

HOUSE OF LORDS

Wednesday, 25th April, 1945.

The House met at two of the clock, The LORD CHANCELLOR on the Woolsack.

Prayers.

The Lord Moyné—Sat first in Parliament after the death of his father.

BUSINESS OF THE HOUSE.

THE MINISTER OF RECONSTRUCTION (LORD WOOLTON): My Lords, I beg to move the Motion standing on the Paper in the name of my noble friend the Leader of the House.

Moved, That Standing Orders Nos. XXI and XXXIX be considered in order to their being suspended for this day's sitting, and that Government Business have precedence over other Notices and Orders of the Day.—(Lord Woolton.)

On Question, Motion agreed to, and ordered accordingly.

COLONIAL DEVELOPMENT AND WELFARE BILL.

Read 3^a (according to Order), and passed.

MINISTRY OF CIVIL AVIATION BILL.

House in Committee (according to Order): Bill reported without amendment.

Then, Standing Order No. XXXIX having been suspended, Bill read 3^a, and passed.

ARMY AND AIR FORCE (ANNUAL) BILL.

House in Committee (according to Order): Bill reported without amendment.

Then, Standing Order No. XXXIX having been suspended, Bill read 3^a, and passed.

ELECTIONS IN LIBERATED COUNTRIES.

2.7 p.m.

THE EARL OF MANSFIELD had the following Notice on the Paper: To ask His Majesty's Government whether they are aware that when the first General Elections are held in the liberated countries of Europe, there is grave danger that, in certain cases, political groups may be able, by violence and intimidation, to produce electoral results in no way representative of the real wishes of the populations concerned; whether they are therefore considering, in consultation with our Allies, the advisability of arranging that such elections, in all countries of Central and Eastern Europe, shall be supervised by an Allied Commission, in which as many as possible of the United Nations shall be represented, in order to ensure in the suffrage the free expression of popular opinion; whether this question is to be discussed at the San Francisco Conference; and to move for Papers.

The noble Earl said: My Lords, the terms of the Motion standing in my name on the Paper are, I think, sufficiently explicit to make it unnecessary for me to dilate upon them. At the same time, I wish to draw your Lordships' attention to the circumstances and situations now existing in various parts of Europe, which have made me put the Motion upon the Paper. It was, I think, a great shock to people in this country, of all classes and of all political views, when the liberation of Greece was followed by the extremely distressing events that took place in that gallant little country, when a body hitherto believed to consist of patriotic resisters of the German invader was found unfortunately to contain within its ranks very many, if not a majority of, persons who could be described more as criminals than as patriots. It is unnecessary for me to remind your Lordships of the various terrible events that took place in Greece. Unfortunately, it is at present all too obvious that, given suitable circumstances, similar events may again come to pass, not only in that unhappy country but also in a good many others of the countries, small and some not so small, that comprise the Central and South-Eastern European zone.

Some of your Lordships may wonder why I have confined the countries to which I wish to see certain measures

applied to the central and eastern portions of Europe and have not included countries in the west. The reason for that is perfectly simple. The smaller countries of Western Europe for a long time past have shown that they are able to make a Parliamentary system work reasonably well, in some cases extremely well, and that they are capable of conducting Parliamentary elections without any undue public disturbance, and certainly, so far as France is concerned, whatever might happen in that great country I do not think anyone outside would be rash enough to suggest that the French would ever tolerate interference in their internal affairs from any of their Allies, no matter how well intentioned. But unfortunately it is all too obvious that in many of these European countries the forces of disorder have already in many cases assumed control over large areas and that in other countries they are only waiting for an opportunity of doing so.

And here the unpleasant but only too true fact has to be brought out that it by no means follows that a man or a political organization which has steadfastly and courageously resisted German aggression is necessarily representative of the views of his or its own country so far as reconstruction and a programme of peace are concerned, and that, given fair treatment at an election, many of these persons and bodies would afterwards find themselves in control of their own countries. There is also the all too obvious fact that many of these leaders, even if for the moment national leaders, are quite determined that they are going to retain their positions whether or not the great bulk of their fellow countrymen desire to see their regime perpetuated. Furthermore, in a number of these countries measures of so-called reform, particularly of an agrarian character, have been put into forcible operation quite without regard to whether these measures had the approval of the majority of the population, and, in some cases at least, with far more regard to the political than to the economic effects of the steps that have been taken. Then it is also unfortunately true that some of the purges of collaborationists which have taken place, and are still taking place, have resulted in the execution or imprisonment of a considerable number of people against whom there was really no evidence whatsoever, their crime being apparently that they were

opposed to the political views of the people for the moment in power in the countries concerned. Such a situation undoubtedly occurred in Bulgaria, where a number of people appear to have been executed who were quite definitely opposed all the time to the Germans. The present Bulgarian regime announces, I understand, that it intends to hold free elections. But the question of what constitutes free elections has, I think, rather a different signification in the minds of people here from what it has in the minds of Balkan politicians.

Now the question may be asked, What has it got to do with us? The answer to that is again quite a simple one. We desire—all of us, I hope; desire—that the small countries of Europe shall again have completely free and independent political existence, with progressive and respectable Governments ruling them and endeavouring to adopt a policy of good will towards all their neighbours. Such aspirations are perhaps somewhat optimistic in view of the unfortunate international dissensions which are such an unhappy feature of life in many parts of Europe. At the same time I think most people would agree that there is little chance of any country settling down to a period of retrenchment and reform, let alone peace, if that country is going to be ruled by a clique who have got there by force or by fraud and whose views are very largely at variance with those of the great majority of their fellow countrymen.

Eventually, of course, each country must be responsible for its own destiny, but it is my firm belief that the United Nations, having freed these countries from the German yoke, have still incumbent upon them the obligation to ensure that the first Government to be set up in each country by popular election shall, so far as is humanly possible, conform to the wishes of the great majority of the population of each country concerned. Unfortunately, as I have said, there is only too much reason to fear that in several countries, unless some control is exercised from outside, the result of a so-called popular election will be decidedly unpopular, the resulting Government will be one based upon force rather than consent, so that the countries concerned will have an unstable regime, subject to overthrow by force again in a few years' or indeed a few months' time, and the condition of the peoples of those countries will be likely to

[The Earl of Mansfield.] be very unsatisfactory from the economic, as well as from the political, point of view.

This is particularly the case in regard to that most unfortunate of all our Allies and of all the victims of German aggression, Poland. His Majesty's Government have very rightly made it abundantly clear that they do not consider the Lublin Committee, at present calling itself the Provisional Government of Poland, a body which is truly representative of Polish opinion. Not only does the personal record of many of the members of that Government induce little confidence in their impartiality, but they are also all, without exception, members of extremist organizations whose voting power in the Poland of before the war was negligible and whose influence is by no means likely to have increased to such an extent as would justify them in assuming that they genuinely represent the great majority of the population.

In view of the all-too-well authenticated stories which are now coming out of Poland, I suggest that it is urgently necessary that the first election to take place in that country, above all others, should be supervised by an Inter-Allied Commission, not a Commission appointed by a single one of the great Powers. It would be desirable that as many of the Allied Nations as possible should take part in such a Commission. Obviously the most important of the Allies—Great Britain, the United States of America and Russia—will contribute each a large proportion of the officials concerned, and I hope that fair representation would also be given to France, who can justly complain of somewhat cavalier treatment having been meted out to her for a considerable time past. It would be highly desirable that all our smaller Allies should also be represented, and, indeed, I would include in the invitation the Governments of countries like Sweden and Switzerland who have a Parliamentary system. The more nations taking part in such a Commission, the less would there be the chance of any one nation being able to exert undue influence and thereby bring about results not in accordance with the will of the electors.

Yugoslavia, too, is a country where supervision will be necessary because, although Marshal Tito has shown himself to be a very courageous and skilful

leader, there is no evidence whatever to support his claim to be the sole representative of that very large and diversified country, and he is at the moment unfortunately showing tendencies towards a policy of aggrandisement which if persisted in are likely to prove more than a little disturbing towards the future of European peace. He is making it plain that with possibly an arguable basis he is claiming Fiume, and that with no arguable justification at all he is also claiming Klagenfurt. Apart from all other considerations, Austria was left so miserably small after the last war that a further diminution of her exiguous territory would have to have very grave justification behind it before it could be permitted to be considered at all. Marshal Tito has also announced that the great majority of the people of Yugoslavia are opposed to the retention of a monarchy. On this point I think there is very little evidence save that of the Marshal's own words. There, too, we should wish to have elections conducted in such a way that the real popular opinion may be properly expressed and no undue influence, particularly towards extremism, permitted to prevail.

