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*The Evolving Commonwealth**

“JUST what is this Commonwealth ?” a German colleague of mine asked me sometime ago. “Is it not simply a device that enables the United Kingdom to avoid facing highly embarrassing facts ?”

Certainly in the last few years the Commonwealth has been changing shape and substance so rapidly that only a very daring person would try to anticipate its future. Certainly it is not what it was seven years ago or even three years ago, and quite probably it will have a different appearance next year.

But whatever the changing appearance and character, there is no denying that an association does still exist, even though the legal or constitutional links remain exceedingly tenuous, if not non-existent. History has thrown together an association of countries in all stages of development and varying stages of self-government, with varying interests, ambitions and even loyalties, acting, if they so wish, independently of common control, but united in recognising the Queen as head, united in their use of similar institutions—parliaments, independent courts, free universities—and sharing a *lingua franca* which permits free, frank and detailed discussions in conference or around the dinner table.

The sovereign independent states making up this association are today : the United Kingdom, Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, Malaya (the first constitutional monarchy within the Commonwealth) and Ghana. At the moment, two—India and Pakistan—are republics, but Ceylon, and possibly the Union of South Africa show signs that they may adopt republican constitutions. Should this happen, it would mean that out of a total of ten, half would no longer owe allegiance to the Crown, but would use the new title “Head of the Commonwealth”.

*A lecture delivered in the University of Ceylon, Colombo, on September 23, 1957 by the Rhodes Professor of Imperial History, King's College, London.

There is also a dwindling fragment called "Empire",—but the distinction sometimes made between "Commonwealth" and "Empire" can be extremely misleading if it is assumed that there is a clear-cut division between wholly independent countries on the one hand and wholly dependent on the other. The dependent "Empire" is in various stages of transition—Nigeria, Singapore, the Federation of Rhodesia and Nyasaland, the Federation of the West Indies. For some of them, Commonwealth status is already pledged, and it may be assumed that as each of these territories reaches independence, it will be given the opportunity of remaining within the Commonwealth, should it wish, either as a country under the sovereignty of the Crown, or as one merely acknowledging the Crown as Head.

Indeed, if one looks ahead it is probable that the rest of the old Empire will gradually melt away as various groups or territories emerge as separate sovereign states.

Now, anyone who is an optimist today is bound to be under suspicion; and I must confess that over the past ten years I have found it hard to share the mood of self-congratulation that ordinarily follows Commonwealth Conferences, (although the fact that Prime Ministers meet with regularity is of itself a highly encouraging symptom). None the less, one is apt to tire of the oft-repeated pronouncements on the joys of co-operation and consultation. *Partnership* has become a word to describe or gloss a relationship that can never be precise or well-defined; yet I sympathise entirely with the distaste of the older Dominions for exact terminology—for the expression of Commonwealth methods and aims in concrete terms. Newly established nations have their own proper sensitivity and pride—perhaps a luxury in these dangerous times—but there it is; and almost inevitably since the association of self-governing Dominions began to develop, the Commonwealth's future has been pretty well left to decide itself without advanced legal prescription.

How did it all begin? Looking backward it is possible to say that the first significant milestone in the development of this association was reached in 1839. The famous Durham Report which aimed at settling certain Canadian difficulties by the grant of local self-government, decided that evolution—and never again revolution—should be the method of colonial development. Durham's scheme of responsible government involved a kind of dyarchy; control over certain local affairs was handed over to the

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colonial legislatures ; the major imperial interests—the nature of the constitution, lands, immigration, external affairs—were reserved to the British Parliament.

Thus the machinery of responsible government was set up, and before long the consolidation or federation of groups of colonies expedited the advance towards nationhood. Between 1867 and 1873 Canada became a federation stretching from the Atlantic to the Pacific ; New Zealand acquired a central and unified government in 1876 ; the Commonwealth of Australia was born in 1901, and the Union of South Africa took final shape in 1910. Although there was friction at times, and angry comments on the paternalism of Whitehall and Downing Street, the machinery of empire worked. No dominion, whatever its private grievances or discontents challenged the overriding legal sovereignty of the parliament at Westminster. There was no talk of another American Revolution.

