have handwritten remarks written on

[41] It seems highly unlikely that Indian leaders ever had official access to the first draft of the bill. It could not be ascertained if they saw it unofficially.

[42] This document had been initialed by Nehru himself on 3rd July 1947.

the margins by Jawaharlal Nehru. Although an important document in its own right, what is truly remarkable about it is how the Congress Committee and Nehru seemed adamant about commenting on even the smallest of clauses that could directly or indirectly challenge the idea of India being the successor authority to British India.

Even before the documents delves into their comments on each and every section of the Draft Bill, it has a section named "Form of Bill" that is primarily dedicated to highlighting the idea that the "new Dominion of India would contain the international personality of the existing India." According to the Congress, this point mentioned above was "so vital that all avoidable doubts should be removed"; hence, the primary preoccupation of the Congress at this juncture seemed to be ensuring that no clause or use of language in the Draft Bill should even remotely threaten this idea (NMML, V.P. Menon Papers).

To this effect, the Congress Committee objected to the use of the term "new Dominions" as it might "create doubts as to whether even the Dominion of India is anything more than one of the new fragments and whether as such it can continue to represent the old entity". To avoid any possible doubt of this nature, the Congress Committee recommended that there should be two separate Bills; the first draft should create the Dominion of India to consist of the whole of existing India excluding the "Pakistan Provinces and such of the contiguous Indian States as may accede to Pakistan." The Second Bill according the Congress Committee should create the Dominion of Pakistan consisting of the excluded territories (NMML, V.P. Menon Papers).

The Committee mentioned that considering a paucity of time, two Bills might not be feasible at this stage and hence, as an alternative, they suggested that "the single act now being passed should be divided as soon as possible into two separate Acts" This, they suggested, should be done in the same manner as in 1935 the Government of Burma Act was separated from the Government of India Act. These two Acts were passed as a single measure in

August 1935 and then later split in two in December 1935 (NMML, V.P. Menon Papers).

However, from the point of view of this doctoral study, the most important aspect of this document is the insistence of the Congress Committee to insert a provision in the Bill that would explicitly state that the "rights and obligations of India under any treaty or agreement with Foreign States shall as from the appointed day become the rights and obligations of the Dominion of India". The only exception to this that this document envisaged was those obligations which by their nature, can only be performed in territories outside the Dominion. Such a provision they further insisted "will, incidentally, contain the assurance which H.M.G apparently desire on this behalf (NMML, V.P. Menon Papers).

Hence, it can be clearly seen that the Congress indeed conveyed in no uncertain terms that they wanted the Dominion of India to inherit the international personality of British India and that they further insisted that all the rights and obligations of international treaties should also devolve on the Dominion of India. It was an extremely sensitive matter for the Indian leaders and Mountbatten was quick to perceive the gravity of the situation based on his interactions with the Indian leaders. Almost two weeks before the above document was written, Mountbatten in an official telegram had warned the authorities in London that this was indeed a matter of "prestige" for the Indians and was so important that it virtually had the potential to derail the entire process of transfer of power (Transfer of Power 1982: 394-395).

The officials in London during the meeting of the India and Burma Committee took the Viceroy's advice seriously and agreed to the Congress's interpretation of the future international status of India (Transfer of Power 1982: 480). However, the Committee also took into account Liaquat Ali Khan's concerns and decided to ensure that an equitable division of the assets should be ensured. The Secretary of State drew attention to this aspect of the Committee's decision in his telegram to the viceroy because HMG did not

want a situation wherein Pakistan is left in the lurch. This was because if Nehru's interpretation was agreed upon, then a situation could arise in which the assets of British India might pass on solely to the Dominion of India (Transfer of Power 1982: 523). However, Mountbatten had assured HMG earlier only that both Nehru and Patel were open to the idea of a fair distribution of assets and liabilities (Transfer of Power 1982: 395).

The British Side of the Story:

The section above clearly shows that the British overall were in favour of India's interpretation of continuing with the international personality of India and hence agreeing to abide by the treaty obligations undertaken by the British Indian Government. What however has to be realised is that by doing so the British were not being particularly magnanimous but instead this option was convenient for them too and in fact was an answer to their own problems.

As the situation was increasingly getting clear by the end of the Second World War that Indian independence would soon need to be granted, HMG was faced with the potential problem of different countries demanding that Britain should still honour their treaty obligations. HMG did not want to be in this situation and was looking at various options to get out of it. Documents from the British Library show the trajectory of this decision making process clearly.

The document trail of this aspect of British policy starts at 19th March 1946, with a paper prepared by the legal adviser of the foreign office- W.E. Beckett. In connection with the Cabinet Mission's visit to India, this paper was prepared on the request of Sir David Monteath who was the Permanent Under-Secretary of State for India and Burma. There were two questions that this paper addressed; first, the extent to which extant treaties towards foreign states would devolve on the future government of India. Second, if any action was required to be taken in this manner then what should such an action be. It is important to highlight here that the scope of this paper extended to treaties

made by all kinds of British authorities in India over time. Hence, treaties entered into by East India Company, the Crown, the Government of the United Kingdom and the Governor General of India all fell under its purview. (British Library 1946, March 19)

This paper made an extremely important legal distinction of treaties signed before 1919 and of treaties signed after that year. The rational for this distinction was that by being an independent signatory to the Treaty of Versailles and an original member of the League of Nations, India came of age legally on similar footing as that of Canada and other Dominions. Hence, the paper claims that India became "from the point of view of international law a separate legal person". This legal position the paper claimed was valid in terms of international law even though India was constitutionally not independent and hence not free to conduct her foreign affairs which were still conducted by the United Kingdom. Hence, the paper claimed that because India has been a part of this family of nations on its own since 1919 and has been observing these treaties as binding on itself, then it cannot claim to rid itself of these treaty obligations merely on account of any the internal constitutional change in the future. Hence, according to this paper treaties signed after 1919 would be binding on India, irrespective of its status as an independent nation. (British Library 1946, March 19)

The next set of treaties that demanded attention then, were treaties that were signed before or after 1919 but solely in the name of the British Crown or in the name of the Government of United Kingdom and not the Government of India. To these set of treaties the paper offered a highly convenient albeit a rather convoluted answer- since irrespective of who signed the treaty and in whichever party's name the treaty was signed, the fact that India has been adhering to it for 25 years after she gained her independent status (in international law) will remain binding on her and she will find it difficult to denounce such obligations. The paper further quoted Oppenheim to state that

certain treaties that "are locally connected with the part of the territory" always pass to the successor irrespective of the kind of succession.

However, the most important point that this paper made was, that to avoid all doubts; the parties concerned (in this case India and the United Kingdom) should enter into a separate agreement with each other to reiterate that all treaties would be observed specially those treaties that have a territorial or local application. The paper further warned that if this is not done then a situation could arise where in the United Kingdom would be danger of "receiving claims and complaints from foreign states which it would not be in a position to satisfy."

The paper also raised the fear that it is possible that the future Indian Government "might possibly be activated by a wish to assert its new independence by stressing its freedom from everything that the Government of the United Kingdom had done for it in the international sphere before." In such a situation, the paper conceded, that arguments solely based on international law might not be sufficient, especially in a situation where international law itself is by "no means one of the clearest. Hence, the paper concluded by reiterating that an agreement with India clearly specifying the treaty that it would continue to observe would be the best way forward (British Library 1946, March 19).

The first part of this paper stressing on the application of international law was so obviously simplistic in its approach that no one in HMG ever bothered to follow it as their official approach on the question of devolution of treaty obligations on India. However, the last part of the paper that called for an agreement between the countries concerned seemed feasible and also tangible to HMG. They started considering this as a viable option and in the documents that follow pursuance of this policy seems to stand out.

Almost a year after this paper was written, i.e. on 3rd March 1947, a meeting was held at the Foreign Office to discuss various provisions to be

included in a treaty or a Schedule of International Instrument that might be attached to it, so that treaties concluded by HMG in India's name could devolve on India alone after the transfer of power. It was chaired by W.E. Beckett, the same gentleman who had written the paper mentioned above on the legal aspects of treaty obligation for India (British Library 1947, March 3a). In this meeting, largely preliminary aspects of designing such a treaty were discussed. They put together a very rough draft of a treaty and in keeping with Beckett's distinction of treaties signed before and after 1919, it was decided that a list for two categories of treaties should be prepared. In category 'A' would be those treaties that were signed before 1919, and in category 'B' those treaties were to be included that were either signed before 1919 or those treaties that were concluded by HMG with other nations but which had a specific application for India. Interestingly, the officials at this meeting decided to leave the "special question" of the relations of India and the United Kingdom with Tibet to be dealt with in correspondence with the India Office and Foreign Office.

On 1st April 1947, a memorandum was prepared by the Secretary of State on the issue of dealing with matters, that would arise out of the process of transfer of power (British Library 1947, April 1st a). In this memo, the Secretary of State largely reiterated the views expressed above and concurred with the foreign office that a treaty with India should be secured so that India abides by all the treaties with Foreign States concluded by the Crown, HMG or the East India Company. Of special importance were those treaties that were signed before 1919. He stressed the fact that in the absence of "such an undertaking, diplomatic claims and political difficulties of a grave character are likely to arise placing H.M.G in a most difficult position". This, he explained, would happen because affected foreign states would hold HMG responsible for being unable to "secure formal acceptance of the obligations by the new India authorities." Interestingly, this memorandum was written with the assumption that India would not remain within the Commonwealth (British Library 1947, April 1st a). To delineate the issue arising out of India's

exit from the Commonwealth, the Secretary of State wrote another memorandum (British Library 1947, April 1st b). This memo dealt with the questions of the nationality of different British subjects in case India left the Commonwealth and explored different recourses that the UK could take.

On 2nd April 1947, both these memoranda by the Secretary of State were considered at the meeting of India and Burma Committee (British Library 1947, April 2). At this meeting they considered the feasibility of starting negotiations with India over a treaty that would cover the issues arising out if the transfer of Power. To this extent the Secretary of State pointed out that they could possibly negotiate such a treaty with the Constituent Assembly, Interim Government or Central Legislature. Given the communally unstable situation in India at that juncture, they were not sure if formal negotiations could be started. However, they did consider the options of having informal discussions with members of the interim government. They decided against the Viceroy or the High Commissionaire of the United Kingdom in India undertaking such negotiations and instead settled on sending out a special team for this purpose. These were provisional views and the Committee decided to consider the matter again in the next meeting.

The next meeting of the India and Burma Committee held on 2nd May 1947 in London was an important one. In this meeting, this question was considered again; however, this time the committee changed its tune. Instead of securing a treaty with India that would have ensured that India undertook to carry on with different treaty obligations, the committee decided in favour of notifying the foreign states with which they had treaties that HMG now would no longer be responsible for fulfilling those treaty obligations since these obligations could now only be fulfilled by Indian authorities. The Committee thought that this would provide "adequate protection against claims by foreign Governments against His Majesty's Government." Hence, the Committee concluded that it was up to India to decide in what manner and to what extent it would want to fulfil these international obligations and that "it would be

inadvisable to include any general provision on this matter in the treaty." (British Library 1947, May 2)

The reasons for this bizarre departure was a fear in the minds of the British officials that in case India is asked by HMG by way of a treaty to adhere to its treaty obligations, then there was a possibility that India could have claimed that these rights and obligations also extended to the princely states of India. Hence, in other words, Paramountcy over the Indian Princely States would have shifted from the British Government to the independent Indian Government.[43] This was a situation that HMG wanted to avoid at all costs. They were very clear from the beginning that after British rule ended in India; Paramountcy over the princely states would also lapse and would not be transferred to India (Transfer of Power 1982: 376).

However, this digression of HMG from their earlier policy turned out to be short lived. As it turned out, when the Committee meeting of 2nd May was held, it was held without a representative of the Foreign Office. Further, it was held in the presence of a new Secretary of State, Earl of Listowel who had assumed office on 17th April 1947. This meant that the earlier memoranda on this subject were actually written by his predecessor, the Lord Pethick-Lawrence.

The Foreign Secretary in London frantically wrote to the new Secretary of State on 3rd June 1947 and requested Earl of Listowel to convey to the Committee (of which Prime Minister Attlee was the Chair) to reconsider their decision and explained to him that the decision taken by the previous Secretary of State was based on the legal advice by the Foreign Office. He further stressed that the Foreign Office was still of the opinion that getting an assurance from the new Government in India in the form of a treaty to adhere to obligations with respect to other foreign states was absolutely essential in safeguarding the interest of the British Government (Transfer of Power 1982: 103-104).