I have only one more word to say and that is that I fully recognize that, important and urgent as this question is, there is one that is still more urgent, which is the feeding of the population of Europe, not merely the liberated populations but even those of Germany. It is far more important that we should as swiftly as may be restore health and a reasonable standard of living to the peoples of Europe than that we should permit them to have representative institutions. Posterity will look hardly upon us if the peoples of Europe ask for bread and we give them just a vote. Therefore the rehabilitation from a health point of view must come far in advance of any form of political rehabilitation. And we shall have to be prepared to supply the population of Germany equally with such nourishment as they require before we trouble over much about the political future of that miserable country, if only for the reason that the continuance of the present condition of actual starvation over so much of Europe is fraught with grievous danger to the health of Europe and, indeed, of the world. At any moment pestilence on a large scale might break out, and disease knows no frontiers.

But with that proviso I trust that His Majesty's Government will be able to give your Lordships an assurance that they are considering these possibly a little long-term but still very urgent problems in regard to the political re-establishment of the occupied countries of Europe, and also that this question is among those which are being discussed at the present time, or very shortly will be discussed, at San Francisco. I beg to move.

2.25 p.m.

LORD STRABOLGI: My Lords, I think the last part of the speech of the noble Earl will find a welcome echo on these Benches. Certainly we would agree with what he said about the danger of the breakdown of the food system of a large part of Europe and of the spread of disease. Those two dread horsemen famine and plague are already appearing over the horizon. With regard to the rest of his speech I think, if he will forgive my saying so, that it was unfortunate. He mentioned a number of countries as being in need of tutelage, some of them our Allies. I suppose if he wanted to create ill-feeling and hurt the feelings of a great many people who are to-day fighting and suffering in this war on our side, including the Bulgarians who have troops in the line under Russian command, he could not have gone about it in a more mischievous way.

It is of course the fact that in many European countries, especially in South-Eastern and Eastern Europe, the growth of democracy has been slow. Not only that, but it is a recent growth. It is perfectly true that in Greece, for example, mentioned by the noble Earl, the last plebiscite was shamefully rigged, if I may use such an expression; it was manipulated. The plebiscite which was supposed to bring back the King of the Hellenes was a complete fraud. Everyone knows that, and there is no denial of it. Elections of this sort have been held in other countries and it is unfortunately the fact that in those countries the Party in power, the Government of the day, through its appointment of mayors in the towns and villages and the control of the police and that kind of thing, can influence elections very much in its own favour. It is not so very long ago that that sort of thing happened here, and I am glad the noble Earl has not the same political power in Scotland which his

ancestors had. Nevertheless I think we have to proceed cautiously—I am sure the noble Earl who I understand is to reply for the Government will agree with this—before we declare that such and such a people and such and such a liberated State is not capable of electing its own representative Parliament and Government, and that we must get in the Swedes and the Swiss and as many representatives of the Allies as possible to form a mixed army of supervision (because it will have to be an army) to see that each election is properly carried out. That is a tremendous task. We have had a few plebiscites in comparatively small areas of Europe—Schleswig-Holstein was one and Allenstein another on the Polish border—after the last war. It means a great amount of organization. The preparation went on for months before and there I think we only used the troops of two Powers in each area, the Italians and ourselves, I believe. In the later plebiscite in Upper Silesia we and the Italians again undertook the responsibility. But the organization required is very great indeed and the time needed is bound to be very long.

Furthermore, the noble Earl talks quite glibly of this election in Poland being supervised by the Swedes and the Swiss, the Americans, the Russians and as many others of the Allies who can be brought in, but when does he think that is to take place? Poland is a devastated country. I do not imagine there is anything in the nature of an electoral roll from one end of Poland to the other. Everyone knows that the records have had to be destroyed to keep them out of the hands of the Gestapo during the German occupation. Then there are vast numbers of Poles who have not yet returned. There are the Poles who have been and are fighting with us, and the displaced persons. Presumably they will have to go back before there can be an election. Many thousands of Poles are fighting most gallantly in our Armies in Holland and Italy and presumably these soldiers must return before there can be elections. When does the noble Earl think these elections can take place in Poland and how does he think we shall be able to spare the forces and organizers and administrators for a very long time to supervise the elections? The suggestion of a vast international supervision of the elections in Poland is fantastic.

[Lord Strabolgi.]

The noble Earl mentioned other countries. He mentioned Yugoslavia, and he spoke in glowing terms of the efficiency and gallantry of Marshal Tito. But he went on to speak as if Marshal Tito is the sole dictator of Yugoslavia. The Government now in Belgrade is fully recognized by the Allies. It is a Coalition Government. It is not a one-man Government at all. M. Subasic, the Foreign Minister, was the Prime Minister of the *émigré* Yugoslavian Government. The Yugoslav Government represents, I think I am right in saying, all the Parties and all sections of the people except those who collaborated, and in some cases are still collaborating, with the enemy. The noble Earl suggested that Marshal Tito cannot speak for the people of Yugoslavia. It is true he certainly cannot speak for the unfortunate people who were misled into collaborating with the Germans, but I do not think my noble friend Lord Selborne can deny that, broadly speaking, the Government in Belgrade to-day does represent the best and most patriotic elements in Yugoslavia. Instead of criticizing them in this way I should have thought that sympathy might have been shown to them. They have gone through a terrible ordeal, they have suffered atrociously, they are still woefully short of food and medical supplies. Yet they managed for years to carry on warfare with the minimum amount of supplies against a cruel and unscrupulous enemy. I should have thought the noble Earl might have had a few words to spare of admiration for these men who have now finally won through and almost liberated the whole of their country. This is no time to say that they are extremists and Bolsheviks and that sort of thing.

THE EARL OF MANSFIELD: I did not make use of those terms.

LORD STRABOLGI: I took down the noble Earl's words. He said they must be replaced by a progressive and respectable Government. "Respectable" was his word. I know quite well that the noble Earl's definition of "respectable" is something quite indistinguishable from Fascist. I was rather surprised that the noble Earl mentioned Greece. That is a very complicated story. When the unfortunate events in that country were in progress the E.A.M. leaders suggested that there should be international super-

vision of a plebiscite on the monarchy. I understand that was accepted by our Government. I do not know whether the noble Earl, Lord Selborne, is going to reply to the part of the noble Earl, Lord Mansfield's speech which dealt with Greece, but if he does I should like to ask him—I apologize for not giving him notice but I did not know that Greece would be mentioned—whether we still propose if and when a plebiscite in Greece takes place that it shall be under inter-Allied supervision. There was something about that I think in the conclusions reached at the Yalta Conference. I understand that in future all agreements with Greece and other newly-liberated countries are to be tripartite between the three principal Allies. My question is whether the proposal made by E.A.M. that any plebiscite should be internationally supervised is still the policy of His Majesty's Government.

There appeared in *The Times* recently a very remarkable article on the Greek situation, which, with your Lordships' permission, I should like to quote. It represents an entirely different situation from that described by the noble Earl. It says:

"A notable attempt is being made by the Regent, the sole national leader who has emerged, to carry on an interim Ministry of efficient and unbiased administrators until the time is ready for an impartial appeal to a popular vote. One such Ministry has fallen victim to the pressure of the extreme Royalists, seeking to reap the utmost rewards of the success in battle achieved with British aid. The new Government, although appreciably further to the Right—

this is approaching the definition of "respectable" as used by the noble Earl, Lord Mansfield—

"will no doubt be subjected to the same pressure. There is even a danger, if these influences cannot be held in check, of a forcible seizure of power—this time by the Right extremists."

I do not know whether the noble Earl, Lord Mansfield, and those who support him are pleased with the result of our intervention in Greece, but I am bound to remind him that many of these Greek extremists of the Right were the foremost collaborators with the Germans.

The article goes on:

"Widespread fears of a return of E.L.A.S. violence are fanned by an active group of Royalists and even Metaxists in high positions."

This war is being fought against Fascism and Metaxas was one of the leading Fascists in Europe. The article goes on:

"Even if an election could be held now the vote would be against the extremists of the Left rather than in favour of those of the Right. It would register the widespread impression that the power of Britain leans towards the side of the King and the victorious faction."