Outwardly, the Empire still bore the appearance of a centralized unity ; but the imperial facade barely served to conceal the awakening nationalist impulses of the several parts. By 1914 the Dominions (as they were now called) had achieved complete autonomy in domestic affairs ; they controlled everything of national importance except foreign affairs. They could regulate their own tariffs, their own immigration policies and their own military systems. It was not yet obvious that the trend was towards national independence. On the other hand, it was still clear that none of the Dominions was seriously interested in leaving the Empire. Yet if national independence were to be accepted as a goal, could anything like an Empire continue to exist ? Was it possible to find a principle which would satisfy national aspirations, and at the same time meet the expressed wishes of the Dominions to remain within the Imperial circle ?

As it happened, a saving formula was discovered during the Imperial Conference of 1926, and found its way into a Conference resolution : The Dominions and Great Britain “ are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or foreign affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations”. This relationship was confirmed and elaborated in the Statute of Westminster of 1931. The existence of a new kind of Empire had been recognised. When the President of Columbia University (U.S.A.) the late Nicholas Murray Butler, described

the Statute as "the most important contribution to the public law of the world since the ratification of the Constitution of the United States" he was guilty of pardonable exuberance and exaggeration. In the history of colonial and Commonwealth development, the lawyer has never been able to catch up with the statesman. The Statute of Westminster provided "all that there was of the Commonwealth in law"; *precedent and convention* supplied the rest and they are the most important. None the less, the Statute did record in black and white the achievement of *de facto* independence, and the retention of flexible bonds of association under the British Crown (which could mean in the last resort, the right to secede).

The Statute of Westminster represented a goal—the achievement of what was termed Dominion status. In retrospect, it is easy to recognize that the Statute was only another great milestone in evolution. Problems involved in the growth of living societies can have no final solutions; and living political organisms are subject, as Edmund Burke has once explained, to the law of "continuity in change, and change in continuity". Certainly, what appeared to many people in 1931 as a solution of the problem of the British Empire turned out within a few years to be simply the beginnings of a new set of problems. Indeed, by 1949, it was proper to ask if change had not produced a complete disruption of the original organism; was there not too drastic a break in continuity; in other words, was there, as the friendly German had asked, any reality legal or political, left to the Commonwealth.

Hitherto, amid all the changes of stature and status, the Crown had been the potent symbol of a strong partnership. The formula for describing the Commonwealth had evolved from the idea of allegiance to the Common Crown, which had also become by 1931 the Crown divisible, shared in the person of one monarch who in 1931 had become seven juristic persons (if Newfoundland be temporarily included). In 1931 the Crown was common for the Dominions only through being worn by the same person; they were united in loyalty to a symbol, although themselves divided into separate nations. Yet the symbol appeared to be vital; without the bond of a common sovereign, the one universally uniting element would have been lost.

As it happened, however, a new formula had to be invented which would enable the new Asiatic dominion, India, to accept the idea of Commonwealth without accepting the old obligation of allegiance to the Crown upon which the original structure had been based. In 1949, the solution

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was to accept India as a republic, a republic acknowledging the King as Head of the Commonwealth. It was a drastic, if not frightening admission, re-emphasized four years later by the decision of Pakistan to become a republic. But at least the new arrangement did recognize the unique position of the Crown as the only institution essential to the Commonwealth relationship. The monarchy was to remain—even though in a diminished sense—a unifying symbol, and not just the Royal emblem of territories peopled by British stock.

None the less, the Crown is no longer one juristic being, and no amount of legal hair-splitting can alter that fact. Today inter-Commonwealth relations are based on international law—multi-lateral treaties embracing non-Commonwealth as well as Commonwealth states. Even relationships among the older non-republican members no longer fall within the realm of constitutional law. The symbol remains, and, as I have said, it is still important as a symbol, but it no longer has any constitutional significance.