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[43] Nehru indeed held this view (Transfer of Power 1981: 718)

As it turned out, the new Secretary of State shared the concerns of the Foreign Secretary and in his memorandum on 13th June 1947, he stated that HMG perhaps had given disproportionate consideration to the question of India getting a chance to claim Paramountcy over the princely states. He explained that since agreements with the Princely states were convened under the suzerainty of the British Government, they could not be considered as treaties concluded with sovereign foreign states and hence, independent India could not lay claim to those rights and obligations (Transfer of Power 1982: 375-376). Hence, India could only be expected to carry on the treaty obligations of only those treaties that were concluded with sovereign states.

The Secretary of State further strongly recommended, that in line with the argument of the Foreign Secretary, HMG must ensure that a treaty is entered into with India that would ensure that India respects the obligations of various treaties signed by the Crown, HMG or the East India Company, especially those treaties which by their very nature can only be convened by the Government of India. The Secretary of State further noted that since transfer of power would now take place sooner than anticipated, there might not be time to conclude a treaty of this kind with either the Government of India or the Government of Pakistan. In such a situation, the Secretary of State urged that HMG should instead try and get some sort of an official assurance from both the future states that they would abide by treaty obligations of relevant treaties (Transfer of Power 1982: 376). This view of the Secretary of State was officially endorsed by the India and Burma Committee meeting held on 17th June 1947, and hence with this HMG officially reverted to their policy of seeking a formal assurance from India of adhering to treaty obligations (Transfer of Power 1982: 481).

At this juncture, HMG was in a comfortable position. They already had a very willing partner in their endeavours in the form of the future Dominion of India. With Indian leaders insisting that they were the rightful successors of the international personality of British India in the world, potential diplomatic

work of HMG had considerably reduced. Now all that remained was to get a formal assurance from the Governments of India and Pakistan on the lines mentioned above. The Secretary of State wrote to the Viceroy in India asking him to ascertain from the Indian and Pakistani leaders whether they would be ready to give an assurance of the kind that the HMG now sought. Even though the Secretary of State was reasonably certain that getting such an assurance would not be an issue he nevertheless wanted to ensure it. The Secretary of State was aware that even though at one level it could be legally argued that with India taking on the personality of British India, all treaties would then naturally become an obligation of the Government of India.

However, the foreign department and the Secretary of State realised that a recourse to international Law might not be a fool proof plan and in any case it would leave those treaties in a legal grey zone that could not be a concern of the Indian Government by virtue of its geographical location i.e. treaties that would have exclusive implication only for the future Dominion of Pakistan. Since only India was a successor to British India's international personalities and not Pakistan, hence, strictly speaking, such treaties would then not automatically devolve upon Pakistan by definition. Therefore, it was considered imperative by HMG that a formal assurance from both the future Dominions would have to be obtained (British Library 1947, June 24). The Viceroy conveyed to the Secretary of State that he agreed with his views and that there should not be any problem in obtaining the kind of assurance that HMG was looking for (British Library 1947, June 26).

However, the Viceroy spoke a little soon; Muslim League leaders categorically denied accepting the interpretation that the Dominion of India would inherit the current international personality of India.[44] They were very adamant about it and even conveyed to the Viceroy that they would withdraw

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[44] This attitude of the Muslim League was at a sharp variance from what Liaquat Ali Kahn had conveyed to Mountbatten before. At that time Liaquat Khan had indicated that he was more concerned with an equitable distribution of assets rather than arguing over who inherits the UNO membership (Transfer of Power 1982: 288).

their acceptance to the plan for the transfer of power if HMG insisted on such an interpretation of the legal situation (British Library 1947, July 2). The Secretary of State in his reply to the Viceroy reiterated that it was imperative that the Muslim League accept this legal position or else the situation will prove to be more detrimental for Pakistan than it would be for HMG. He mentioned that HMG had started receiving requests from the North West Frontier Province, that in addition to joining India or Pakistan they should also be given a choice of remaining independent or joining Afghanistan. The Secretary of State mentioned that HMG on their part had been denying such requests by claiming that the area in question was an integral part of India by force of the Anglo-Afghan treaty of 1921. Hence, the Secretary of State urged Mountbatten to convey to the Muslim League leaders that if they denied taking on the treaty obligations of HMG as part of the plan for transfer of power then Afghan claim would unnecessarily gain credence. This would be detrimental to Pakistan's own interest (British Library 1947, July 5).

The details of what the Viceroy conveyed to the Muslim League leaders are not very clear. However, what is clear is that at the crucial partition council meeting of 6th August 1947, Muslim League leaders did not raise their objection and agreed to the interpretation of HMG even if a little reluctantly (Transfer of Power 1983: 547-548). This meeting was important because it formed the basis of 'The Indian Independence (International Arrangements) Order 1947'.

Implications for Foreign Policy:

India's obligations to British Indian treaties had been part of various orders that were agreed to by the Indian and Pakistani leaders at the time of independence. As A.G. Noorani (2015) remarks, it was open to the Indian leaders to follow the Irish model but they chose to follow the Canadian model instead. The answer to the question of why they chose to do so is critical. The British government was definitely keen that the agreements should be devolved on India and Pakistan. Another important point to keep in mind is

that the British did not just disappear on the 15th of August but *transferred* power to two Dominions. Comparing the Indian independence to the Burmese independence based on a reading of the Burmese Independence Act, Noorani (2015:6) writes, "Power was relinquished; it was not transferred." This is a subtle difference but ironically one which actually makes all the difference.

India agreed to abide by treaties signed not only by the British Government before them but, also those that were signed by the East India Company as far back as 1792. In terms of international law an important aspect is applicable here. Political treaties do not necessary devolve on successor states; however, "the ones which pertain to boundaries run with the land" (Noorani, 2015:6).

This could answer the question, implicit in Toynbee's statement, when he claimed that "It is queer that lines drawn by British officials should have been consecrated as precious national assets of the British Indian Empire's non British successor states" (Toynbee 1961:190). This for Toynbee was an "unfortunate turn of History's wheel."

In hindsight, many scholars like Maxwell (1970) do blame India's insistence on sticking with British boundary agreement, especially in the case of Tibet, as a major cause of the problems between India and China. However, what a reading of international law and the devolution agreements tell us is that India was not sticking to boundary agreements in a misplaced sense of nostalgia as Toynbee's statement might suggest. It should also be pointed out that simply the act of adhering to treaty obligations in itself has no causal efficacy, it just forms an important starting point.

A crucial problem, related to this is how India interpreted the treaties that it chose to oblige to. The tone of the Sino-China conflict was set more by the way in which India and China interpreted these agreements. However, that forms part of a different discussion. The aim presently is to point out that the act of upholding treaty obligations of the British (for all boundary treaties and

not just the Tibetan ones) had been taken considerably before the problem and under totally different circumstances. Expressed differently, the 'moment of choice' for the Indian leaders to uphold treaty obligations came in 1947 at the time of independence and not when the problem started taking shape in the 1950's. The actual implication for Indian foreign policy as a result of adhering to treaty obligations will be discussed in the next chapter.

Conclusion:

Heimsath and Mansingh (1971) argue that India had a choice of breaking away from its colonial past, and it still did not opt for a clean break. In any act of choosing, an entity is indeed exercising its autonomy. It is important to understand the kind of importance the concept of the Commonwealth of Nations had in British eyes (Collins, L and D. Lapierre 2015). It was viewed as a way to hold on to their Empire, without actual territorial possessions. Britain imagined a scenario wherein their former colonies would on their own accord and willingly agree, to be part of a notion called Commonwealth; which would primarily include owing allegiance to the British Crown. In dramatically changing international norms, the British thought of it as a respectable way of hanging on to some fundamental benefits of an empire, without the criticism or material costs of running and defending an empire. The Commonwealth as a concept was attractive for the British to safeguard their strategic interests around the world. This could explain the great interest that they took and the effort that they put into making sure that most of their former colonies and India specifically remained part of the Commonwealth after independence.

As regards the devolution agreements; it is fairly obvious why the British wanted India to continue with their treaty obligations- it was a matter of convenience for them. There is also adequate proof to suggest that Indian leaders were very adamant about wanting to be the legal heir of British India with respect to its international status. However, what is not very clear is *why* Indian leaders wanted it to be so. As was mentioned above, there were clear

monetary reasons for such an insistence, in terms of India's public debt. There could also be very obvious convenience in continuing existing treaties and not having to re-negotiate everything after 15th August 1947. However, Mountbatten seemed to suggest that it was also a matter of 'prestige' for the Indians. He does not elaborate any further on it, though before one jumps to hasty conclusions, it should be noted that it was not really prestige associated with continuing the British legacy but (from what can be inferred from the documents) more of a contest with Pakistan that the Indian leaders wanted to win. Nehru specially seemed rather adamant about ensuring that independent India took on the entity of British India, and hence Pakistan by extension would then be seen as a seceding state. In the absence of a concrete document delineating the *reasons* why Indian leaders fought to acquire the International personality of British India, one can only speculate. Perhaps a fear that Indian leaders had at that time was that if British India really was to disintegrate into two new states then legally India as a nation would cease to exist.[45] This would have been against all the ideals of the freedom struggle. What was the point of winning a long fought freedom from British rule if at the end of it India as it existed for centuries ceased to exist as an entity? By being a successor state and agreeing to honour all international agreements made by the British Indian government, the leaders ensured that what happened on 15th August 1947 was merely a *transfer* of power and in the process, the international entity that was known as India continued to be known as India.

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[45] This inference is based on Extracts from Viceroy's Staff Meeting held on 10th June 1947. Mountbatten recalled that Nehru told him that the only basis, on which he would agree to Pakistan's formation, was on an interpretation that certain provinces were *seceding* from India. Mountbatten further claimed that "Pandit Nehru had always stressed the continuity of India as such Meeting" (Hartley Library 1947, June 10). A similar idea was also conveyed in 'After Partition', a book that was published by the Ministry of Information and Broadcasting (Government of India 1948).

CHAPTER 5

AFTER INDEPENDENCE

Continuities in Indian Foreign Policy: Treaty Obligations and Commonwealth Membership

This chapter seeks to understand the reasons for continuities in Indian foreign policy and its implications. A radical departure from colonial foreign policy would have been expected but not actually observed. Academically (methodologically) speaking, then this departure offers an interesting case to study the various forces at work for such a continuation in foreign policy. This has important theoretical implication and in the context of the present study offers a hard test for neorealism and its central ideas.

In a study that offers to examine the foreign policy of independent India before and after independence, the word 'continuity' then would have two implications. At one level, a particular foreign policy could be said to have 'continued' merely by tracing its roots (ideas or implementation) to a period before August 1947. In such a case, there will be two sets of such continuities in the Indian case. One set of policies would be those that trace its origins to Congress' thinking of foreign policy before independence. The other set would be where British Indian policy continued after independence.

Indeed, both policies are valid and even observed. As an example of the first set of policies, one can argue that the policy of nonalignment and strong ties with Soviet Russia are two important features of independent India's foreign policy that can trace its roots to Indian National Congress' ideas on foreign policy. On the other hand, close and continued association with the Commonwealth of Nations and most importantly, agreeing to abide by British India's treaty obligations are some very tangible legacies of the colonial foreign policy. After years of ideological opposition to imperialism

and after being subjected to centuries of colonial rule, one does not expect a newly independent country to so voluntarily continue with the policies of its colonisers and honour its commitments with respect to other neighbouring nations. Hence, knowing the reasons behind such continuities becomes crucial and demands academic attention. The first set of policies is expected of a newly independent state; the second, however, is not. These were no minor continuities but massive policy decisions that informed Indian foreign policy for decades thereafter and in some ways still do, especially with respect to its immediate neighbours. In the current scenario of world politics, it might be difficult to imagine the Commonwealth as ever being a potent political force; however, as it would be shown in this chapter, at the time of Indian independence it indeed was a very important foreign policy decision that gave a steady platform to newly independent India to navigate world politics.

It is in fact argued in this study that these two features of Indian foreign policy, i.e. Commonwealth membership and adhering to treaty obligations, indeed tipped the scale of continuity in favour of British Indian foreign policy. Many subsequent foreign policy decisions in some way or the other can be traced back to this original point of departure. Consequently, this chapter seeks to understand continuities of Indian foreign policy with respect to British India's foreign policy. The previous chapter showed the circumstances under which India joined the Commonwealth as a Dominion and it also showed how Indian leaders actively sought to take on the personality of British India in the international sphere and also agreed to abide by the consequent treaty obligations. This chapter would map out the implications of those two decisions for Indian foreign policy. Additionally, another important part of the analysis would be to study the implications of these continuities for neorealism.

Keeping these objectives in mind, there are primarily three sections to this chapter. The first section gives details of India's membership to the Commonwealth. India's membership to the Commonwealth as a Dominion at

the time of independence is explained in the previous chapter. In this chapter, focus would be on explaining the manner in which India was accommodated in the Commonwealth as an independent republic and how India used this platform to navigate world politics immediately after its independence.