The Athens correspondent of *The Times* describes how the Royalist breeze is being fanned by unscrupulous propaganda which is persuading the Greeks to seek salvation in the annexation of Bulgarian territory which it claims

"will be won with British help, if the King comes back, since Britain is supposed to be under an obligation towards the King for bringing Greece into the war."

He concludes by saying:

"Greece will be lucky if she escapes another dose of civil war."

I do not think events in Greece have turned out at all well if that is an accurate description of the present situation. All the blood and treasure we expended in Greece have been wasted if we are to allow Metaxists and the Royalist faction to foment civil war or forcibly seize power. The promises and declarations in another place by the Foreign Secretary that the future Government in Greece must include the leaders of E.A.M. obtained the support of Parliament in what was undoubtedly a serious political crisis. I should like to know what has happened to those promises. My question is, if and when there is a plebiscite in Greece—I imagine it cannot be held for many months because of physical difficulties, the lack of transport, and so on—is it going to be internationally supervised? In other words, are our American and Russian Allies going to help us, as I think they should? Why should we bear the whole responsibility of seeing that any plebiscite is fair?

May I express agreement with what the noble Earl, Lord Mansfield, said in another connexion about Greece. I understand that the great need in that country is food and work. What is wanted is more nutrition and a supply of raw materials so that industry can be restarted. The economic situation, I suggest, is far more urgent than the political situation. In a large part of Europe that is also the case. But when it is suggested that there should be an attempt at supervision of elections in those liberated countries I suggest a rather different approach from

that of the noble Earl. It must be a friendly approach and the less we have to interfere the better. These countries that have been liberated after the appalling experience of German occupation are all of them, including France, in a very nervous and highly-strung condition, as we should be able to appreciate if we had shared their awful experience. We escaped, and I do not think it is easy for us to know the depth of their feeling and their bitterness towards those who collaborated with the hated enemy. It may be that a few people who were not too guilty have been punished, but that is better than that those who were guilty should escape. The whole subject of the restoration of democracy in Europe is bound to be a difficult one with which to deal. I am sure that the noble Earl, Lord Selborne, would be the first to agree that it should be approached with great care, great delicacy and, above all, without creating unnecessary suspicion and prejudice amongst people who are to-day our friends and Allies.

2.41 p.m.

THE EARL OF PERTH: My Lords, the problems raised by the noble Earl in the Motion which he has brought before your Lordships and developed in his speech are of great difficulty, and they are certainly worthy of the serious consideration of your Lordships' House. I do not intend to follow him and the noble Lord who has just spoken, in making a tour of the various countries of Central and South-Eastern Europe. I think, myself, that discussion of the nature of the Governments now existing and the personalities which compose them could only have rather unfortunate results at the present time. There are just two points which I should like to take up. The first refers to Greece, to which the noble Lord devoted a very considerable portion of his speech. I should like to say that, contrary to his view, I believe that the policy adopted by His Majesty's Government has been highly successful, and if the policy which he suggested had been the policy carried out I believe that civil war would still be going on in Greece. The other point relates to Poland. I do regret that the noble Earl spoke about Poland in the way in which he did. Some little time ago, we had a debate about the Crimea decisions, a very full and lengthy debate, and it was quite clear from the answer given by the noble Viscount the Leader of

[The Earl of Perth.] the House that His Majesty's Government fully recognized that they had undertaken very grave responsibilities with regard to the future of Poland. I, for one, would like to give them adequate time to allow them to do their utmost—as I am sure they are doing—to discharge those responsibilities, and to fulfil the pledges which they have given.

There are one or two general considerations which I should like to put before your Lordships apart from matters relating to these countries which have been specially mentioned. The Motion which the noble Earl has moved can well be defined as dealing with the methods to be adopted to secure fulfilment of point 3 of the Atlantic Charter—namely, the right of peoples to choose the form of government under which they desire to live, and that the rights of self-government shall be fully restored to those who have been deprived of them. Most of us have wondered whether this can possibly be effected. I think that our minds—probably owing to our happy historic past—turn rather naturally to General Elections, and to the forms of Parliamentary government which result from those elections. We believe that such a system is best fitted to democratic government, that is a Government chosen in accordance with the freely-expressed wishes of the majority of the people of a particular country. But I do not think that as regards other countries we ought to be too dogmatic. Our Parliamentary methods of government may not be immediately practicable for them, and indeed they may not be those which the inhabitants, the people generally, of a particular State, may desire. If that is so, then surely we ought not to try to impose our methods upon them.

It seems to me that what is essential, in the first place, is a Government which commands the support and approval of the majority of the people concerned. In the second place, I believe it to be essential—indeed I think it is the hall mark of democracy—that the people should be able, by constitutional means, to change the Government when it has lost their confidence. The Motion of the noble Earl refers to General Elections. Of course, it would be very gratifying to us to think that in the liberated countries the people have decided to, or wish to, adopt either the British Parliamen-

tary system or the American system. But I rather doubt—indeed I feel quite convinced of the contrary—whether any suggestion of that kind would, to-day, be a practicable proposition. What, in my view, the existing circumstances require is a Government which will represent, broadly, the feelings of the population as a whole, so far as they can be ascertained. It is obvious that such a Government must be composed of people of varying political ideas, in fact, probably, of utterly opposed political theories, because the principal task of such a Government, as pointed out by the noble Earl, must be to maintain order and to repair, as far as practicable, the immediate ravages of war and restore the economic and social life of the people.

Such a Government, in my view, ought not to remain in office longer than is absolutely necessary, and in many cases it will have to pave the way for a Constituent Assembly. The duty of that Constituent Assembly would be to formulate the methods and the form of Government which the people would wish to obtain in the country for the future. For instance, the Constituent Assembly would be the right body to decide whether the monarchical or the republican principle should prevail. It is clear that the formation of the kind of Government to which I have alluded is not to be an easy task, and it is clear, I think, that the principal Allies and the United Nations should be prepared to give help and advice, and, indeed, if necessary, to take the initiative. I, myself, doubt whether this problem is a subject which can be discussed at the San Francisco Conference proper. I do not think that it would fall within the purview of such a Conference. These problems do require an exchange of views between the principal Powers; the negotiations are likely to be extremely delicate and their success might, indeed, be impaired by any undue or premature publicity. I think, however, that San Francisco may quite well afford a good meeting place for the intimate exchange of views which I have indicated.

I feel very strongly that we must be prepared to be patient on these questions. Some three months ago I was talking to a French friend on whose political judgment I place very great reliance, and I asked him what was the general trend of political opinion in France. He said that the people as a whole were not

greatly concerned with politics; their minds were concentrated on a sufficiency of food for themselves and their families, on heating, on clothing, on health, and on other material necessities of life. It was indeed, in his view, doubtful whether men and women who had undergone so many years of suffering and misery were yet sufficiently recovered to resume normal political activities. Naturally there are exceptions to that, but that expression of opinion seemed to me at the time to be very sound. There is also another factor—namely, the return of the numerous prisoners of war and of the large numbers of workers who were deported. It will be necessary to await their return before anything in the nature of a true expression of popular opinion can be taken.

If that is true as regards such a highly-developed political entity as France, it is surely even more applicable to the countries of Eastern and Southern Europe, to which the noble Earl alludes. Assuming that the national territory has been liberated, or that a sufficient amount of national territory has been liberated, from enemy occupation—though even in those cases there may be very complex questions as to the need for safeguarding Army communications—I think, to sum up, that the right procedure to follow would seem to be first of all the establishment of a Government representing the general national trend of opinion. The chief duty of that Government would be to keep order and to provide as far as may be food and work for the people and to prepare, as I have said, for a possible Constituent Assembly. I think that such a Government ought to have the approval and support, both material and moral, of the Allied nations.

The election of a Constituent Assembly would be the second step, and here I think it would be well, if it were practicable, that some measure of inter-Allied supervision should obtain. The noble Earl was rather scornful about the possibility of international supervision, and spoke somewhat slightly, I thought, of the plebiscites which have taken place. I would remind him of one which took place in the Saar which was a great success, and which did not require an enormous amount of preparation or very many troops to enforce it. There was a certain number of observers, but it was not by any means an army of occupation. At any rate, if that does not prove

feasible, and if there cannot be Allied observers, it is essential that the Press should have full liberty of access and full liberty to report. That would be most helpful. The last stage of all would be a General Election for a Parliamentary system or such other system as may be determined by the Constituent Assembly. I obviously exclude Fascism or Nazism, for those are utterly outside our purview and outside the Atlantic Charter. I am therefore convinced that it would be a cardinal error to try to proceed too quickly on these really vital matters. To do so would in my view merely weaken the cause of democratic government, which we believe to be best fitted for the future peace of Europe and of the world.