In these circumstances—when the ties of Commonwealth have so loosened as to permit the surrender of allegiance to the Crown, and departure from what had always been the most tenuous constitutional relationship, why—you may say—make the effort to keep the association together. Is membership in such a loose congeries of states any more valuable than membership in any other *entente* or alliance between regional and non-British groups? Indeed, might not regional groupings such as N.A.T.O., or the South East Asian Group, or the Australasian-United States Pacific Pact more efficiently take the place of the Commonwealth association?

The main factor involved in such considerations is obviously national security. Nations are still willing to pay even in blood for the sake of their separate identities, and it is understandable that after 1949 some members of the Commonwealth should have asked themselves whether continued association offered any material benefits—for example, any guarantee of national survival. To put it another way—how much of the Commonwealth could any member afford to see liquidated before a water-tight system of collective security had been developed?

Certainly the Commonwealth can no longer be regarded as a single defence organization whose solidarity could be counted on in case of war.

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Although we have still the Imperial Defence College in the United Kingdom along with more informal centres of co-operation, although we have joint Staff courses and combined military exercises, there is no longer an Imperial British strategy as there was before 1939, or even as late as 1945. The old imperial strategic framework has collapsed, and has been superseded by a pattern of regional alliances, in each of which the United States is the dominant partner. The United States is outside the Commonwealth, and yet in terms of the pattern of political and ideological affinities, it is not entirely outside it. The United States has one foot in the Commonwealth.

Before the end of the Second World War, the United States while admitting a grudging respect and even admiration for the United Kingdom, had shown a rather paradoxical but none the less rooted distaste for empires, and especially the old British Empire. Then, with a curious precipitancy, hardly two years after the war was over, the integrity of the Commonwealth and Empire became a first principle of American policy; for the sake of their own security, Americans had been forced by the divided conditions of the world into accepting the Commonwealth and Empire as part of the cordon of their own national defences.

In large part this revolutionary change in policy was a consequence of the war; the war forced the United States to recognize the value of a Commonwealth coalition that had stood the test stubbornly against one of the most powerful and barbaric tyrannies in history. If there had been no Commonwealth in 1940, Hitler might well have won the war following the surrender of France, and such a victory would have involved awful consequences to human liberty on both sides of the Atlantic. "Hitler often claimed that he was building a Reich which would last a thousand years. One-tenth of that time would have been enough for the destruction of the essential standards of civilization as we know them. These standards of civilization which abhor cruelty, enjoin pity, uphold freedom would have gone down under merciless German pressure..... Civilizations (in the words of Sir Llewellyn Woodward) do not always get a second chance."

And so it happened—the loose-limbed Commonwealth and Empire faced the ordeal and gave civilization a second chance. Men of every kind of religion, race and colour succeeded in combining for common ends in a manner that was not possible even for racially allied communities like the Latins and the Slavs. Perhaps it was a miracle; perhaps only a

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major catastrophe could have resolved radical divisions of interest, ambition and loyalty. It may never happen again, but it did happen impressively only seventeen years ago ; and the achievement helps to explain the revolutionary change in American foreign policy after 1945.

Today various Commonwealth members—especially those of the North Atlantic group—are closely tied to the United States for certain purposes. However reluctantly they may accept American leadership, they take the view that their survival in this dangerous world depends upon their close co-operation with the United States ; and actually because of the present policies of the United States the defences of the Commonwealth—from the Indian Ocean through the Pacific and across the Atlantic are *very much stronger* than they were immediately before World War II.

On the other hand, the accession of American military strength is partly counter-balanced by the neutralism of members of the South Asian group whose ports and airfields lie at key points on the routes that link the regional alliances. Sentiments of new nationalism combined with anti-colonialism tend to make them assume that a power like Communist China must have virtue by reason of its Asiatic traditions, history and consequent “anti-colonialism”. The fact that it possesses a totalitarian regime may be cause for fear or suspicion, but not sufficient to force a break from the circle of neutrality. Indeed, it is probable that Mr. Nehru would like to assert an “Asiatic Monroe doctrine” which would keep South Asia free from any form of Western interference or influence. To do so, however, he will have to win the leadership of Asia against the competition of the more numerous and ruthlessly directed Chinese Communists. On the ultimate results of this contest the future of the Commonwealth and of South East Asia may well depend.