The second section of this chapter deals with the aftermath of accepting treaty obligations at the time of independence. In this section, the complications arising out of the Simla Convention of 1914 would be given specific focus. In most cases, India's immediate neighbours accepted the continuation of status quo under independent India; however, both Tibet and China challenged this status quo from the very beginning. The focus here would be on a time period of a few months immediately before and after the transfer of power in India. The details of this diplomatic exchange are interesting in its own right and also offer interesting implications for neorealism in terms of the balance of power in this region at the time of independence.

India and the Commonwealth Membership:

The first prominent theme that emerges in this study is the Indian relation with the Commonwealth and the politics behind India joining the Commonwealth of Nations. As a British colony, India even before independence was a part of the British Commonwealth of Nations, but as a colony. The point, however, was to decide whether India, especially after independence, wanted to continue this association or not.

As shown in chapter three, during the nationalist movement, the Congress leaders did not share any widespread consensus on the issue though what can be said is that the scales overall tipped in the favour of the group within the Congress that advocated disassociation with the Commonwealth. Nehru was a prime figure in this camp along with many other leaders of strong Socialist leanings. The side that advocated strong ties with the Commonwealth, retention of Commonwealth membership and even an

advocate of a Dominion status for India in the initial phases of the independence struggle were the Liberals in general but more specifically, they had a leader with a larger-than-life stature amongst their ranks, and that leader was none other than Mohandas Karamchand Gandhi. His presence in the pro-Commonwealth camp ensured that it remained a credible force to be reckoned with within the Congress (Keenleyside 1966).

Most of the Congress' opposition to the Commonwealth and retaining its membership seemed to stem from ideological opposition to it. For Nehru, becoming a truly equal member of the Commonwealth would have always remained a farce (Nehru 1927). Most of the liberals were in favour of retaining the Commonwealth membership and closer ties with the British people. The point of difference between them was on the question of whether India should have the right to leave the Commonwealth at will or not. As time passed, however, voices against the Commonwealth association became stronger. The Muslim League under Jinnah advocated closer ties with the Commonwealth and it could be seen that on more than one occasion he tried to use it as a bargaining tool to win some concessions for himself from the British for his cause of a separate nations for the Muslims of India (Hartley Library 1947, March 28).

The question that then arises is that how could Jinnah use the promise of a Commonwealth membership as a bargaining chip with the British? The answer to this question, as shown in the previous chapter, lies in the fact that the British took the idea of a Commonwealth of Nations rather seriously. They wanted a situation where all former colonies of the British Empire voluntarily joined the Commonwealth. At the time of independence, Dominion status was granted upon both India and Pakistan and that Dominion status came with a compulsory membership to the Commonwealth. The crucial point here though was that the British government conveyed that both India and Pakistan were free to terminate their membership to the Commonwealth once their own constitution were ready and they were prepared to take full charge of their

respective governments (Hartley Library 1947, May 22). The British Government obviously hoped that both the Dominions would continue their full memberships to the Commonwealth. It is in this expectation of the British that Jinnah tried to extract the maximum concessions for himself and his cause.

India accepted a Dominion status in 1947 to gain independence and eventually retained it even after its constitution had been made and it relinquished its Dominion status to become an Independent Republic. This, on the face of it points towards obvious continuities with the British legacies even when the Congress opposition to it had been strong during the nationalist struggle. However, this simplistic picture gets complicated when one realises that India did not blindly join the Commonwealth out of any pressure but after carefully negotiating its own deal with the British. This deal Nehru had started negotiating during the time of Indian independence itself, when he refused to owe allegiance to the British Crown which at that juncture was a defining feature of the Commonwealth. He conveyed very early on to Lord Mountbatten that if India was to join the Commonwealth it could not owe allegiance to the Crown; the psychological ramifications would have been too great for a country just emerging after almost two centuries of foreign rule (Hartley Library 1947, May 10 b). Even at that juncture, Mountbatten urged his colleagues in London to think urgently for a solution to this to facilitate India's membership to the Commonwealth.

Once India's constitution was ready it chose to become a republic but the rules of the Commonwealth would not have accommodated a republic. However, Britain changed the Commonwealth rules to let a republic nation become a Commonwealth member; this had been unprecedented. To accommodate British concerns, it was decided that India would recognise the British Monarch as the head of the association of Commonwealth and did not need to owe an allegiance to the British Crown. This step by India opened up the doors for many other British colonies to be part of the Commonwealth and

this contributed greatly to Commonwealth's diversity. Else before this, the Commonwealth of Nations was heavily skewed in favour of white nations (Heimsath and Mansingh 1971).

Nehru's Handling of the Politics behind Commonwealth Membership:

India's decision to join the Commonwealth as a Dominion in 1947 and remain part of it in 1949 is a complex saga that reveals many interesting aspects of Indian foreign policy making. Joining the Commonwealth was considered a major foreign policy decision of independent India. It was not very popular and was often attributed to Nehru's personal affinity for British culture. A careful analysis of archival sources, however, reveals a slightly different picture.

Nehru (1927) was against the idea of India joining the Commonwealth, claiming that it would not resonate with India's moral fibre. He knew that for India being a genuinely equal member of the Commonwealth would always remain a farce. He seemed to have maintained this opinion subsequently also and did not seem to alter it substantially even though there were other members of the Indian National Congress that were in support of a Commonwealth membership and this included Mahatma Gandhi. Nehru was always in favour of close ties with the British people but for him Commonwealth membership was not a viable means to attain that goal. Contrary to popular perception, as shown in the previous chapter, Nehru had not considerably changed his views about the Commonwealth even during the process of transfer of power. What had changed were the circumstances under which Nehru had to accept a Dominion status for India as part of the Commonwealth so as to ascertain the date for Indian independence. The date for independence had been tentatively set at June 1948; however, it was uncertain that the Indian constitution would actually be completed by then. Extension of this date of independence was a situation in which both India and UK did not want to be. As shown in the previous chapter, the other plan for

transfer of power would have ensured that India is not just partitioned but breaks down into numerous small fragments.

As a via media, it was suggested that India and Pakistan be given independence on the basis of a Dominion status, till such time as their constitutions were ready and they were fully able to function as independent states. Nehru did understand the psychological consequences of being a Dominion and pushed for negotiating a deal with the British wherein India would not swear any allegiance to the Crown.

As such the saga of India's Commonwealth membership has to be understood in two phases. The first phase of being a Dominion in 1947 and the second was joining the Commonwealth as a sovereign state in 1949.

What is of interest here is not the act of joining the Commonwealth but the reasons for joining it and the way India was able to negotiate a separate deal for itself which in turn ushered in a new phase in Commonwealth relations. India became the first country to join the Commonwealth as a Republic, which meant that India would not have to owe allegiance to the British Crown or make the British Monarch its symbolic head of state. This was a major diplomatic achievement for Nehru and it can be argued that with just this move he was in many ways able to break the very backbone of the vision that UK had cherished for the Commonwealth. Nehru's reason for taking such a step strongly indicates a fine grasp on geopolitical and global realities and in no way reeks of a colonial hangover or a naïve affinity for the British culture.

As mentioned earlier, joining the Commonwealth was independent India's first major foreign policy decision and in many ways, this was one the first major decision where independent India displayed a free will and in a true sense experienced a moment of choice. It is true that the British were indeed very keen that India should join the Commonwealth; however, India joined the Commonwealth for its own reasons and on its own terms.

Changing of Commonwealth Rules to Accommodate India:

S. Gopal (2004: 203) writes about how Britain was insistent on India joining the Commonwealth. India on its part was also interested in joining the Commonwealth but not at the cost of compromising its aim of becoming a sovereign republic. The crucial point then was envisioning how the King or the future monarch of the UK would be viewed within the Commonwealth. According to the extant rules, the members of the Commonwealth had to swear their allegiance to the British Crown. But India was not ready to do so. After a lot deliberation, India indicated that it would accept the British monarch being the nominal head of the Commonwealth without owing any allegiance to the institution and under no circumstances was the monarchy to be given any constitutional rights in the Indian Constitution. India was to remain a constitutional republic (Heimsath and Mansingh 1971).

A related issue was regarding how any change in the existing rules of the Commonwealth would be viewed by the existing members of the Commonwealth. Their acceptance was important and their reservations, if any, had to be taken into account. During the phase of transfer of power, when details of the final plan were being discussed, it was agreed that India and Pakistan would be given the right to leave the Commonwealth if they so desired. This leeway was given to help India and Pakistan in taking the decision of accepting a Dominion status as a basis for independence. However, the Secretary of State also pointed out that any public mention of this provision might not be acceptable to the other Dominion governments as no such provision is explicitly mentioned in the Statue of Westminster. It was an implicit understanding but one which was never mentioned openly. Hence, it was decided that the right to secede from the Commonwealth should not be mentioned in the legislation on Indian independence (Hartley Library 1947, May 22). In a similar way, the British government found many ways to accommodate Indian and Pakistani concerns within the structure of the Commonwealth.

In a Cabinet Committee meeting of Commonwealth Relations held in London on 9th June 1947 which was headed by Clement Attlee, the theoretical distinction between different kinds of countries within the Commonwealth- Dominions and colonies, was discussed. What was also discussed was a possible change in the structure of the Commonwealth and what such a change might entail. The relevance of owing allegiance to the Crown, and the theoretical problems of accepting an independent sovereign republic, as a member of the Commonwealth was also discussed. It was agreed that there was a possibility that in the future questions might be asked if "an independent sovereign republic could be accepted as a member of the Commonwealth" (Transfer of Power 1982: 223).

The Cabinet Committee realised that there was a possibility that India might make such a request in the future. The Committee was agreed that membership to the Commonwealth should imply a recognition of the Crown at least "in the sphere of external relations" (Transfer of Power 1982: 223). The problem for the British policy makers was genuine; the common thread holding the Commonwealth together since its founding had been the Crown. This was a defining feature of the Commonwealth and if one was to remove this fundamental feature then finding its replacement would have been an extremely tough task. They tried but it was only in 1949 that they were able to think of an acceptable via media. India agreed to accept the "King as the symbol of free association of its independent member nations, and as such the head of the Commonwealth" (Heimsath and Mansingh 1971: 34). Hence, it could be seen that Britain was willing to change its rules to accommodate India.

A glimpse of this importance given to India could also be seen in its contrast with the case of Burma. Even though Burma had no desires of being part of the Commonwealth, the governor of Burma was genuinely trying to make efforts so that it did.

Burma was determined to gain complete independence and not be a Dominion within the Commonwealth. The Governor of Burma was obviously not happy with this scenario and tried his best to convince Aung San and other Burmese leaders to accept the Commonwealth membership and a Dominion status. While Aung San was in favour of having close ties with the British he was not convinced of achieving such an aim through a Dominion status. Such a step, he feared, might transfer the allegiance of the masses of Burma to the Communists (Hartley Library 1947, June 11a).

The Governor of Burma was rather perturbed about such a scenario and urged Mountbatten to think in terms of conceiving the Commonwealth in different terms that did not necessarily include owing allegiance to the Crown. The Governor's tone seemed rather sincere in urging Lord Mountbatten to make efforts so that Burma joined the Commonwealth. It seemed as if this indeed was a matter of priority for him (Hartley Library 1947, June 11b). However, Mountbatten in his reply did not seem to consider this issue as one of vital importance; he stressed that owing allegiance to the Crown was a key aspect of Commonwealth membership and that even though efforts were being made to look into this, changing it would not be easy (Hartley Library (1947, June 12).

A little later it seems, that Burma had indicated that they would also be open to a method of transfer of power, which was similar to that being offered to India. This was not viewed favourably by H.M.G because they feared a situation wherein Burma would attain independence early on the basis of Dominion status and then leave the Commonwealth soon after (Transfer of Power 1982: 227). Even though it was reasonable to have such fears, what is interesting here is that the same fears should have been applicable in the Indian case as well, since given Nehru's well-known opposition to the Commonwealth their fears would have been well-founded. However, it is clear from the British Government's attitude that they were willing to take even a "sporting" chance of India remaining within the Commonwealth (Hartley

Library 1947, May 8). The prime attraction that V.P Menon's plan had for the H.M.G was that if this arrangement of 'transitional Dominion Status' works well, then it might be acceptable to the successor states as a more permanent arrangement (Hartley Library 1947, April 25).