2.55 p.m.

LORD RANKEILLOR: My Lords, I do not usually use the word "vital," because it is commonly used of something which is merely important; but I think that it is vital that sooner or later some machinery should be found whereby the peoples of Europe will be able to express their wishes freely and fairly on their future form of government. I say "sooner or later" because I quite admit that they have first to be fed, and I agree with the noble Lord, Lord Strabolgi, that it could not be done immediately, when so many are scattered about the earth, many of them still fighting, and it would be impossible to get proper registers and so on. What I am afraid of, however, and what I think that my noble friend Lord Mansfield is right in drawing attention to, is that before these conditions are altered attempts may be made in some of these countries to obtain, by one means or another, what may be a false mandate for some Party which finds itself in charge of the Executive.

The history of plebiscites generally is not an edifying one. In Napoleon III's two plebiscites it was notorious that every part of the machinery of government was directed to the same end. I have read that Marshal MacMahon admitted that, had he been able to come to terms with the Comte de Chambord, he would have used the whole machinery of government to obtain his acceptance as King of France. I had a little side-light on the sort of thing that actually happens when I was in Germany at the time of the plebescite which confirmed

[Lord Rankeillour.] Hitler in power. In the course of a walk in the Black Forest, I went into an inn in a small town and saw on the table a short pamphlet, which even my limited knowledge of German enabled me to understand. It was from the burgomaster, and it ran something like this: "On such-and-such a day the whole German people will have the privilege of confirming the power of our beloved Führer. The poll will take place from eight o'clock until four. I trust that by two o'clock I may not have to remind anyone that it is his duty to vote." That was a clear threat that people would have a black mark put against their names if they did not vote; and, of course, if they did vote he would quite easily be able to find out which way they had voted.

We talk of the secrecy of the ballot here. The ballot is only secret because the returning officer and the authorities concerned do their duty and respect its secrecy. It is not fundamentally secret at all. Where you have a numbered ballot paper and the number corresponds to a name and entry in the register it is not secret. Parliamentary petitions and scrutinies are out of fashion, but it has often come about in a scrutiny that someone's vote has been objected to on some ground or other and, when the scrutiny took place, it was found that this person had voted quite differently from the way expected, and he was shown up. That would be perfectly within the power of any authority using a register and numbered ballot papers. There are also, of course, other ways of affecting the result, quite apart from violence and intimidation, such as the use of false ballot papers by an unscrupulous authority.

I do feel, therefore, that sooner or later, whether it is a question of a General Election or of the formation of a Constituent Assembly or a simple question of monarchy or republic, there must be some disinterested supervision if the peace of Europe is to be secured in the future. The voting after the last war in several parts of Germany was, I believe, perfectly fair, because it was under disinterested supervision. There were two plebiscites in the two zones of Schleswig, and there was the voting in the Masurian parts of East Prussia. There was the plebiscite in Silesia, and long afterwards

there was the voting in the Saar to which the noble Earl, Lord Perth, has alluded. All this was done just because there were no people in a position of responsibility who were in any way interested^a in the result. Some of us did not like the result, but the result was fair, the result was abiding. Let us trust that that may be repeated.

Now I must allude for a moment to Yugoslavia, not because of anything that Marshal Tito has said or done, or anything done by the present Government, because the conditions in that country make it more than ever necessary that there should be disinterested control. Nowhere, I suppose, will you find a country made up of such discordant elements as Yugoslavia, which I know fairly well, having often been there. They belong in great majority, it is quite true, to more or less the same race, but there we have three religions, three alphabets, and traditions of former alien dominations by four different neighbouring countries, each of which has left its mark for better or worse on the country—the Turks, the Venetians, the Austrians and the Hungarians. The result is that at one end of the country you have Slovenia, which was as civilized as Kent, and on the other hand you have Macedonia the favourite hunting ground of the Comitadjis, and you could not possibly have anything more divergent. Ever since that country has been set up there has been the most bitter controversy raging between the centralizing of Belgrade, desired by the more or less dominant Serbs in the central position, and federalism, which the other units wish for. That caused on the one hand the murder of the King, and on the other that of Mr. Ravich. That is going on now, and for that reason, if for no other, it is absolutely necessary that no attempt should be made to frustrate the wishes of the people by either the present or any other Government that is in power, because it is literally impossible for them really to maintain impartiality. And of course similar considerations, though not so acute, apply to other countries in Europe. Now what is our fundamental policy? It is freedom for the nations of Europe to settle their own Constitutions and make their laws. If that freedom is denied them, whether by domestic malice or foreign pressure, the policy we cherish will be null and void.

3.4 p.m.

THE MINISTER OF ECONOMIC WARFARE (THE EARL OF SELBORNE): My Lords, my noble friend has drawn attention, and I think rightly drawn attention, to a very grave problem, but I would like to make it clear at the outset that consideration of that problem would not fall within the ambit of the San Francisco Conference. The San Francisco Conference is not a peace conference in any sense of the word, and still less is it a control commission. It is meeting for one purpose and one purpose only, and that is to devise and erect a World Organization for peace and security. Therefore the point to which my noble friend has drawn attention this afternoon is quite a different one, though it is a very important one indeed.

I should like to say that I agreed with him and with other noble Lords who have spoken this afternoon when they said that the upheaval that has taken place in Europe, an unparalleled upheaval, is such that in most liberated countries at any rate, it would be impossible to hold a fair and satisfactory Parliamentary election for some months. Indeed, Parliamentary democracy will not be easy for some time, especially in those countries where it is of recent growth, and where it is not supported by ingrained traditions of the people as it is in Western Europe. Therefore I agree with the noble Earl and with the noble Earl, Lord Perth, when they said that it would be unwise to try to force the pace and hold Parliamentary elections prematurely. In fact, it would be scarcely possible to do so. Not only are internal passions in some countries still intense, but communications have been disrupted in some cases throughout the country, the officials whose duty it would be to conduct the election have been dispersed, all political Parties have been in abeyance and millions of the people are in exile or have been in exile for the greater part of the war—millions which include some of the very best elements in the population.

Accordingly what will be first required on the liberation of these countries is an interim Government to govern fairly, to prepare for an election, and get back to normality. I am aware, as are your Lordships, that an election has already been held in Finland, a Parliamentary election such as we are familiar with. But I would point out that Finland in several

important respects is in a different position from many of the other liberated countries. In the first place it has not been divided by the same bitter factions as we find in some countries, and secondly there have been no mass deportations from Finland. The population has not been driven into exile as it has been in the case of other nations. What is also important is that Finland is not in the path of any advancing army which I think nearly every other liberated country is, and therefore is not at present subject to military occupation. In these respects Finland is in a different position from other countries and it has been possible for the Finns to get back more quickly to something approaching normality than it would be in the case of other peoples.

I would remind your Lordships that it is nearly eight months since France and Belgium were liberated, and yet it has not been judged possible, for the reasons that the noble Earl, Lord Perth, gave, to hold elections in those countries yet. As your Lordships know, it was agreed at the Crimea Conference that we should attempt in the case of Poland to obtain a Government that was representative of the whole country, that could play the part of an interim Government of the type I have described, but that, unhappily, has not yet been realized. We hope, however, in the case of Czechoslovakia, that it will be possible for the Government that President Benes has appointed to get the country together in order that Parliamentary elections may subsequently be held.

Now the noble Earl asked that the Allies—I understood him to say, the entire United Nations—should set up a Commission or Commissions on which they should all be represented for the purpose of seeing that these elections, when they do take place, shall be perfectly fair. I see the attraction of the proposal that he has made, but I would point out to my noble friend that the difficulties in the path are very grave indeed. In fact, the whole suggestion of foreign interference in national elections in the name of self-government is somewhat paradoxical. But I agree that there might be circumstances when it would be inevitable. I would like your Lordships to consider the practical difficulties. The noble Earl, Lord Perth, spoke of the smoothness with which the supervision of the plebiscite in the Saar had taken place.