The new nationalism is in itself supposed to be a substantial barrier to the spread of Communism,—(though the merits of such a barrier have been exaggerated) but nationalism has its disquieting features in so far as the unity of the Commonwealth is concerned. In Africa as well as in Asia nationalism tends to be a separative force, which knows little moderation ; in Africa as in Asia the pace has been forced by way of challenge to the old imperial powers at a time, curiously enough, when nationalism has become increasingly suspect in the West as the blight of Europe. Today the more mature European nations are apt to regard unlimited sovereignty as a concept that runs counter to common sense, and they question the

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wisdom of defining systems of national rights under conditions which may endanger national survival.

But quite understandably such views have little chance of withstanding the elemental upheavals that accompany the birth of new independent nations. Indeed, the awakening of the East to political self consciousness is reminiscent of the French Revolution in the sense that forces have been unleashed that have changed history. Both India and Pakistan have been involved in conflicts of nationalism and racial emotion that subjected not only themselves but the Commonwealth relationship to enormous strains and tensions. These events are more than accidents of nationalism, and only the future can show whether nationalism will, in the long run, be less harmful to the world than imperialism.

In pondering this problem of the unity of the Commonwealth, it is well to remember that a great deal more than British or North American or Western interests is at stake. Imponderable things like ideas about the meaning of human freedom, and concrete things like free discussion and free elections, and institutions of self-government are at stake.

In normal times, it would appear somewhat absurd, if not melodramatic, to speak of the unifying power of a common inheritance. But we live in a period of strain and world tension which forces most of us, regardless of race and creed, to ponder the importance of certain principles which are at stake in the world today. We live in a period of danger which it would be folly to underestimate. Our physical atomisation is a possibility; granting survival to the destruction of certain vital political and spiritual values is also a possibility. It is hardly necessary to recall the fate of Czechoslovakia or Poland, or of the old Universities of Berlin and Prague to appreciate the catastrophic effects of totalitarian rule on civilized life. (Whose *colonialism* most impresses you over the past ten years? That of Russia in Czechoslovakia, Hungary, Rumania and Poland; or that of Britain in the Sub-continent, Burma and Malaya?)

Within the Commonwealth, I like to believe there is still among thinking people a profound attachment—not simply lip-service—to certain spiritual values, of which, for many of us, Great Britain was the original source. To Canadians—and I speak as a Canadian-born—Great Britain still maintains a considerable prestige, not only as senior member of the Commonwealth, but as the source of certain principles or values which

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I regard as basic to our way of life—individual freedom, respect for law, toleration of religion. And I might add too that in an age of surging prosperity, when Canada is growing wealthier and wealthier on new gold, uranium, oil and iron—and when new industries multiply themselves yearly—some of us recall the rich heritage of arts, letters and science which in part Britain has shared with all the one-time colonies or empires regardless of race, religion and colour.

Looking backward, no one can be certain that evolution towards representative government in the British manner was always the proper or natural path for every colony that has advanced or is advancing towards complete self-government. I have substantial doubts myself; but almost inevitably European nations tended to assess imperial problems in the light of their own past experience, and attempted to fit them to traditional formulæ regardless of their relevance to existing conditions in other lands. None the less, certain principles seem to possess enduring value and beneficence in any region and for any race. And one has only to read the Indian Constitution of January 1950 to see how much it owes to the British liberal philosophy—which incidentally helped to fashion Asian nationalism.

I believe deeply that the common pool of values or principles can be as important a bond as any that may be supplied by geography or trade or even power. Regardless of race and creed and environment, there is an historical unity in the fabric of Commonwealth political theory, and the explanation of this common pattern goes back even beyond Lord Durham. In the course of time, we acquired *the habit of association*, with all the ties that it creates over a long period of years. Whatever the discontents and the grievances—and they were many and inevitable—the members of the present Commonwealth pursued curiously similar paths of development. The pace and the style may have varied, but in the course of the advance not only Canada and Australia, but Ceylon, India and Pakistan absorbed a good deal of the general philosophy of individual liberty and government by consent. Great Britain provided political ideas and doctrines that were not only decisive in creating an independent national spirit, but laid down the actual basis for self-governing existence. The importance and the vitality of this common inheritance is a fact which the growth of a totalitarian regime has brought sharply into relief. Whatever the character of our governmental institutions—and there is no reason why we should all have exactly the same—it is not difficult to distinguish between a free society and the police state. The future tug-of-war in South East Asia