Politics of India and Pakistan over Commonwealth Membership:

Congress wanted that HMG should give an assurance that should India choose to not remain in the Commonwealth then Pakistan would also be expelled from the Commonwealth (Transfer of Power 1982: 104). Congress did not want that HMG should have a different policy for the Indian Union or its seceding parts (Transfer of Power 1982: 68). Again V.P. Menon came to the rescue; he rushed to Patel to point out that HMG could never be expected to agree to a proposal which will negate the principle of a Dominion Status and hence Patel should give up on this demand. The same thing was reiterated to Nehru by Mountbatten himself (Transfer of Power 1982: 105). Mountbatten pointed out that Congress' idea that Pakistan should not be part of the Commonwealth if Hindustan was not as farfetched and insisted that since HMG did not run the Commonwealth throwing Pakistan out was not in its hand and neither was it desirable. Commonwealth was an association of free and equal states and if India really wanted Pakistan out of the Commonwealth then only two options remained- Indian should either convince Pakistan to withdraw from the Commonwealth as and when India withdrew or convince other Commonwealth nations of such a course at a Commonwealth Conference (Transfer of Power 1982: 162).

Pakistan on its part had also tried to use the Commonwealth card to garner relative advantage with respect to India and to also garner support for its cause of creation of Pakistan. Given Nehru's opposition to it, Pakistan was convinced that India would not want to remain within the Commonwealth and in contrast highlighted that Pakistan would like to remain within the Commonwealth. Liaquat Ali Khan had conveyed to the Viceroy that he was not sure if India would opt to remain within the Commonwealth; however, he

indicated that Pakistan "would certainly ask to be allowed to remain in" (Hartley Library 1947, April 21). More importantly, he indicated that he did not consider that India, either united or divided, would be ready to stand on its own two feet by June 1948, which was the intended date of Independence. In fact, he conveyed that he would personally prefer a situation wherein the British did not suddenly leave in June 1948, but instead stayed on for a period of five years and "gradually transfer, as liquidator, the Central subjects to the successor authorities" (Hartley Library 1947, April 21).

However, with the plan for Indian independence clearly hinged on a Dominion status, it was clear that India would also be part of the Commonwealth, a situation that Pakistan had not wanted. Moreover, it was getting increasingly clear that the British indeed were very keen on having India within the Commonwealth. Hence, even though he had initially been very conducive to the idea of a Commonwealth membership, Jinnah was nevertheless trying to indicate that Pakistan would not accept a Dominion Status at the time of independence. As was shown in the previous chapter, this attempt by Jinnah was snubbed by London (Hartley Library 1947, May 22). Hence, Pakistan then became an extremely reluctant member of the Commonwealth at the time of independence. This reluctance later turned to disenchantment in 1949, when India decided to remain a part of the Commonwealth even as a Republic; this was a move Pakistan was not expecting.

Writing a report for the third quarter of 1949 as part of the British Government's quarterly review of Islamic Affairs, the Foreign Office pointed out "[t]he period under review has seen no improvement in the relations between Pakistan and the rest of the Commonwealth". This was mainly due to its deadlock with India over Kashmir. Pakistan, very confident of its claims, was a little miffed with Britain over what it perceived as U.K.'s partiality towards India (British Library 1949, October 12).

The same document made another relevant observation. According to this report, there was strong speculation that India would leave the Commonwealth and consequently, Pakistan hoped that being a member, it could then use the joint pressure of the Commonwealth nations to bear upon India over the Kashmir issue (British Library 1949, October 12). Obviously, this was false expectation that did not come to pass.. In April 1949 at the Commonwealth Conference, India was allowed to remain as a member of the Commonwealth even while being a Republic. In terms of British calculations, India was a crucial ally in combating the spread of Communism in South and Southeast Asia. Be that as it may, as far as Pakistan was concerned, it was increasingly feeling that its Commonwealth membership was not serving its purpose of being used as a pressure tool on India; consequently, it was increasingly looking towards other avenues to fulfil its aims.

At this juncture Pakistan turned to the USSR for support. There was to be a highly publicised visit by Liaquat Ali Khan to Moscow in November 1949 which had been getting a lot of positive coverage in the Pakistani media. The anti-Communist rhetoric (which earlier had been fairly prevalent) had also been toned down and the Pakistani disillusionment with the West was gaining traction with the media in Pakistan. A Russian trade delegation had also visited Pakistan during this period. At this juncture according to this report Pakistan was having problems with Afghanistan over the issue of Pathans and Russian intervention in this would have been crucial.

In addition, Pakistan was also looking toward solidarity within the Islamic world and to use that as a pressure group against India. Pakistan saw itself as the leader of the Islamic world and a pan-Islamic solidarity had a lot of traction in terms of popular emotions. The idea was to form a united ‘Islamistan’ (British Library 1949, October 12). Interestingly, Pakistan was aware that this idea had some mass traction but governments of Afghanistan, Iraq, Persia, Egypt, Jordan, Turkey and Syria had an inkling of Pakistani motives and were not too keen on it, even though they did send delegations for

conferences and tours related to it. Hence, Pakistan hoped to garner support directly from the people by touring these countries. The rationale behind such a grouping was that the Muslim nations should form a group on the lines of the British Commonwealth of nations and look after each other's interests.

Pakistan saw it as an independent block separate from the Communist and the Western block (British Library 1949, October 12). These Pakistani plans did not reach any logical conclusion; however, what is clear is that Pakistan had hoped that India would leave the Commonwealth and that it could then use its own Commonwealth membership to exert political pressure on India, especially on the Kashmir issue. India retaining its membership however foiled these Pakistani plans.

There were other advantages as well for a newly independent India that a Commonwealth membership offered. According to Gopal (2004: 199), the USSR was miffed at India's non-aligned policy and saw it as a facade for actually pursuing a pro-West policy. This led to coldness by the USSR towards India, as seen in its dealings with India on the Kashmir issue, which further aggravated India. Commonwealth membership at this juncture proved to be a practical solution to India's problem of pursuing a policy of non-alignment and yet not being isolated in the world politics of the Great Powers. By joining the Commonwealth, Nehru hoped that it would not become an anti-India platform. It would allow India to have a close association with the Western world, primarily Britain, without compromising on its principles of Non-alignment.

Immediate Consequences for Bilateral Relations owing to Acceding of Treaty Obligations:

As shown in the last chapter, India had agreed to abide by the treaty obligations of the British Indian Government after independence. A seven-member Committee was composed by the Partition Council to give recommendations on various aspects related to devolution of treaty obligations

on India and Pakistan. It was called 'Expert Committee No IX' and one of its mandate was to try and list out and differentiate treaties that would have devolved on India or Pakistan or both, largely based on geographical consideration (National Archives of India 1949 b).

Many of these treaties had immediate consequences for bilateral relations between India and its neighbouring countries, specifically, Tibet, Nepal and Bhutan. While this was a source of a lot of stability, it was nevertheless also a source of some confusion as it afforded a window of opportunity to try and revise the existing status quo. On an average, Nepal and Bhutan were quite satisfied with carrying forward the existing manner of relations with India. China and Tibet, however, from the word go showed tendencies towards revising the status quo. This set the tone of interactions between Tibet, China and India for decades to come and indeed still does.

The North-East Frontier and Treaty Obligations:

Most British Indian treaties that had relevance in the Western front devolved on Pakistan because of its geographical location. Hence, only the treaties that pertained to the eastern sector had any direct relevance for independent India. In northeast India, the government of India had to particularly deal with Tibet, Bhutan and Sikkim. The constitutional position of these three territories was unique in one way or the other. The status of Sikkim- as described in the official files- was that of an Indian State; it was similar in status to Travancore, Mysore or Kashmir. However, for practical convenience, relations with Sikkim were handled by the External Affairs Department and not the Political Department. Hence, any future action with regards to Sikkim had to be similar to the action taken for other Indian States (National Archives of India 1947 b). But unlike other Indian States, Sikkim's position on the external frontier and its close affinity with Tibet rendered it a place of extreme strategic importance.

The situation was slightly different with the second of these small Himalayan kingdoms, Bhutan. Bhutan's position and relation to British India had never been clearly defined. It was *not* listed as an Indian State in the First Schedule of the Government of India Act of 1935 and enjoyed full internal autonomy. However, through treaty provisions, its external affairs were controlled by the British Government and in practice, by the Government of India. Hence, Bhutan was described as a British Protectorate (National Archives of India 1947 c).

Finally, the Tibet case: Tibet was an autonomous country under nominal suzerainty of China. As with Sikkim and Bhutan, the British Indian Government used to conduct its relations with Tibet through the Political Officer in Sikkim, whose headquarters were in Gangtok. Although there was a Mission at Lhasa by an informal arrangement since 1936, it was under the supervision of the Political Officer in Gangtok. Additionally, there were three trade posts in Tibet as well. All the posts in Tibet were staffed from India and were also paid by the Government of India.

The British Indian Government did not maintain a separate representative in Bhutan and the Political Officer at Gangtok would take regular visits to Bhutan and maintain contact with the Bhutanese Government through an agent at Kalimpong (National Archives of India 1947 c).

In January 1947, as it was imminent that India would gain its independence soon, the Ministry of External Affairs and Commonwealth Relations began to look into how existing treaties would be affected if India became a separate entity. The Under-Secretary argued that most of the treaties that had relevance for the North-East Frontier were signed between Great Britain and the concerned countries, hence independent India would have no part to play in them (National Archives of India 1947 b). This view was challenged by others like H. Trevelyan (a senior diplomat at the Ministry of External Affairs and Commonwealth Relations) to claim that India is indeed a party to these treaties, as these treaties, especially the 1914 Convention

between Great Britain, China and Tibet was signed by "His Majesty in his capacity as Emperor of India" (National Archives of India 1947, February 6). Hence, for Trevelyan, India being a party to these treaties was never in doubt, the only thing that was uncertain was what independent India would do with these treaties. In his view, India after independence could decide to either exchange a note with Tibet and China "confirming her adherence to this treaty or take other appropriate action." Likewise, relations with Bhutan and Sikkim would depend upon their (Bhutan and Sikkim's) discussion with the representatives of the Constituent Assembly (National Archives of India 1947, February 6).

At that juncture, there was a lot of uncertainty regarding transfer of power in India and its possible ramifications for India's neighbouring states. Bhutan, for example, was extremely anxious to get some sort of an indication from the Government of India regarding its future course of action with respect to Indo-Bhutanese relations. However, without a clear indication from India regarding its attitude towards treaties signed by the British government, the British government in India could not give any specific assurance to Bhutan regarding the future course of action. They could only give a general assurance that it is not the intention of India to renounce any treaties that are presently extant with Tibet, Bhutan and Sikkim, further adding that, any question of negotiating fresh treaties would be considered shortly.

Having given a general assurance, as regards Tibet specifically, the British officials in India were singing a slightly different tune. A note highlighting the Government of India's policy towards Tibet, stated that "Government of India's future policy should be that of a benevolent spectator" which would always be ready to use its friendly offices to resolve any dispute between Tibet and China. Most importantly, this note further claimed that "[w]hile India is interested in the autonomy of Tibet, it has been considered that nothing out of the way should be done to support Tibetan autonomy that would bring India into clash with China" (National Archives of India 1947,

March 18). A similar sentiment was also echoed in a top secret letter from L.A.C. Fry, who was the Deputy Secretary to the Government of India, in the External Affairs Department. The letter dated April 8th 1947, was sent to A.J. Hopkinson, who was the political officer in Sikkim. It was written with the purpose of conveying to the Mission in Lhasa the reviewed policy of the Government of India with respect to the political relationship between India, China and Tibet. It very insightfully explained the rationale of the policy mentioned above. The letter stated that:

> The condition in which India's well-being may be assured and the full evolution be achieved of her inherent capacity to emerge as a potent but benevolent force in world affairs- particularly in Asia- demand not merely the development of internal unity and strength but also the maintenance of friendly relations with her neighbours. To prejudice her relations with so important a power as China by aggressive support of unqualified Tibetan independence (for which, whatever may have been the situation earlier, there has in the past year or two been little positive sign of ardour in Lhasa) is therefore a policy with few attractions. (National Archives of India 1947, April 8)

It is in this light that Fry suggested that India would remain a benevolent spectator and while India recognised and wished that Tibetan autonomy should be maintained, India would nevertheless not take any initiative that will bring it into conflict with China. On the issue of the Indo-Tibetan boundary, Fry claimed that "...Government of India stand by the McMahon Line and will not tolerate incursions into India..." He further added that the Government of India would be prepared at all times to discuss with China and Tibet any rectification to this frontier "that might be urged on reasonable grounds by any of the parties to the *abortive* [emphasis added] Simla Conference of 1914." (National Archives of India 1947, April 8)

It can hence be clearly seen that the British Government in India had realised that for any future government of India blindly following the 1914 Simla Convention might result in a conflict with China, which would not have been in Indian interest. The use of the word "abortive" for Simla Conference

of 1914 is important. It is indicative of a realisation that even with British might backing it up, the 1914 convention always hung by a thin thread and now it was showing indications of completely snapping once India gained her independence. Hence, Britain did not want to "prejudice" India's relation with such an important power as China.