[The Earl of Selborne.] But that was a district that had been in Allied occupation for a long time, where we had ample warning of the date which was approaching, where it was possible to make every preparation leisurely, and the whole area was a very small one compared with the resources of the nations involved. What my noble friend is proposing is that this system should be applied to the whole of Central and Eastern Europe, which is a very different proposition indeed.

THE EARL OF MANSFIELD: May I say that I do not suggest that it should be done all at the same time, but country by country?

THE EARL OF SELBORNE: I am glad to have the agreement of the noble Earl with me that far, but I would point out that it would involve such things as, in the first place, the preparation of the list of voters. That is of fundamental importance. You cannot hold a fair election unless only those who are entitled to vote are on the register—I am sure he would agree with me on that. We are having quite a lot of trouble in this country in getting our own register together, but under my noble friend's proposal the list of voters would have to be prepared, not by the Government of the country itself but by thousands or hundreds of inter-Allied officials, who would all have to be acquainted with the language of that country, who would all have to be welded together into one team with a common loyalty, and who would see that everybody in every town and village who was entitled to vote, and nobody else, was put upon the register; that those votes were correctly counted; that there was no impersonation at the polling booth; that only the people who were on the register did in fact vote; and all the rest of the paraphernalia with which we, as Parliamentarians, are familiar.

I very much doubt if it is possible for foreigners to do that sort of thing; it can be done only by the people of the country, though I would agree with noble Lords that where you have a country that is deeply divided by bitter passions, they might find that a neutral country, say one or more of the great Allies, might be able to have a mollifying and steadying effect on the proceedings and so give considerable help. But I do not think that the machinery could be taken over by an

Inter-Allied Commission in the way that I understood my noble friend to suggest. Therefore, on that point, I find myself in agreement with the noble Lord, Lord Strabolgi, as against my noble friend, but I think I must say, with all courtesy, that it was almost the only point on which I did find myself in agreement with the noble Lord, Lord Strabolgi. He made a great many challenging statements, and because nobody interrupted him on this side of the House I hope he will not assume that he commanded the assent of members of His Majesty's Government or of other noble Lords.

While, therefore, I do not think that the suggestion made by the noble Earl is really a practical one, I should like to make it clear that if any country, newly liberated, expressed a desire that His Majesty's Government or the Allies, either generally or a selection of them, should assist in the conduct of the first election in order to make sure that it was impartially conducted, then His Majesty's Government would be glad to give what help we could. But the first requisite would be that the people of that country themselves, and their Government, should ask for it and should wish it. In answer to the noble Lord, Lord Strabolgi, that was the attitude His Majesty's Government took up in the case of Greece. The Foreign Secretary, speaking in another place on December 20 said:

"If our help is needed it will be available, and if our Allies will come and help, that help will be valuable. We ask nothing of the Greeks. It is our wish to bring our troops away as soon as is practically possible."

The attitude of His Majesty's Government in that respect is unchanged, and provided that the Government and people of any liberated country clearly ask for it, we should be willing to help that country on the path to freedom and Parliamentary government.

I should like to make clear, beyond the possibility of misunderstanding, what we mean by those terms. I do not think I can do better than quote from the Prime Minister's farewell letter to Italy after his recent visit. He wrote:

"The question arises 'What is freedom?' There are one or two quite simple practical tests by which it can be known in the modern world in peace conditions—Is there a right to free expression of opinion and of opposition and criticisms of the Government of the day; have the people the right to turn out a Government of which they disapprove, and are constitutional means provided by which

they can make their will apparent? Are there Courts of Justice free from interference by the Executive, free from all threats of mob violence and all association with any particular political Party? Will these Courts administer old and well-established laws which are associated in the human mind with the broad principles of decency and justice? Will there be fair play for the poor as well as the rich, the private person as well as the Government official? Will the right of the individual, subject to his duties to the State, be maintained and asserted and exalted? Is the ordinary peasant or workman earning decent living by his daily toil and striving to bring up his family free from the fear that some great police organization under control of a single Party, like the Gestapo started by the Nazi and Fascist Party, will tap him on the shoulder and take him off without fair or open trial to bondage or ill treatment? These are some of the title deeds on which a new Italy could be founded."

Or as the Foreign Secretary more pithily put it:

"Government by ballot instead of by bullet."

As I have said, the state of Europe immediately after the conclusion of hostilities will be such that we cannot hope to arrive at this condition equally quickly in all countries. The road will not be an easy one nor a quick one to traverse, and we must beware of drawing analogies from our own country with countries whose history and whose temperament are very different. In Britain our Parliamentary institutions are built on a thousand years of constitutional evolution and are in conformity with the will and genius of the British people. It is therefore no use ignoring the immense difficulties that lie before us, but the goal of freedom of the subject and Parliamentary government, as I have defined it, is our aim and we must pursue it with resolution and patience.

3.35 p.m.

THE EARL OF MANSFIELD: My Lords, the noble Earl who has replied for the Government in a very thoughtful and eloquent speech has given me considerable encouragement; at the same time there are one or two aspects of his speech which leave me with a certain feeling of uneasiness. One is that I think he has somewhat exaggerated the difficulties of administering an election in a foreign country on the basis that we should expect the methods and the results to be almost as foolproof as we have them here. Such a desideratum would, I think, be too much to hope for. All I would like to see is an election where we should be perfectly

certain that the unfortunate elector would not be asked to vote at the point of a Tommy gun merely for an official list of candidates, and where there would be some form of secrecy in the ballot and intimidation would not be allowed to prevail. The other point which I am still a little perturbed about is the noble Earl's remark that we could do nothing except by invitation of the existing Government. Here I am very much in agreement with Lord Rankellour. The danger is that a Government of all sorts now in power, or which might assume power at some future date, might very easily produce a quick snap election and distort or indeed fake the results. I think that is only too likely to happen in Poland if outside supervision is not insisted upon. For that reason I am still somewhat worried about those aspects.

THE EARL OF SELBORNE: May I correct my noble friend on that point? I thought I had made it clear that it must be the wish of the Government and the people that an outside authority should assist them, before such an authority could legitimately go there.

THE EARL OF MANSFIELD: I noted what the noble Earl stated. In that particular country and I think in certain other countries it may be extremely difficult for anyone outside to find out what really is the will of the people. That is what leaves me still concerned. But on the whole I am quite reasonably satisfied with the noble Earl's reply. I agree with practically everything the noble Earl, Lord Perth, said. I am pleased to note also that he has arrived at the conclusion that there are certain European countries under which at present—and I would add for a long time to come—it is unlikely that the people either desire to or could administer anything like our Parliamentary system. However, I think that the debate has been a very useful one.

Now, as the hour is still not too late, let us for a few minutes descend from the sublime to the ridiculous and derive a few minutes of amusement if not edification from the extraordinary speech that came from the noble Lord speaking for the Socialist Party. The noble Lord built up a number of brick walls and proceeded to destroy them with the utmost gusto. Most of what he had to say bore no relation whatever to anything that had been in my Motion, particularly in regard

[The Earl of Mansfield.] to Greece. He went back to give his own version of the past history of Greece with considerable fervour. What seemed to annoy him most was that there was a possibility of what in modern parlance would be called a monarchist *Putsch*. From the noble Lord's point of view any *Putsch* or any popular movement that results in the establishment of a monarchy is obviously something too terrible to be contemplated. Should it, however, result in the overthrow of a monarchy it is of course all right.

The noble Lord also spoke with complete unconcern about what had happened in Greece. It seemed not to affect him at all that many hundreds, if not thousands, of completely innocent people had been murdered by the Greek extremists. He cared nothing for them. Furthermore, may I remind him that a very short time ago there were elections for trade union executives in Greece and in those elections, which I understand were properly conducted, not one single member of E.L.A.S. or of the other band of "initials" which comprise the extremist bodies was returned to those executives? A very good proof, I think, that the Greek working man realizes where his real enemies lie and that they are not to be found only among the Germans. The noble Earl accused me of being a Fascist.

LORD STRABOLGI: No I did not do that. I will not for a moment allow the noble Earl to think that I said that. What I said was that his definition of the respectable seemed to approach that of the Fascist. I did not say he was a Fascist.