could be between the Indian sub-continent on the one hand and China on the other ; it would be, I trust, a pacific struggle for leadership in terms of doctrine and method ; and the result may well depend on which method—the essentially British parliamentary or democratic method, or the ruthless dictatorial and essentially despotic method will bring a better life for the several hundred million peoples of South East Asia.

I have called the parliamentary or democratic method the British method, simply because certain fundamental principles that I have described represent what I have described as the British inheritance. These principles or ideals *plus* certain specific interests, that may be commercial, or strategic, or both, keep us together in the Commonwealth. We all, generally speaking, believe we gain something from membership, otherwise some of us would get out. I think it fair to say that when a Canadian or a Pakistani or a New Zealander speaks to the world he gets a great deal more attention than he would obtain if his country stood alone. South Africa in particular might feel an immense loneliness at the bottom of the African continent were it not for her Commonwealth associations ; and there is a better chance of influencing South Africa's racial policies if she is inside and not outside the Commonwealth. And in terms of diplomatic or economic support in what can be sometimes an unneighbourly world, I would incline to think that Pakistan or Ceylon should feel the stronger and the safer because of Commonwealth membership. Indeed if the inheritance—as meaning a ' way of life ' means anything I can think of no country that would have more to lose in leaving the Commonwealth than Ceylon.

Now I have already said that one really important thing in maintaining an enduring association is *the inheritance*. But Eastern society is very different from British society, and it may be that *not* all the methods or ideas that I have mentioned and which are suitable to Western society are applicable to conditions in the East. *The transfer* of ideas and institutions is affected by climate, geography, the social structure and the cultural background of the various peoples. On the other hand, the transfer took place over a fairly long period of time—150 years—and was made possible because the educated classes—or what one might call today—the ruling classes, shared a common language—English—and on the whole a common system of education. In short, the transfer of ideas was made without ostentatious effort—almost unconsciously—between East and West. The 'twain—East and West—did meet ; but the problem that affects the future

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of the Commonwealth today is simply whether, under stress of nationalist impulses, the 'twain can continue "met"—whether the superimposed ideas and institutions can remain a bond between two different kinds of environments and thus keep the Commonwealth intact.

I can give no final answer ; I have not the knowledge ; on these matters most of you can speak with greater authority than myself. The answer will depend on various considerations, but I suggest that one salient consideration relates to the strength of parliamentary democracy in your country. A second might be this : how firm an understanding is there of the moral basis upon which that kind of governmental apparatus rests ? And I am thinking of the use of power, the belief in law, respect for contracts, the sense of humanity and the quality of conscience—all the things that sustain what we used to call, in pre-Hitler days, international standards. This is a problem that we all face in each of our respective countries, and as a Commonwealth problem too—for one state that starts a scramble for prestige or power can make the situation precarious for all. The ancient cliché is worth repeating again—'the price of liberty is eternal vigilance'. Any free society can drift into slavery ; and in these days the imposition of slavery is not a matter of arms and legions, but of words—words on paper, or through loud speakers. Catch-words may trick us into choosing equality rather than liberty, they can make us envious of distinction—and democracy cannot survive unless our most distinguished break through to the top—,they can make us intolerant of minorities, of religions, of the poor or the rich, the white or the black ; they can lull us into smugness and stupidity.

There will be many testings of our Commonwealth society before this century is out ; there will be just as many misunderstandings after 1957 as there were after 1857. One can only hope and pray that whatever the difficulties this unique, multi-racial association of peoples will stick together. In terms of world history, it represents a strange and rather wonderful adventure. If it fails—in other words, if Europeans, Asians and Africans cannot get on together as equals within this 'free and easy' association, the chances of peace and plenty for the peoples of this world in the next half century must remain highly dubious.

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