The context in which this letter was written is very important to understand. As soon as it was apparent that transfer of power was soon going to be a reality, the Political Officer in Sikkim, Mr. Hopkinson, started besieging the British government in India to give a clear direction to authorities in Bhutan, Sikkim and Tibet as to the kind of relations that the future government in India was likely to follow with them. He specially requested a clear directive as to the future of the treaties signed with these countries. The Government in India could not give any clear indications or directive on this subject without consulting with London and considering the political uncertainty that existed at that time, and even the Government in London was not able to say anything clearly until the situation in India became clearer (National Archives of India 1947, May 26). It is important to note that these letters were exchanged between February and April 1947, and at this time, the final plan for transfer of power had still not been worked out.

Hopkinson, however, was relentlessly writing letters putting pressure on the British Indian government to give a clear commitment. He even repeatedly offered to come to New Delhi himself to discuss the matter. This offer for obvious reasons was not received with enthusiasm in Delhi. They actually had nothing concrete to say to him. It is in this context that L.A.C. Fry wrote the letter mentioned above. It was a desperate attempt to calm down a rather perturbed Hopkinson . This letter was not an easy letter to write for Fry. He had no clear directions from London, the Indian political situation was in absolute turmoil, and even though London might have overall preferred that independent India carry on with treaty obligations of British India, the convention of 1914 always remained in an awkward grey zone.

The actual indications from Tibet and China did not help matters either and as can be seen from his letter, it was increasingly becoming clear to the British Indian government that adherence to the 1914 convention could not be pushed. Trying to keep all these considerations in mind, Fry wrote this rather insightful letter, which to a straight talking person like Hopkinson, sounded like a lot of diplomatic mumbo-jumbo. Hopkinson was probably awaiting clear instructions on which he could act on ground and the letter that he received spoke of abstract policy. He still did not relent and requested a clarification of the letter or an opportunity to discuss it in person (National Archives of India 1947, April 23). To such a request, Fry promptly replied that the letter of 8th April was as "detailed and clear as we could make it...", further adding "...you will however appreciate that it would not be easy to deal with hypothetical issues." (National Archives of India 1947, May 6)

In Fry's defence, the situation at that time was indeed confused. There was no clarity whatsoever on the terms under which India would gain independence and more importantly, there was also no clarity regarding the future foreign policy of independent India. However, within a couple of months that clarity emerged, as shown in the previous chapter, it was now clear that India was to be partitioned and into two Dominions. Additionally, it was decided that India would be the successor to the international personality of British India. Furthermore, both India and Pakistan agreed to abide by the treaty obligations of the British Indian government. The treaties signed by the British Indian government were to devolve on India and Pakistan on the basis of the following division: treaties that were of exclusive interest to India because of its geographical location were to devolve only on India. Similarly, treaties whose obligations could be fulfilled only by Pakistan owing to its geographical proximity were to devolve on Pakistan. In the third category were treaties that could have been of relevance to both India and Pakistan. In that case, they would have to mutually decide which country would adhere to those treaty obligations and in which manner.

Now with certain treaties, it was quite clear which country would adhere to its obligations, and enjoy its rights. However, with some other treaties the division was not very clear. Interestingly, according to one interpretation of the 'The Indian Independence (International Arrangements) Order of 1947', Indian officials were not too sure about being the sole heir to the Simla Convention of 1914 and had to get into considerable legal nitty-gritty to convince itself of its own claim to this Convention. This confusion was owed to the fact that only the factor of territorial applicability could be used to decide if a particular treaty devolved on India or Pakistan.

This treaty did have a direct territorial implication for India; however, the problem was in the legal fine print. In the 1914 Simla Convention, the section dealing with marking out territories of the parties concerned was in the notes exchanged and not in the main text of the Convention. The main text of the Convention was written in a way that when read together with provisions of 'The Indian Independence Order' could have legally devolved on both Dominions (National Archives of India 1947, December 22). Even though at that point in time Pakistan had not shown any direct interest in the 1914 convention, it was still not an assurance that they could bank on (National Archives of India 1948, January 7).

HMG had clearly stated to the Tibetan authorities that the obligations of Simla convention devolved on India, authorities in New Delhi still had to be legally sure of their position (National Archives of India 1947, December 13). The External Affairs Department in India was stuck in this legal conundrum because China had sent a formal query asking on which Dominion the treaty obligations of HMG pertaining to Tibet would devolve (National Archives of India 1948, January 7). India's initial response was to bank on the Independence Order to send a formal response to China in an attempt to build on the claim that the treaty obligations of the 1914 Convention legally devolved on them. Now, with this complication raised by the legal department, they decided to leave any explicit reference to the 'Indian Independence

Order' out of their correspondence with China (National Archives of India 1947, December 19). The Ministry of Law eventually suggested the following reply that would have diplomatically and legally served India's purpose:

> ...as from the date of the establishment of the Dominion of India, the Government of India have replaced the former Government of British India in regard to all treaty rights and obligations previously existing between British India and Tibet, and so far as the Government of India are aware the Government of Pakistan are not assuming any part of those rights and obligations. (National Archives of India 1948, January 14)

Tibet:

Adhering to treaty obligations pertaining to Tibet proved to be most challenging for independent India. Just before the transfer of power, Tibetan authorities were indicating to the British authorities in India that they were open to reciprocating friendly sentiments of the successor Government (National Archives of India 1947, July 7); even the British authorities on their part had clearly indicated that in order to respect and uphold the autonomy of Tibet, the Government of India was prepared to assume the obligations of H.M.G under the Simla Convention of 1914 and the associated trade regulations. They further expressed hope that the Tibetan Government will also continue to abide by the provisions of the aforementioned Convention (National Archives of India 1947, July 10). In a subsequent telegram, it was further stressed that although India would be open to prospects of entering into fresh treaties by mutual agreement, they nevertheless were very particular to discourage Tibet from renouncing the existing treaty (National Archives of India 1947, July 11). It is in this context that the Secretary of State gave permission to convey to the Tibetan Government that the obligations arising out of the existing treaty provisions will devolve on the Indian Government alone. HMG further hoped that cordial relations will continue to exist between the successor Government of India and Tibet just as they had existed earlier. A

similar message of goodwill was to be conveyed to Bhutan as well (National Archives of India 1947, July 16).

However, this message was not received in the same spirit and the Tibetans instead made counter claim to Indian territory south of the McMahon line. They also lay claim to territories in Ladakh, Darjeeling and Sikkim. The Tibetans indicated that they proposed to discuss these claims and also the future of Indo-Tibetan trade relations (National Archives of India 1947, October 17 a).

Tibetan Foreign Bureau sent another letter to the H.M.G and asked for their assistance in securing these territorial claims (National Archives of India 1947, October 17 b). Since India was expecting a favourable response, this attitude of the Tibetans came as an "unpleasant surprise" (National Archives of India 1947, November 24). The Indian government then consulted with the Political Officer in Sikkim and it was decided that territorial claims will not be directly refuted in a telegram because the British had repeatedly (for the previous two years) insisted that while they were open to making minor modification to the border (especially in Tawang where an important Buddhist monastery stood), they were not willing to admit any Tibetan claims of territory on the Indian side of the agreed border. Instead, it was decided that the Indian government will insist that they will honour the Tibetan request of discussing matters of trade only when they (Tibetans) agreed to settling the questions pertaining to the general relations of Tibet and India. The fear was that if a discussion on territorial matters is initiated by India on paper, then Tibetans might get an excuse to delay signing a standstill agreement with India. This point was raised by the Political Officer in Sikkim and the Indian government agreed with it. Hence, the Indian government decided to use another approach with the Tibetans. A trade mission from Lhasa was to arrive in India, and the Indian government attempted to use this Mission as a lever to put pressure on Lhasa and settle the general Tibetan question (National Archives of India 1947, November 24). The idea was to indicate to the

Tibetans that unless there was an assurance from their side that pending negotiations, Tibetans would sign a standstill agreement, their request for a discussion on trade will not be honoured. This plan was supported by G.S. Bajpai as well as Jawaharlal Nehru (National Archives of India 1947, November 26 a) (National Archives of India 1947, November 26 b).

Indians were additionally foxed by the manner in which this message was given. It was given in the absence of Mr. Richardson, who was heading the Tibetan Mission in Lhasa. It lacked the requisite seals and hence its authenticity could be questioned; in addition, it was written in an obscure language. In such a situation, Indian officials surmised that the Tibetans objective seemed to be to gauge Indian reaction to an absence of any mention to the Simla convention of 1914 and also to see how Indians reacted to exaggerated territorial claims by Tibet. The Indians were stuck in an awkward position. They could highlight that the message lacked authenticity but they could not ignore it completely. If India failed to make Tibet reaffirm the treaty of 1914, then Indian officials feared that China would get a lever to demand India's exit from Tibet. Further, China could make this a prelude to lay additional claims on Bhutan and Sikkim as well (National Archives of India 1947, November 13).

This Chinese threat, that Indians anticipated was not exaggerated. China had started requesting a discussion with the Indian government regarding Tibet's status and the consequent border question. Indian position on this was that although they did not question China's suzerainty over Tibet, they nevertheless regarded it as an autonomous territory. Indian Trade Agent's posts at Gyantse, Yatung and Gartog were provided for in the agreement with Tibet. The Mission at Lhasa on the other hand was set up without a formal agreement but with a tacit approval of the Tibetan Government. For India "[t]he withdrawal of these posts would mean...a grave loss of international prestige." However, India was in no position to negotiate with China without

having first negotiated its position with Tibet (National Archives of India 1947, November 24).

This Tibetan behaviour could possibly be explained on the basis of a very insightful intelligence report. This report dated 3rd June 1947, stated that Tibetans had now realised that the British Government were indeed serious about transferring power in India. In such a situation, the Tibetan government was apprehensive about the future of all the treaties that existed between HMG and Tibet. According to this report, the general Tibetan opinion was that Indian government should not inherit these treaty obligations and instead new treaties should be negotiated between India and Tibet. The Tibetans had specific reservations to giving control of the trade routes to the new Indian Government which were previously in the hands of the British in accordance with the trade treaties that existed between them. The primary Tibetan concern, however, was their independence, stemming from the fact that they could now no longer bank on active British support to maintain their autonomy from China. Most importantly, Tibetans were of the opinion "that similar support is unlikely to be forthcoming from the India (sic) Govt" (National Archives of India 1947, June 3).

With specific reference to China, based on the recommendations of the Expert Committee No IX, a list was made of 19 treaties that were of interest to the government of independent India at the time of partition. These treaties, conventions and agreements with China were either entered into by the British Indian government or the HMG. Out of the 19 treaties that were of interest to the Indian Government only three were relevant for the External Affairs Ministry (National Archives of India 1949 a). These were:

1) Sino- British Treaty regarding British Extra-territorial rights in China.
2) Relinquishment of extra-territorial rights in China-Treaty dated 11 January 1943.

3) The 1914 Anglo-Tibetan convention in its operation between the British and the Tibetan Governments regarding the relation of Tibet vis-a-vis China and Great Britain.

Treaties mentioned in points 1 and 2 above relate to the same treaty (National Archives of India 1949 a). In the context of this doctoral study, the treaty by which Britain relinquished its extra-territorial rights in China is important because based on the provisions of this treaty another treaty had to be negotiated between the two sides. This treaty was called the 'Sino-Indian Treaty of Friendship, Commerce and Navigation'. To understand its significance, one requires a careful examination of the flow of events and the issues that were raised during the course of its negotiations. These have been described in detail in the following section.

The Curious Case of the Sino-Indian Treaty of Friendship, Commerce and Navigation:

On 11th January 1943, China and UK signed a treaty[46] according to which Britain relinquished its extra-territorial rights in China. From the point of view of this doctoral study, this treaty had primarily two points of interest. First, it was signed in the name of the King who represented both United Kingdom and *India.* Second, Article 8 of this treaty provided for concluding another treaty between the current parties (National Archives of India 1943, March 11). This treaty was to be a comprehensive treaty for friendship, commerce, navigation and consular rights and was to be concluded on request by either of the two parties and was to be concluded within six months of the cessation of hostilities of the Second World War. Ordinarily speaking, the surrender of extraterritorial rights between states usually would coincide with the negotiations of a comprehensive treaty that would spell out the terms of its commercial and other interactions. However, even though as per the original plan H.M.G intended to negotiate both of these treaties simultaneously, they

[46] A similar treaty was signed on the same day between USA and China also; with the US relinquishing its own extra-territorial rights in China.

eventually decided against it and instead settled for surrendering their extraterritorial rights to be followed with a brief treaty of establishment and commerce after the war (National Archives of India, 1942, October 13). The reason behind it was practical constraints due to the ongoing war and also the fact that it would prove to be more prudent to negotiate a treaty based on the actual conditions on ground after the war.