THE EARL OF MANSFIELD: If that is not a distinction without a difference, what is? The noble Lord opposite has a very simple philosophy; it is that anyone who does not agree with him is a Fascist. He also expressed the extraordinary view that it did not matter if a few people who were a little guilty of collaboration, or I presume not guilty at all, were shot or hung or tortured to death provided the main collaborationists were in due course brought to book. Such a view of justice, I think, is not one which will commend itself to your Lordships as a whole or indeed to the country. As the noble Lord, speaking from the Front Socialist Bench, poured ridicule on every

attempt by myself, the so-called Fascist, to bring about democratic elections all over Europe, I think we can only assume that the fervent tributes paid in the past to democracy by the Socialist Party have been so much lip service and that democratic government means a government of the Left whereas a government of the Right is bound to be Fascist. I think this debate has had its uses both in showing that His Majesty's Government do take a very serious view of a very serious position and also in having shown that the Socialist Party, not for the first time, is about as wrong-headed on these matters as anybody could possibly be. I beg leave to withdraw my Motion.

Motion for Papers, by leave, withdrawn.

WAR DAMAGE BUSINESS SCHEME.

3.31 p.m.

LORD MESTON had given Notice that he would ask His Majesty's Government whether, in valuing goods under the business scheme under the War Damage Act, 1943, they will take into account any rise in the costs of replacing and repairing goods that has taken place since the date of the damage, or is likely to take place after the war, and whether they will now make early payment of at least part of all claims; and also ask His Majesty's Government to consider amending Section 104 of the War Damage Act, 1943, in order that "deeds" and "documents" (e.g., books of account) may be deemed insurable under the said Act.

The noble Lord said: My Lords, I rise to ask the question that stands in my name. As your Lordships know, the business scheme came into operation on April 17, 1941, but the Government very fairly decided to apply the scheme to those people whose goods were destroyed by enemy action before the scheme came into operation. I understand that compensation is based on the cost of replacement at the date of the damage, and that the Government do not reopen claims solely on the ground that the cost of replacement has increased since the date of the damage. If that be the correct position I most respectfully ask His Majesty's Government to reconsider the matter.

It may be that when the time comes for payment of compensation to be made the price of goods, or of some goods, will have risen by 50 per cent. or even 100 per cent. as compared with prices prevailing

[The Lord Chancellor.] been the case, merely in dutiful and loyal expression towards the Throne of feelings which are proper in your Lordships' House. We are doing much more than that. We are communicating to our Sovereign feelings most deeply implanted in the hearts of every one of us, and we are acting, together with the House of Commons, as the reflection—the true reflection—of the deep-seated sentiments of the King's subjects.

It is worth noticing that last week, when those great crowds assembled to which my noble friend who moved this Motion referred—enormous crowds of citizens in the principal streets of London, joyful, admirably behaved, quite undrilled, relying for order on nothing but their own sense of discipline and decency, respecting, as your Lordships may perhaps have noticed, even the beds of tulips in front of Buckingham Palace—it is worth observing that there was no greater and no more constant collection of enthusiastic citizens than those who gathered for long hours, day and evening, in front of the residence of the King and Queen, with the Royal Standard flying aloft; citizens who felt that they had their complete satisfaction and their greatest reward when from time to time Their Majesties, often accompanied by the young Princesses, showed themselves on the balcony.

During the war, of course, many of the movements of the King and Queen were, for security reasons, kept secret. I was glad indeed that my noble friend Lord Samuel made the reference which he did as to the extent of this continuous service. We are but reflecting the feelings of every household in the land when we say in this Address with what sincere admiration we have regarded the way in which the King and Queen, setting an example by sticking to their posts and sharing with everybody else the trials and dangers of the time, have helped to promote the constancy and the courage of this country.

My Lords, the British monarchy is a very ancient institution. It has come down through the ages, when so much has been changed. Our Constitution, unlike the Constitution of most other countries, is, for the most part, unwritten; it is not protected by any special security; it is open to modification in any respect at any time by an ordinary Act of Par-

liament to which the King assents. And yet not only has it continued through our history but, I say with confidence and I am sure your Lordships will all agree with me, it has never stood so securely as it stands at this moment. Let us see why that is. It is not merely because the British people, as a whole, whatever be the political outlook of any one of them, has a sensible view as to the importance of preserving ancient tradition when ancient traditions serve us well—it is not only that. It is not only that the Crown is the mystical symbol which brings together all the members of the Commonwealth and Empire—it is not only that. My Lords, it is nothing but the truth to say that the unshaken and unchallenged position of the Throne to-day is due to the fact that the people know that their Sovereigns have served the people well, and because the Crown and all that it stands for is enthroned in the hearts of the people.

On Question, Motion agreed to *nemine dissente*, and the said Address was ordered to be presented to His Majesty by the Whole House, and the Lords with White Staves were ordered to wait on His Majesty to know when His Majesty would be pleased to appoint to be attended with the said Address.

BUSINESS OF THE HOUSE.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR INDIA AND BURMA (THE EARL OF LISTOWEL): My Lords, on behalf of my noble friend Lord Woolton I beg to move the Motion that stands in his name.

Moved, That Standing Orders Nos. XXI and XXXIX be considered in order to their being suspended until the House adjourn for the Recess at Whitsun and that, until that date Government business have, except with the consent of the Government, precedence of other Notices and Orders of the Day.—(The Earl of Listowel.)

On Question, Motion agreed to, and ordered accordingly.

MINES IN BRITISH COLONIES.

3.22 p.m.

LORD AMMON rose to call attention to the control and administration of mines in

the British Colonies; and to move for Papers. The noble Lord said: My Lords, it is perhaps something of an anticlimax to move the Motion in my name on the Paper, yet I think if you look at it objectively it is very well, after having expressed our gratitude and loyalty to the Throne, that we should turn to consider the larger realm over which the King exercises sway and discuss some of those very difficult and complex problems that flow naturally out of the war and are its aftermath. I think your Lordships will agree with me when I express our pleasure at the fact that the noble Duke who is to reply to this debate has sufficiently recovered from his accident to be able to take his seat on the Front Bench this afternoon.

On the last occasion that I ventured to raise matters concerning our Colonial Empire in this House I spoke in somewhat general terms. To-day I propose to confine myself more or less to one aspect of our responsibilities to our Colonial brethren and particularly to the stewardship of this House in that connexion. The war leaves indelible impressions and not the least will be those left upon our Colonial subjects, not only in regard to their treatment by their fellow-subjects within the British Empire who may be of a different colour to themselves but also in regard to the experiences they have passed through during the war years. One of those impressions was well put in the last issue of the *Sunday Times* which called attention to the fact that the war had revealed that we had failed to realize the potential source of strength which is resident in our Colonies and that we had never fully used the material resources which are at our disposal there.

I propose first of all to call attention to a matter that has come to my notice since I first put this Motion on the Paper. I have received a copy of the Nigerian Mineral Ordinance which has been recently issued. I should like, if I may, to express the pleasure which many of its provisions have given me. They have gone a very long way to meet some of the difficulties of the native populations and will, I hope, strengthen the bonds of kinship or fellowship which bind them to the central authority. Some of the provisions are so far-reaching that they recall to my mind a complaint that I made here on a previous occasion. I then said that when we had done things worth while we

failed to advertise them or to take steps to get them sufficiently widely known, not only to enable the Government to get the full credit for them but to help to combat the unfavourable criticisms of the government of the Empire by people who are not fully aware of how much has been done and how far we have advanced from old-time conceptions of the relationship between the Mother Country and other parts of the Empire.

One of the things that stands out in this new Ordinance concerning Nigeria is that the ownership of the minerals is vested in the Government itself. This is a matter of tremendous importance. It places the Government and the people in a very much more favourable position than normally obtains in cases of private ownership and monopoly which we discussed a little time ago. Another very important matter is that it is incumbent upon the people to whom the mineral rights are leased that they should carry out a reasonable amount of restoration of the top soil and the removal of dumps in worked concessions. That sounds very mundane but it is tremendously important. We have heard during discussions in this House of the great amount of harm and wrong done to countries by soil erosion and by the other evils that arise when land has been left in a condition where it becomes desert and useless simply because no responsibility has been imposed upon owners to make good the disturbance of the soil and remedy the harm that ensues if it is not put into a condition in which it can be used for cultivation later on.

The other point to which I would direct your Lordship's attention in this Ordinance is that the lease cannot be for a longer period than twenty-one years at a time. That prevents absolute monopoly of the land in a country. It does not mean that any particular industry cannot be carried on for longer than twenty-one years, but it does mean that the people who have been granted the lease have at the end of that period to give an account of their stewardship and to show justification for their having been given the power and authority to use the land leased to them in a way that will be of advantage to the whole community. Everyone who has taken an interest in this matter for some years will, I am sure, rejoice at that advance and will agree

[Lord Ammon.] that it is right and is something that may serve as a pattern for future developments elsewhere in the days to come.