As the war was about to draw to a close, the British started drafting just such a treaty. As would be shown subsequently, Article 26 of this draft had an important aspect to it. According to this article, this treaty could accede to any successor government authority in India at a future date; however, the Commerce Department of the British government even at that time was a little apprehensive about the Chinese agreeing to such unilateral accession (National Archives of India 1944). In the subsequent drafts of this treaty dated around October 1945, the provisions given in Article 26 mentioned above disappeared. Sure enough, towards the end of the British Rule in India, the Chinese indicated that they wished to conclude a separate treaty of Friendship, Commerce and Navigation with India and the records indicate that the Government of India agreed to such a request (National Archives of India 1947, April 9). Consequently, one can find two sets of drafts for this treaty, one between China and HMG and the other between China and GOI.

The Chinese officials informed K.P.S Menon rather cryptically that the draft of the treaty that they were working on "would be somewhat on the lines of Chinese counter draft of a Sino-British Treaty but would *not be identical* [emphasis added] with it" (National Archives of India 1947, April 9). As it turned out, these changes were enshrined in Article 29 and Article 30 of the Chinese draft of the 'Sino-Indian Treaty of Friendship, Commerce and Navigation' and from an Indian perspective, these changes in no way could be considered minor.

It is for this reason that the drafts that were being negotiated between the Government of India and China are of considerable interest. This would

otherwise have been a rather mundane treaty but for a remarkable feature. Even though this was essentially a commercial treaty, the Chinese government in their own draft of the treaty added a strange territorial twist to it through the articles mentioned above, i.e. Articles 29 and Article 30. These two articles ensured that negotiations over the different clauses of the treaty hit rocky waters very soon.

On 14th October 1947 [47], Dr. George Yeh, Vice-Minister for Foreign Affairs handed[48] the Chinese draft of this treaty to KPS Menon, who at that time was the Indian Ambassador to China. While handing over the draft, Dr. Yeh pointedly drew KPS Menon's attention to Article 29 and 30. According to Article 29, "[t]he high Contracting Parties will as soon as possible enter into negotiation for the conclusion of an agreement for the delineation of frontiers between China and India" (National Archives of India 1947 a).

Article 30 on the other hand stated that "[n]othing in the present Treaty shall be constructed to affect the existing practices concerning entry of Chinese nationals into India from Tibet and other matters relating to frontier traffic between Tibet and India" (National Archives of India 1947 a).

K.P.S Menon, on his part, appropriately pointed out that it was rather unusual to include an article for the purpose of delineating of frontiers in a commercial treaty. Dr. Yeh, while agreeing that this was not a usual practice, insisted that "the delineation of the Sino-Indian frontier was desirable in the interests of both countries and provision for it might be made, if not in this treaty, by an exchange of notes." There was considerable discussion on this subject during which Dr. Yeh raised the question of the status of Tibet (National Archives of India 1947, October 21).

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[47] This date has been inferred from another letter which was sent from the Chinese Ministry of Foreign Affairs to the Indian Embassy in Nanking on 24th October 1947 (National Archives of India, 1947, October 24).

[48] Details of this meeting are given in a letter dated 21st October 1947, sent by KPS Menon from the Indian embassy at Nanking, China to the Secy. To the Government of India, Ministry of External Affairs and Commonwealth Relations, New Delhi, (The National Archives of India, 1947, File Number 12(4)- NEF/47).

The Indian government was obviously not very happy about such an addition. V.M.M. Nair at the External Affairs Department, while commenting on these two articles, called them "obnoxious" as it would assume that China shared a common border with India and that Tibetans are Chinese nationals (National Archives of India 1947, November 21). He pointed out that the borders of Assam in the North-East Frontier touched Tibet and Burma and not China. Further, unless the accession of Jammu and Kashmir was confirmed; India would not share border with China even in the North West. Hence, he advised caution in accepting Article 29 because it would mean India admitting that "China's frontiers extend to India." In case of Article 30, he advised, that India should continue with the convention of 1914 and its "recognition of Tibet as autonomous territory under Chinese suzerainty." Hence, in an overall analysis, he argued that the best course for India would be to remove both articles from the treaty and request the Chinese that they should separately address this subject (National Archives of India 1947, November 21).

K.P.S Menon articulated similar views that India should "object to Article 30 altogether". He further claimed that any mention of Tibet in a Sino-Indian Commercial treaty might be resented by Tibet and it would be seen by both China and Tibet as an act of India abandoning its policy of recognising and supporting the autonomy of Tibet (National Archives of India 1947, December 6).

The above-mentioned articles were not the only problematic articles of the Chinese draft of this treaty. In Article 1 of the treaty, which was included with the purpose of defining the territories to which this treaty would apply, defined Indian and Chinese territory as "all areas of land and water under the *authority* [emphasis added] of the Government of the High Contracting Party" (National Archives of India 1947 a).

K.P.S. Menon summed up the Indian problem with this article by saying that "Tibet might be under the suzerainty of China, but can hardly be said to be "under the authority of the Government of China" (National

Archives of India 1947, December 6). This issue becomes even starker when one compares it to the definition of China in the corresponding Chinese draft of the Sino-British Treaty of Friendship, Commerce and Navigation, which was prepared around the same time as the Sino-Indian draft. Here China was defined as "any territory within the Republic of China"[49] (National Archives of India 1947, January 13). K.P.S. Menon was quick to point out this was a "definition which appears automatically to exclude Tibet" (National Archives of India 1947, December 6).

As can be seen, the Indian government was obviously taken by surprise by the provisions of the Chinese draft; nevertheless, it was decided in April 1948 that they would not shelve the preparation of their own counter draft to this treaty. This, however, never came to pass. Even by June 1949, the Indians had not prepared a counter draft and given the swift political changes that were taking place in China at that time it was finally decided that it would not be prudent anymore to continue their efforts to produce a draft (National Archives of India 1949, June 14). The Communist party was about to take control of China and India realised that the prospects of this treaty being signed now were rather remote. India knew that there was a strong possibility that the new government in China might want to introduce new provisions in the treaty or might negotiate a different treaty altogether (National Archives of India 1949, June 5).

Even though the treaty itself never saw the light of day, the trajectory of its negotiations does point to two very crucial points. First was the fact that the three articles, i.e. Article 1, 29 and 30, which had important territorial implication, had been missing in the Chinese counter draft of the same treaty with United Kingdom. These articles were included by China exclusively for its draft for India. This clearly suggests that China was looking at the transfer

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[49] This definition of China was present even in the English Draft Treaty of Establishment and Navigation dated May 1946 (National Archives of India 1946). Chinese presented their counter draft to this treaty in January 1947 and called it 'Treaty of Friendship, Commerce and Navigation (National Archives of India 1947, January 13).

of power in India as an opportunity to revise the territorial status quo in its own favour. And this happened before the communist regime took over in Beijing. Second, India was taken by surprise at the inclusion of these articles by China and at the Chinese intention behind it. Indian reaction even then was to refute these claims on the basis of the convention of 1914.

Conclusion:

There are two primary conclusions that can be drawn from this chapter. First, the continuation of India's Commonwealth membership points to the fact that ideological considerations alone do not effect a state's foreign policy decisions. Continuing with Commonwealth membership meant continuing to formally associate with India's coloniser. On purely ideological grounds, this would have been very difficult to justify for a newly independent country. The fact that strategic merits of a membership can outweigh such concerns is something that Neorealism would suggest, given its rational actor assumption. However, this is just an example of a continuation of association, the actual continuation of British Indian foreign policy can be seen in the case of devolution of treaty obligations. Based on this, the second conclusion that then can be drawn from this chapter is that the Neorealist assumption that only a change in the structural position of a country effects any change in its state choices described as its foreign policy seems to hold in the Indian case.

Indian foreign policy with respect to its immediate neighbours did not change. This had its source in continuing with treaty obligations of British India by both parties. Hence, status quo was maintained by both parties.

However, in the case of Tibet, there was an attempt to change the status quo because it was perceived that India's relative power had now decreased after the British left India. Hence, even though India remained the dominant power in the region even after the British left, its relative power was what made the difference. Whereas in the case of Nepal and Bhutan, it was enough to maintain the provisions of the treaty and thereby maintain the basic

foundation of the relationship, in the case of Tibet it was not so. Tibet realised that compared to China, India's relative power was not sufficient to maintain the provisions of a treaty, that were primarily held in place by British might. Hence, it sought to alter the status quo.

A similar behaviour could also be observed in China. Hence, just the mere act of legally agreeing to abide by treaty obligations of British India were not enough for India to ensure that the other parties of the treaty would also abide by them, and not seek to change the existing terms of the treaty. It was only because India remained a dominant power that the treaty obligations could be maintained; and where India's relative power was not enough, one could observe a clear inclination by the other party to attempt to change the status quo. Because of the relative power position of India, a change in outcome could be observed; it could safely be argued that the structural position of a country is indeed a causal variable that has the potential to effect change in a state's foreign policy choices.

Chapter 6

CONCLUSION

Mapping Continuity and Change in Indian Foreign Policy

There were two major considerations were addressed in the present study. First, to determine aspects of Indian foreign policy that remained the same or changed; and second to delineate the reason behind the said changes or continuities. The point of reference of ascertaining continuities is the British Indian foreign policy. The changes, if any, are examined against the influences of Indian National Congress. Hence, put simply, if a departure is observed from the British Foreign policy, then this study will try to ascertain the reasons for that departure and attempt to analyse if the change that was noticed was due to INC's conceptual understanding and ideological considerations or something other factor?

This study observes primarily two continuities. First, a continued association with the Commonwealth and second, in bilateral relations with India's neighbours, namely, Bhutan, Nepal and Tibet. As shown in chaper four and five of this thesis, these continuties largely stemmed from accepting treaty obligations of the British government in India as the time of independence. This study does not argue that the act of agreeing to treaty obligations was the sole *cause* of such continuties, instead what it shows is that this crucial choice of agreeing to abide by treaty obligations is an extremely crucial starting point for Indian foreign policy from which many of the importnat decsions that define Indian foreign policy flowed. Additionally, for a colony to actively seek to abide by the treaties concluded by the colonial state is also theoretically significant. Indian National Congress had repeatedly questioned the right of Briatin to conclude treaties in India's name and had even renounced such treaties as being a part of Britain's imperial agenda. A continued association with the Commonwealth can also be viwed in a similar light.

As the discussion in the previous chapters indicates- the fact that the Dominion of India, at the time of independence, willingly chose to take on the role of being a successor state to British India, is an important aspect of continuity in Indian foreign policy. Being a successor state meant, that Indian government would have to take on the rights and obligations of various International treaties signed by the British Indian government, specially the ones signed on border issues. This had important ramifications for Indian foreign policy, and helped lay the foundations of independent India's external relations. This shows, that the Indian state after independence continued to willingly function like the British Indian state especially in terms of its foreign policy.

There were also some obvious discontinuities from the British Indian foreign policy post independence. This discontinuity could be clearly observed in India's policy towards Soviet Russia.

These discontinuities could be largely observed because of certain fundamental differences between British India and independent India. British India was primarily concerned with defending an empire- of which India was an integral part. For free India the stakes were higher, it had to navigate world politics, to not defend an empire, but to preserve its independence in reality and in spirit.

Britain had carefully crafted, and followed a foreign policy of maintaining buffers around the vicinity of India. However, independent India could not follow such a policy in totality, because at the time of independence, partition created a hostile neighbor in the shape of Pakistan. Hence, with the creation of Pakistan, maintaining Afghanistan as a buffer was of no use to independent India. On the North -eastern front as well, Tibet could be maintained as a buffer only fleetingly. Soon after India's independence China claimed physical authority over parts of India and that further created another hostile neighbour on India's North-eastern border. Hence, the very reason for

which British government, put in considerable effort to maintain buffers could not be realised by independent India.

Since independence, India has existed with two hostile powers at its borders. Navigating its way around world politics, with these hostile powers in its immediate vicinity, took a lot of effort for independent India. This for obvious reasons demanded considerable attention, effort and employment of novel ways of thinking- on the part of Indian leaders.

Considering the complicated pattern of continuities and changes with respect to British Indian foreign policy, it can be argued that wherever Indian leaders could, they tended to follow British Indian foreign policy. The attitude of the Indian leaders was never to radically break away from the past, but to build on it whenever possible. Wherever, it was not feasible to follow British policies, it was observed that Indian leaders fell back on their own experience and understanding of foreign policy, which was, crafted in nearly three decades preceding independence. For example, independent India, never showed the same strategic interest in Burma that the British had shown, and instead fell back on their own understanding of maintaining Burma's independence and integrity; and Indian leaders professed really close and cordial ties with it. Similarly, in the case of independent India's attitude towards Israel, it could be clearly seen that Indian attitude was shaped by Congress's understanding of the issue and did not follow British policy.

However, having said the above, this must also be said that it was not the case that the thinking of the leaders of the Indian National Congress had no effect on fundamental foreign policy decisions post independence. The biggest departure from British Indian Foreign Policy was observed in the Indian policy of non-alignment. Non-alignment as a policy enshrined the values of the Indian National Congress with respect to its ideas for a foreign policy of an independent India. Research into this aspect also showed that besides the fact that non-alignment was a culmination of all the values, that the leaders of the Indian National Congress professed to stand by; there is also

ample evidence to suggest that germination and growth of non-alignment as an idea had started emerging much before independence. Even in the constituent assembly before independence, Nehru spoke of how India would maintain neutrality in an increasingly hostile world- post Second World War.

Based on the research puzzle of this study four hypotheses were stated in the introduction which will now be examined in detail.

Hypothesis 1: There are strong continuities between Indian foreign policy before and after Indian independence because India's structural conditions- defined here as India's position in the regional, rather, than global balance of power- remained the same.

As the discussion above highlights, in an overall assessment, the scale of continuity does dip in the favour of British Indian foreign policy. Independent India sought to build its foreign policy on the foundations of British Indian foreign policy. There was never an attempt to reject any policy lock, stock and barrel just because it was perceived as a colonial legacy. These were specially observed in the case of devolution of treaty obligations and the manner in which Indian leaders competed with Pakistani leaders to claim a right to be a successor of British India's international legal personality. Continuing the Commonwealth membership first as a Dominion and then as a Republic further added to this association.

Now the question remains, what could these continuities be attributed to? The validity of this hypothesis could then be tested if such continuities could indeed be attributed to India's structural position within the region. In this context, this study, finds this hypothesis to be a valid statement based on the following two observations- First, in reference to India's commonwealth membership, the following points are of interest. British were adamant about India being part of the Commonwealth of Nations because of India's immense strategic value. As was shown in detail in chapter four, making independent India part of the Commonwealth, irrespective of Pakistan, was a major policy

goal for the British Government. A hostile India or an India under the influence of hostile powers, was a situation that the British government definitely wanted to avoid. This situation would have meant an end to their predominance in the Indian Ocean. Consequently, for Britain to maintain a hold on it's other colonies would have been practically very difficult. The main attraction for the British Government to offer a Dominion Status to India at the time of independence was that- if India's experience within this group is favourable, then it might even consider this membership as a permanent feature. Hence, it is in this context that Britain's determined and aggressive attempts to accommodate India within the Commonwealth could be understood. As far as Indian leaders were concerned, especially Nehru, Dominion status was not something that they particularly desired. In fact, Nehru was acutely aware of the detrimental psychological effect that such a term, at the time of independence might have.

Later at the time of Independence Indian leaders accepted Dominion status primarily because they saw three, advantages. First- it allowed them to complete the transfer of power, without having the constitution ready. Second, because of the first reason, a dominion status for a limited period of time facilitated an earlier and smoother transfer of power. Third, it was logistically a better plan. The other plan-'Plan Balkan' would have ensured fragmentation of the entire subcontinent, and not just partition.

However, Indians still raised objection to fundamental requirements of a Commonwealth membership like owing allegiance to the King. The British revised this fundamental rule to accommodate India and ultimately even allowed India to remain part of the Commonwealth as a Republic. This was no mean feat. There is no doubt that a newly independent India did see considerable advantages in retaining a Commonwealth membership, however, it did carry ideological opposition to it. Consequently, India put forth its terms to mitigate its own ideological reservations. Subsequently, India could be a Commonwealth member on its own terms, only because the British were

willing to go to great lengths to accommodate India and ensure that India remains part of the Commonwealth. From a British perspective this was done only because of India's predominance in the region and its immense strategic advantages. India was the first country, for which such fundamental changes in the Commonwealth were considered. This further, paved the way for other Asian and African colonies to become part of the British Commonwealth of Nations. Hence, Commonwealth membership, which was indeed an enduring legacy of the British Government, could be a possibility only because of the strategic importance India held for Britain, even after independence.

The second crucial observation, with respect to continuities in foreign policy, because of India's structural position being constant, relate to observing the treaty obligations of British Indian government and the HMG. India's neighbours were willing to sign a standstill agreement with India and virtually carry on with the same treaty relationship as they had with British India. These treaties were negotiated between British India and India's neighbours like Bhutan, Sikkim, Nepal and Tibet. Since, British India was the materially stronger party of the rest; the treaties were naturally signed with an inherent advantage to British India. It then becomes crucial that at Independence, because the relative material power of India was still massive, compared to all other countries mentioned above, the terms of the treaties largely remained the same.

This continuation of terms of treaties becomes even more significant when compared to the fact that Tibet did see the transfer of power in India as an opportunity to change the status quo in its favour. As documentary proof revealed, Tibet was interested in ensuring its autonomy, and thought that India was now not strong enough to ensure it against China. Simultaneously, China saw it as an opportunity to change the status quo of Tibet to its own advantage. Both these revisions were triggered by the exit of British from India.

Hence, in relative terms, India's material position within the regional structure after independence was enough to maintain the status quo against

Nepal, Bhutan and Sikkim. However, it was not enough to maintain a status quo against Tibet and China.

It can be said that since, a change in the relative structural position of India is seen as producing a change in the maintenance of status quo with respect to different countries in the region, it can be concluded that the structural position of a state is indeed a causal or independent variable of state behaviour.

Hypothesis 2: Indian policy towards USSR-as seen in British Indian foreign policy- changed dramatically post independence as a consequence of Nehru's different perception of national interest.

There are primarily two observations that are being made here. First, within British Indian foreign policy USSR was seen as a principal threat to India. Second, that independent India did not share the same view of designating USSR as a principal threat. The hypothesis however relates to designating the reason for this change; to Nehru's different perception of national interest.

The study does indicate that Nehru as early as 1927 was open to judging every country at its own merit, and not get influenced by what the British government considered as dangerous to Indian interests. Nehru, like other Congress leaders, also found a lot to admire in the way Soviet Russia had modernised its economy, they felt that a newly independent India could benefit a lot from implementing a state directed model of development. In addition to this, Soviet government's anti-imperialist agenda also struck a right chord with Nehru. He agreed with the Marxist understanding that Capitalism and imperialism were intricately linked, and that for one to fall other must also perish.

However, at the same time, Nehru was also aware that Soviet Russia being a mighty country in India's vicinity could either be India's friend or a deadly foe, like a constant thorn at its side. He also knew that sooner or later

Soviet Russia was likely to follow its own version of imperialism. In addition he also disliked the authoritarian nature of Soviet society and understood the importance of civil liberties.

Personal affinities and reservations aside, post independence, Nehru was dealing with a fundamentally different India compared to the one British were governing. The British concerns were directed by European balance of power and competing imperialist tendencies of different European rivals. Britain had to defend an empire of which India was an integral part. However, Nehru had no such concerns to think about, his priorities were very different. As the leader of a newly independent nation, he had to ensure that India was self-sufficient enough to maintain that independence. He understood that the pace at which decolonisation was happening around the world, there was little chance of any country, particularly Soviet Union invading it directly. However, he did have to absolutely ensure that India as a newly independent nation had the freedom to take her own decisions, and not be tied down by demands of an alliance- that were prevalent in the Cold War period. It is primarily in this context that Nehru did not perceive Soviet Russia as an immediate threat, like the British had before him.

Indian closeness to Soviet Russia had less to do with Nehru's personal affinities, (though they did play a role) and had more to do with Nehru's definition of national interest in a world divided by cold war. During the years of independence struggle, Nehru admired Soviet Russia for its own merit and not because Russia was England's long standing adversary in Asia. He was above the crass rationale of an enemy's enemy is a friend. After Indian independence, relations with Soviet Union were not very satisfactory; and it took some time for India and Soviet Russia to build the kind of close relations, that the two were later known for. Much of it was dictated by cold war contingencies, chief among them was Pakistan permanently establishing itself in the US sphere of influence.

Hence, this study finds this hypothesis valid, because relations were dictated by Nehru's perception of National interest, which could primarily be defined as keeping India clear of aligning itself with any side of the cold war. He did not fear an existential threat from Soviet Russia in the same manner as the British Government had.

Hypothesis 3: Non-alignment was a fundamentally new approach in Indian foreign policy which had its roots in Indian National Congress' thinking on foreign policy issues before independence.

This hypothesis posits that non-alignment as a concept was novel and had its roots in Indian National Congress' thoughts on foreign policy issues. This statement is true to the extent that British Indian foreign policy had no such policy inclination, and one could see this concept coming into existence only under the interim government headed by Nehru, preceding independence. Speaking publicly in interviews and in the constituent assembly debates- Nehru highlighted that independent India did not wish to be part of any military alliance. He further added that India wished to contribute towards creating an integrated world community. A community built on the ideals of peaceful coexistence, and in such a world any sort of groupings would defeat that purpose. Indian leaders felt that the Indian way of navigating world affairs had a moral edge, and that India could show the world a new kind of politics.

It could be argued that non-alignment as it was originally understood conceptually lost many of its defining features as decades progressed. However, in the context of the present hypothesis, this statement is valid because British Indian foreign policy did not have foreign policy goals or objectives akin to this and hence, one must of necessity conclude that it was in the thinking of Indian National Congress leaders that a defining element of Indian foreign policy took shape.

Hypothesis 4: The greatest continuity in foreign policy before and after independence could be seen in the bilateral policies in South Asia, especially with respect to Bhutan, Nepal and Tibet.

A detailed analysis of devolution of treaty obligations in chapter four and five, points towards the validity of this statement above. This statement is also related to the first hypothesis mentioned above, in terms of the reasons of such continuities.

This study indeed finds that independent India insisted on being the legal successor of British India; and as a logical corollary to it, independent India agreed to abide by the treaty obligations of British India. At this juncture, Indian leaders actively chose to follow British Indian foreign policy with respect to its neighbouring states. As shown in the discussion of the first hypothesis, Bhutan and Nepal agreed to maintain this status quo, and hence this continuity brought in great stability, because both the parties desired to maintain the status quo.

The same however, was not noted in the case of Tibet. Even though, Indian government indicated at the time of transfer of power that it wished to maintain the status quo, the Tibetan and the Chinese government indicated otherwise. Hence, it was a very reluctant status-quo that was maintained. Subsequently, the People's Liberation Army marched into Tibet and changed the equation completely. However, irrespective of all these changes, the Indian official position on Tibet did not change substantially from the one that it had inherited from British India.

Neorealism and the Indian Case:

For the purpose of this current study what is to be kept in mind is that this study does not seek to use Neorealism as an explanatory framework for India's foreign policy decision. Instead what this study wants to do is to underline the core realist presumptions for what influences states behaviour

and then put it to test with respect to the Indian case. Since internal factors like the nature of a regime do not play a causal role in neorealist analysis, a situation where drastic changes are observed in foreign policy behaviour would disprove core neorealist assumptions about state behaviour in the international system.

In the Indian context, if these core realist assumptions are to be tested, then one such crucial testing ground would be to see how these core realist assumptions hold after power had been transferred from British hands to the Indian government. Two things make it a good ground for testing neorealism. First, in terms of regime change, there was a huge one in terms of a nationalist government taking over charge from a colonial government. Second, even after partition in 1947, India's relative structural position within the region did not change. Hence, India remained a prominent power within the region.

Within the logic of neorealist theory then there should be no conceivable change in the Indian foreign policy choices after independence owing to the fact that India's structural position remained constant. It remained a predominant power and a regime change- even one as fundamental as the one in India- should have had no effect on India's foreign policy behaviour.

For this to be done, first an analysis would have to be made regarding the general trends in Indian foreign policy pre- and post-independence. This could be assessed with the help of observing certain themes in the Indian foreign policy analysis that have emerged from this study.

Commonwealth Membership: As has been shown in the previous chapter on Indian National Congress and its conceptions on foreign policy, the main opposition that leaders in Congress had with reference to remaining within the Commonwealth were largely on ideological grounds. This opposition, for leaders like Nehru, flowed naturally from a stance against imperialism and colonialism. The fact that India chose to remain within the Commonwealth

goes on to show that there is a limit to ideological considerations in the face of other issues of strategic or material importance. As has been indicated, India's Commonwealth membership had a complete arc to it. It was first a member of the Commonwealth as a colony, then as a Dominion and later India helped in changing the rules of Commonwealth membership to become a member of the Commonwealth as a Republic. Even though in the first two cases, India's Commonwealth membership was not of its own choosing, in the third case it was. The strategic importance that Britain attached to India being part of the Commonwealth was so strong that it was willing to consider changing the rules of Commonwealth membership to accommodate India as a Republic. United Kingdom reckoned that to safeguard its other colonies, an India not under the influence of hostile powers and within the Commonwealth was extremely important. Without logistic and other support from India, maintaining British presence in the Indian Ocean would have been impossible for Britain.