But having said that, one would not be doing one's duty if one did not point out that there are possibilities of improvement even in this admirable Act. I suggest therefore that the noble Duke might give his attention to Clauses 85 to 96, which provide for compensation for tributers in case of accident due to negligence. There is no provision for them to come under the Workmen's Compensation Act as do other workers. It might be worth while to ascertain why these people who are known as tributers are put in an inferior position to other workers who are compensated when they meet with an accident in the course of their work. I think, too, that in the training of people required to carry out work in the mines and elsewhere, there should be some obligation not to discriminate against Africans. There should be some training facilities provided for the African in order that he may take greater responsibility instead of being confined to the lowest conditions and terms of work. We have a responsibility for seeing that these people are not kept always in the position of being hewers of wood and drawers of water. They should be trained so that they may be able to fill positions of responsibility and authority in their own countries, and every opportunity should be given them in that respect.

There is another point which is not made quite clear in the Ordinance to which I have referred. Some provision should be made that persistent breaches of the labour laws should be a ground for the termination of a lease. Leases can run, and do run, for twenty-one years. At the end of that time, if the owner has not acquitted himself in a way that is thought right and proper, he will not get a further lease. I suggest that if owners fail in their duty towards their employees, if they neglect essential welfare work or neglect to provide hospitals, ambulances and proper housing accommodation, it might well be considered whether that should not be ground for terminating a lease and passing it on to people who would be inclined to exercise their stewardship to greater advantage. There is only one other matter in the Ordinance to which I wish to call attention. In Nigeria royalties are not mentioned in the leases but are

presented separately by the Governor. This means that all mines must pay the same royalty. It does not need any argument to show that mines vary considerably in value. There should be a possibility on the renewal of a lease to change the royalty should a mine prove poor. I suggest that the noble Duke might give some thought to improving what is a really admirable Act and making it even better.

Now I want to turn to a particular aspect of mining in the Colonies. Because of the exigencies of the war one is confined mostly to West Africa, since we have been cut off from contact with other parts of the Empire where mining is carried on or they have been in possession of the enemy. I feel—and I think your Lordships will agree—that there will be a great need in the future to justify to the world the continuance of our Colonial Empire. None of us can be oblivious of the criticisms that often appear in the Press of other countries of the way in which we administer our Colonies and the false impression that sometimes prevails as to what we get out of them. We have to give substantial proof of our stewardship in the economic, cultural, social and moral standard of the indigenous people. That is laid upon us as our first responsibility. Nowhere is there greater room for improvement than in the conditions prevailing in the mining industry. In many Colonies the mines are one of the few rich assets. In the past these assets have been handed over to private concerns whose chief object was to make profits for their shareholders. I am prepared to give them all the credit they claim for having done much to improve the conditions of the natives, but ultimately native people are deprived of their natural wealth. While not denying that it may be true that over a period of years profits may not have been high, yet in the minds of the Colonial people there is the inescapable fact that millions of pounds worth of gold, copper and diamonds have been exported from their country. There is a big permanent draining of wealth from the territories in the way of profits, royalties and dividends which ought to be put back for economic and social development.

We shall have to give attention and thought to this matter, because more and more criticism will grow not only among

people in other countries but in the Colonies themselves as the people in those Colonies come more into touch with other nations. It may be that millions of their fellows will return to those Colonies to tell of different conditions of life and conduct. That will raise real problems for us. In the debate which took place in your Lordships' House on March 21, when we discussed monopolies and cartels, the noble Lord, Lord Geddes, who I regret to say is too unwell to be present to-day, made what I thought was a very unwarranted attack on my noble friend Lord Nathan. He told your Lordships of the conditions of people working in certain mines in Northern Rhodesia and he claimed that his company had done a very great deal to improve social and economic conditions. He pointed out that so far as white people were concerned they were getting the highest wages in the world, but he made no such claim in the case of the coloured workers, although he did claim that they were treated in other respects very well. I am not disposed to quarrel with that at all. I admit that a good deal that the noble Lord stated is true, but nevertheless we have to notice that the wage paid to the white worker is from forty to fifty times as great as that paid to the coloured worker.

What is worse is that the coloured worker is subject to the colour bar, and it is not possible for him to undertake the more advanced and skilled work. Nothing was said about that by the noble Lord, but it is I think a matter that calls for serious attention by the British Parliament. We must concern ourselves surely with the matter of personality and with the raising of human dignity. If our stewardship means anything it must surely mean that that should be our first concern. In this connexion I have had brought to my attention a statement issued by the Conference of Missionary Societies in Great Britain and Ireland. Recently this problem came under the particular consideration of that conference and the executive committee of what is known as the British Council of Churches—an organization representing I believe all the Protestant Churches in England and Ireland—associates itself with this statement. They point out the very great dangers and the great wrong done to indigenous people from the moral and spiritual point of view by the exercise of the colour bar.

I venture to quote from the statement:

"It is confident that the people of this country, when alive to the facts, will demand fair play for every man whatever his colour, by which policy alone the spirit of true partnership in Colonial affairs can develop. It would view with grave misgiving any changes in the existing political status of African territories at present under British control which would impair or limit in any way the power of the British Government to give the fullest effect to this policy, or subject the native population to policies based on different principles."

It is quite obvious that this conference was very concerned about certain movements that are taking place in one of our overseas Dominions with regard to the coloured population, which is going to raise very great differences in Africa in the near future. I am one of those who think that both Africa and India are going to cause very great trouble for this country and Empire in the days that lie ahead. It is well therefore that we should begin to give them very serious attention.

In this particular connexion it is worth observing that the Episcopal Synod of the Church of the Province of South Africa issued a statement saying:

"We affirm that the effect of colour prejudice is cruel, wasteful and dangerous; cruel, for it deprives those who are its victims of the opportunity of making full use of their capacities and talents, and so causes frustration and despair; wasteful, for it deprives the community of the skill of many which would otherwise be used for the benefit of all; dangerous, for unjust treatment meted out by one section of the community to another creates fierce and ever-increasing resentment, with results that no one can foresee."

Now resolutions of that description coming from that quarter cannot be ignored. While we may plan and pray and work in the hope that war will never again break out, at the same time we have got to remember that while things like that obtain potentialities for trouble are always in existence. When we take into consideration the fact that the white peoples of this earth are tremendously outnumbered by the coloured peoples—and this applies especially to the British Empire—we can see that there are potentialities and possibilities of danger there which cannot lightly be ignored.

Now may I, for a moment or two, touch upon one or two more detailed aspects of the subject? Some time ago—it was in 1938 to be exact—I visited some tin mines in Nigeria. I do not think that I have ever seen anything more dreadful or anything more degrading than for human

[Lord Ammon.] beings to have to live under conditions such as were to be found at those places. Provision ought to be made in ample measure to ensure that, at any rate, the people working in those mines should have decent welfare conditions, decent working conditions, decent housing conditions, and that, generally speaking, their natural wants are properly provided for. We have to remember that the people who work in these mines are backward and primitive people, who have been drawn from their homes in the neighbourhood and are now working in very deplorable conditions. There arise from this tremendous social problems. When these people have finished their employment and are free to go back to their native communities, these problems increase. One of the chief difficulties arises because there is no sort of co-ordination between mining development and the needs of the communities living in the surrounding country. Workers are torn from their villages to work elsewhere, and after a time are sent back to their homes. This causes tremendous social and physiological upheavals. These facts alone show the need for strict Government control and supervision of mining operations in Colonial territories. We cannot afford any longer to leave private owners to do as they like with the mining in these countries. They have got to be under the supervision, control and direction of the Government. There must be proper systems of inspection and so forth.

Too little attention is paid to the subject of welfare by the private mining firms and iron concerns in Sierra Leone. Often in the tin mines, arrangements for dealing with sickness, disease and accidents hardly exist, and but for the Government what little is done would not have been done. Hospitals may be situated as much as a score of miles away; the field emergency stations are primitive in the extreme; and there is no ambulance. The treatment of illness and disease is distressing. Women near childbirth work all day carrying up steep slopes great quantities of earth, as much as from 70 lb. to 90 lb. Little children are brought in to work in and about the mines; the food is miserably poor; and the pay is disgustingly low. At the wealthy ironfields in Sierra Leone conditions relating to feeding, housing and welfare need complete overhaul. I would like to ask the noble Duke

who is going to reply, is there any control over the social problems created by attracting these people hundreds of miles to their work? What wretched village and town life near the mines are these workers reduced to, and what happens in the places whence they come? Matters like these, I suggest, form the foundation of very serious social problems indeed. The manner in which employment is carried out breaks up the whole tribal system and makes people homeless wanderers. It causes great distress and trouble where there need not necessarily be any.