On India's part, it saw the benefit of having the support of Commonwealth, which it required to navigate world politics- being a newly independent country. Additionally, it was also a good way to be part of a support structure of a group without being militarily aligned with any of them. There was also a fear that in case India left the Commonwealth, and Pakistan remained, then Pakistan was liable to use the influence of the group against India- a plan that was actually on Pakistan's mind. Hence, it could be seen that for both the parties concerned, i.e. the United Kingdom and India, strategic issues related to Commonwealth membership were of prime importance. The continuation of Commonwealth membership shows that when the time came to choose, India did not choose to opt out of the Commonwealth based on the ideals of the freedom struggle.

When India was not independent, Commonwealth membership was looked at as a form of colonial rule only. Hence, even when there was a chance of leaving the Commonwealth, India did not do so, which only goes on

to show that considerations other than an ideological opposition to Commonwealth were at play. However, one has to also realise that continuing with Commonwealth membership was only an example of continued association with the British Empire and not of actual continuation of policy. Even though a continuation of association has its own theoretical significance, a continuation of policy can be seen in the devolution of treaty obligations of British India.

Treaty Obligations of the British Government: Perhaps one of the greatest continuities that could be noticed with the British Indian Government was in the field of treaty obligations which the Indian government chose to honour at the time of independence. At a time when one would expect the Indian government to formally break away from its colonial past, India chose to formally take on the identity of the British Indian government. Indian leaders at that time also perceived it as a regime change and not as a fundamental shift in Indian politics. In fact, as shown in the previous chapter, the Indian leaders actually staked claim to be a successor state to the British Indian Government. The British Government also reached the same conclusion and India inherited all the membership of the International Organisations that British India was part of. Pakistan was to apply for a fresh membership to all these organisations.

The second crucial aspect of this was that as a logical corollary to accepting British India's international personality, India agreed to abide by the treaty obligations of the British government in India. This was also in accordance with an understanding of international law at that time which warranted that treaties that define territories and boundaries run with the land and cannot be repudiated by a government unilaterally irrespective of the kind of regime change that might take place. However, of primary importance here is that Indian leaders actively chose this and it was not an obligation that was

trust on them by Britain at the time of independence.[50] Hence, most of the boundary agreements that were signed by British India with India's neighbouring countries and were geographically contiguous to the Dominion of India devolved on the Government of India. Similarly, Pakistan was responsible for respecting British India's treaty rights in the areas contiguous with its own territories. Hence, this effectively meant that India received a blue print of foreign relations from the British India- a foundation that it could build on but not alter drastically.

The fact that many of India's neighbouring countries were willing to maintain the status quo points to the fact that the balance of power in the region was still in India's favour. Hence, Bhutan and Nepal also welcomed the move of India accepting the treaty obligation of British India. The treaties were designed by British India and signed by British India, since British India was a stronger party in these treaties, the advantages of the treaties were naturally skewed in India's favour. The fact that India did not want to lose these advantages or the fact that Nepal and Bhutan did not look at it as an opportunity to revise the status quo in their own favour only goes on to show that even with the withdrawal of the British, India was still powerful enough to ensure the balance of power remained tilted in its favour.

Tibet was the only state immediately in India's vicinity that sought to change the status quo. Additionally, China was also looking at transfer of power in India to change the status quo with respect to Tibet and India. The Convention of 1914 did not leave any of the three parties very happy. China was unhappy because the treaty sought to establish Tibet's independence, which China always saw as its integral territorial part, even though materially it was in no position to govern it. Tibet, although was happy being considered autonomous, nevertheless wanted to be completely independent and did not

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[50] It has already been shown in the previous chapter that HMG was extremely keen on acceptance of treaty obligations by the two new Dominions. For Britain it was a way of ensuring that no foreign state could blame the HMG of suddenly repudiating all treaties. They did not want a situation where in a foreign state could make any claims on the HMG that was outside of its scope to physically fulfil.

like the fact that according to the Convention, Britain recognised Tibet as being under the suzerainty of China.

HMG was unhappy with the 1914 convention because China never ratified it and hence, this left the status of the treaty in doubt. Britain, however, out of sheer material power that it had behind her, decided to unilaterally follow the treaty with Tibet's tacit approval. Hence, it was no surprise then that both China and Tibet wanted to alter the status quo at the first available opportunity. With the transfer of power, that opportunity had now come. The act of Tibet and China looking to alter their respective status quo, points to the fact that with the British gone, Tibet and China perceived India as being incapable of maintaining the status quo in the region.

Both China and Tibet looked at it as an opportunity. Tibet wanted to take steps to ensure that its complete independence could be ensured; it also wanted to alter the McMahon line to its advantage. China wanted to stake its claim on Tibet and was hoping to negotiate a deal with India without involving Tibet. Additionally, it also sought to repudiate all trade agreements between Tibet, China and India.

This intention to change the status quo by Tibet and China point to a possibility that with Britain's withdrawal from India, Tibet and especially China perceived that India's material power was now not sufficient to keep in force a treaty that the other two parties were not very happy with, just to maintain its own advantage. Hence, even though India was still a dominant power in the region, its capability had reduced in a relative sense. With respect to Bhutan, Nepal and even Afghanistan, its relative power was enough to back a status quo. However, in the case of Tibet, it was seen that Tibet realised that with respect to China, India was not decisively stronger to be able to sustain Tibetan autonomy against Chinese pressure. Tibet's main concern was to maintain its autonomy at the very least and try and gain full independence as a best case scenario. It could be seen in the Tibetan correspondence with the

Indian government that the government in Tibet saw this as an opportunity to change the existing situation to its advantage.

It is in this context that the Tibetan government refused to sign a standstill agreement immediately with the Indian government like Bhutan and other neighbouring countries had signed with India. The important point to bear in mind with respect to standstill agreements with reference to this current study is that the idea of a standstill agreement was to maintain the status quo pending negotiations for new treaties or changes in existing ones. Hence, the idea was not to have any window of revision whatsoever but to maintain the status quo till such a revision, if required, could take effect. As could be seen with Nepal and Bhutan, even after new agreements were signed within a year or two after Indian independence, virtually the same status quo was maintained.

What was curious in the Tibetan case, was their refusal to even agree to the status quo pending negotiations. Hence, even with an indication by the Indians of negotiating the terms of the existing situation the Tibetans were reluctant because they wanted to change the status quo and not merely alter it. The same could be seen in the Chinese case also with respect to Tibet. However, strictly speaking, the situation for the Tibetans was a bit more complicated. Their idea of revising the status quo meant taking steps to ensure complete Tibetan independence, and in the Chinese case, revising the status quo meant re-establishing their control over Tibet. This is where it could be argued that the Tibetan government lost perspective of the forest in order to concentrate on trees.

In order to change their existing situation with respect to India, they started delegitimising the Simla Convention of 1914; by doing so they questioned the very foundations of Indian presence in Tibet. With China putting pressure on India separately to negotiate with them the question of Tibet by also denouncing the 1914 Convention, the situation had become rather curious. Tibet, by questioning the status quo, sabotaged India's chances

of negotiating anything with the Chinese. It was a strange situation- the Indian government was the only one advocating an adherence to the 1914 Simla convention (which was the rationale and the basis of the status quo) with both Tibet and China denying its legitimacy albeit for their own reasons. India now was not in a firm position to negotiate with China over Tibet because China would have claimed that Tibet only wants India out of Lhasa, thereby stripping the Indian position of all its legitimacy. This fear was prevalent in the Government of India and the best that they could do then was to play for time. With the political situation being unstable in China at the end of 1940's, India did get a chance to postpone its discussion with China on Tibet. However, as soon as the Communist government consolidated power, they re-established their control over Tibet. With this move, the situation had drastically changed; and now any hopes of a dispassionate tripartite discussion over Tibet had disappeared.

Additional Theoretical Implications:

One of the primary aims of this study was to test neorealism. This was done because the case presented in the study was a hard test for neorealism. A transition from a colonial government to a nationalistic government of an independent nation was as strong an ideological impetus that could have existed in history- to sever ties from previous policies and start afresh. This study however, does not observe a radical departure, and has instead noticed very strong continuities between the foreign policy of British India and foreign policy of independent India. What adds to this is that, the strongest sources of continuity could be observed in bilateral policies with India's neighbours. These continuities were a direct consequence of Indian government willingly choosing to adhere to treaty obligations of the British India. Hence, even though British wanted that these treaty obligations should be honoured by the successor governments, it was by no way forced on the Indian leaders. The Indian leaders chose to do so. These strong continuities point to the fact that neorealism indeed did pass this theoretical test. However, the study also points

towards another aspect of state decision that would not naturally fall within the neorealist explanations for state behaviour.

As was discussed in chapter four, the Indian leaders were primarily concerned with being the legal successor of British India and they were extremely adamant about it. They rejected outright Pakistan's interpretation of two legal heirs being born after partition and after transfer of power. As far as India was concerned- The Indian state was gaining independence and the other was seceding from it. The British government agreed to India's interpretation, and proclaimed India to be its legal heir to the Indian seat of United Nations. As was discussed earlier, the British agreed to India's interpretation not because they were really concerned about India's international personality, but because they used it as a platform to devolve international treaty rights on India. The Indian leaders on their part saw treaty obligations as a logical corollary to being a legal heir to British India.

The crucial issue in this chain of events however is the reason behind Indian leaders' insistence that India should continue to exist as India, and not dissolve into a Hindustan and a Pakistan. It is in this reason that an important rationale of state behaviour can be observed. By insisting that 'India' should continue to exist; what the leaders were primarily arguing at that point of time was- that the identity of 'India' as a country should endure.

This was an extremely important point for the Indian leaders; and Nehru even claimed that he would agree to partition only and only if India as a state continued to exist. By becoming a new state 'Hindustan' after transfer of power the erstwhile India would have existed territorially, but not in its original identity. It was the preservation of this very identity that was a top priority for Indian leaders. It is no wonder then that Mountbatten commented- that it is a matter of 'prestige' for the Indian leaders.

It could be argued that since Pakistan in any case was claiming to be a 'new' state for the Muslims of South Asia, this continuation of old Indian

identity was not crucial for Pakistan as a country. India on the other hand claimed to be a home to people of all religions and boasted of an ancient heritage. The idea that because of the act of partition, the country that you know as India, vanishes was unacceptable to Indian leaders. It is in this context, that they were arguing that the creation of Pakistan was a case of secession and not of two new countries being formed. For the Indian leaders, it was a struggle for claiming the essence of India albeit in a diminished territory of India. This situation was strangely similar to the philosophical paradox of Theseus's ship.

Hence, in this study it can be seen that while what neorealism tells us about the reasons behind a state's behaviour is valid, what also has to be realised is that it might not be the sole reason for a state's choices. Hence, neorealism does pass the test of validity in terms of continuity in Indian foreign policy because as shown in the section above the status quo of these treaties were agreed to by the other party, only because India's relative position within this structure did not change.

However, if one was to go into the reasons for why India chose to abide by the treaty obligations then a more complex picture emerges. This is not to suggest that India would not have derived material stability by adhering to treaty obligations. It certainly would have, and indeed it did. In fact the absence of this stability would have created a lot of avoidable chaos, for a newly independent nation. What is of significance here is that the Indian leaders acknowledged this aspect, and indeed mentioned it too. They nevertheless always stressed on the issue of identity. After all even if they would have agreed to be a new nation 'Hindustan' they could have still adhered to the treaty obligations even without the International identity of India. Similar to how Pakistan adhered to treaty obligations relevant to its territory without being a legal heir to India's international personality.

Hence, it can be seen that for the Indian leaders the primary driving force was the issue of retaining the 'Indian' identity and not merely adhering

to treaty obligations. For them the primary concern- was always the continuation of India's identity, even though they did give the issue of treaty obligations a lot of importance. For Indian leaders the issue of identity was paramount and issue of treaties was secondary. For the British government on the other hand the primary issue was that of devolution of treaty obligations, so that they could relieve themselves of any responsibly towards the other party of the treaty.

However, once the independent Indian government had agreed to abide by British India's treaty obligations; they did it rather seriously. It seemed as if it was India's way of telling its neighbours that India was not a revisionist state and would gladly respect status-quo. It is a different matter that most of these treaties, indeed gave India massive advantages; and India worked actively to retain it. Hence, this study finds that concerns for maintaining an identity as well as maintaining its structural position; both come across as valid reasons for the behaviour of the Indian state post independence.

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