In the current issue of the Bulletin of the National Association for the Prevention of Tuberculosis, there appears a letter from a West African from which I will venture to quote. The writer, I rather think, is a medical student, and, if that is so, he is writing about matters relating to his own profession. I may say, in passing, that I myself went through dozens and dozens of hospitals in West Africa and I noted that they were crowded with patients suffering from tuberculosis and V.D.—both things which it is incumbent upon us to do all in our power to remedy. The writer of this letter states:

“With overwork, strain and the other accompaniments of war there has been a huge increase in tuberculosis the world over. The situation is bad in Nigeria, where health statistics show that a large number die of tuberculosis every month in Lagos, the capital, alone. It is a pitiable situation indeed, because we have no sanatoria or tuberculosis dispensaries.”

In that same journal there appears a statement, relating to medical services, to the following effect:

“It costs £350 per annum to maintain a student in Britain, and therefore if twenty students were sent per annum it would cost the Government £7,000. There is no single Colony in West Africa that cannot stand the expense of £7,000 a year to train doctors.”

It is suggested that there are large numbers of natives who are quite suitable for training as doctors, and that they should be afforded the necessary opportunities to undergo training and be given a status equal to that of others in their profession when they obtain proper qualifications.

A public official of West Africa, speaking some time ago, referred to their system of education, and among other things he said:

“The rate of improvement was so slow . . . it was worked out and was actually put into

writing and presented to the Colonial Office, that if the education programme continued at the present rate of progress, before 80 per cent. or 90 per cent. of the Gold Coast people would be able to write it would take about 3,500 years, and in Nigeria it would take 25,000 years.”

Now that is a very long time, but when one notices, as I am sure many of your Lordship did, a note which appeared in *The Times* yesterday about the books and reading material generally available in Lagos, it is possible to understand that this may not be an exaggeration. Certainly there is a distinct call for these people to be trained. Those who have been in contact with them and know them well, say that they are highly intelligent and competent, and altogether must be rated a fine people. The fact that they have not better opportunities for more complete education than is provided is no credit to our Government and would be no credit to any Government.

On the question of policy for the regulation of mining and mineral concessions, Lord Faringdon was informed on January 19, 1943, that certain principles underlie the variations which exist. I have a copy of the principles here but I will not trouble your Lordships by reading them. These principles are interpreted in divers ways. Actual conditions, the payment of taxes, the granting of concessions and the disposal of profits vary widely. In some Colonies grossly inequitable conditions exist. Picture the position where large and powerful companies hold long-term concessions, and wages and conditions vary according to management, regardless of the effect on the economic equilibrium of the country. It may be true that over a period of years the profits are not so large as might be imagined; nevertheless an enormous proportion of the proceeds of Colonial mining industry are drained out of the country. A great amount of trouble and distress arises because there is no uniform or co-ordinated system of administration with regard to so many of these matters.

Coming to questions which call for immediate consideration, these include the ownership of mineral rights—the noble Duke has largely met that point so far as Nigeria is concerned—the operation of the mines, the administrative framework for dealing with mining matters in the Colonies, and taxation. Ownership varies from Colony to Colony. There is above all a distinct need for a proper scientific

geological survey of the country, in order that we may have a better idea both of its resources and of its possibilities. I ventured on the last occasion on which I spoke on this matter to bring before your Lordships very powerful scientific evidence regarding the tremendous harm which is being done owing to soil erosion. It was shown that that would have a very disastrous effect before very long on the world as a whole. Much of the trouble arises from lack of scientific knowledge regarding the management of the land itself. To some extent that has been recognized and admitted in the Nigerian Ordinance, which provides that those who have a lease of land have to make good the land and the damage done to it. At a joint meeting of the Geological Society of London and the Institution of Mining and Metallurgy last year some very strong criticism was made of the inadequacy of geological surveys in our Colonies, and a resolution was passed expressing concern at “the progressive deterioration of status of certain Colonial geological surveys,” which calls for immediate attention, and a number of suggestions was made.

Although I have spoken in a manner which may be regarded as critical, I should like to make it quite clear that I have no desire at all to indulge in destructive criticism. What I am anxious about is that so far as possible our nation shall stand well in the eyes of the world, and that we shall exercise our stewardship in a manner which will be a credit to us, so that the world will recognize that we are endeavouring to discharge that stewardship properly. While I have made some criticisms, I am prepared also to make some recommendations or suggestions. I want to suggest, first of all, that for the benefit of the mine workers in the Colonies there should be a sound Workmen's Compensation Act in each of the West African territories. The present law is inadequate, and is generally pronounced to be unsatisfactory by our competent labour officers. I suggest, too, that we need a vigilant labour inspectorate, armed with real powers to deal with grievances and such questions as safety, rations, housing, wage standards and industrial relations. We want a much larger body than at present. I suggest also that there should be—and this ought to be put in hand at once—the training of native people for positions of responsibility. They are capable of it. I met

[Lord Ammon.]
in West Africa Africans filling very high administrative positions and carrying out their work with an efficiency equal to that of any of their white brethren. It seems to me that when we think of the future development of the world in general and of our Colonies in particular, it is the sheerest waste to neglect this tremendous potential source of real economic wealth and experience which can be made use of in our government and administration.

Another need is the establishment of medical training schools in West Africa, in order that the people from that part of the world shall not be put to the great expense of coming here for training, and sometimes getting a feeling of inferiority. They should be trained among their own people and be in touch with their own people throughout. There should be the provision of better first-aid and ambulance facilities, which should be close to the mines. There must be the opening of more schools and better educational facilities. It should be laid down as a principle that mineral resources should be the property of the State and should never be alienated. Where they have already been alienated, they should be recovered by the State. Royalties should be paid to the State on all minerals worked. That point has been conceded by the new Nigerian provisions, and I suggest that it can be even further extended.

As points for further consideration, I suggest the ownership of mineral rights, the operation of the mines, the administrative framework for dealing with mining matters in the Colonies, and taxation. Any form of colour bar, such as exists in the Northern Rhodesian Copper Belt, should be made illegal. I should like to add a word about the general health of the country and to quote from an article by a medical man in a publication of the National Society for the Prevention of Tuberculosis. He writes:

"The medical personnel in West Africa is doing herculean work despite an unfortunate official policy which discriminates unnecessarily between African and European officers with identical British qualifications in the matter of cadre and conditions of service, salary, and grades of appointments."

That is the case that I wish to submit for the attention of your Lordships this afternoon. It is a case which deserves the serious consideration of Parliament. It is fraught with great possibilities for

good or ill in the days to come, both to the British Empire and to the world itself, and to peace and prosperity generally. Above all, it affords us an opportunity of providing a memorial to good administration and good, humane government and the proper discharge of stewardship by this country in respect of those people who are less developed and who are under our care. I beg to move for Papers.

3.57 p.m.

LORD RENNELL: My Lords, I find myself, as usual, very much in agreement with what the noble Lord, Lord Ammon, has said, except that I cannot follow him quite so far afield as he went on a Motion which deals with the control and administration of mines in British Colonies. Keeping to the terms of that Motion entirely, I would like to express particular satisfaction at the noble Lord's reference to the Mining Ordinance recently passed in Nigeria by the Legislative Council, but to draw his attention to another and almost equally important Ordinance which I think was passed about the same time—namely, the Labour Code, which in point of fact includes in its provisions those provisions which we have adhered to in this country in international agreements in nearly all respects. The combination of those two Ordinances has brought Nigerian legislation in this matter far ahead of that not only of other Colonies but of many countries of independent status.

The point which the noble Lord made about our failure to draw attention to the good things we do—a matter to which reference has been made in your Lordships' House more than once—is particularly notorious in this instance. We are, I am afraid, very well aware that conditions in the mining industry in Nigeria in particular, and in certain other West African Colonies, were a few years ago by no means what they should have been. The reason for that may perhaps be sought in the conditions of war and in the very heavy mining development required to produce, for instance, our tin supplies from one of the few sources still available to us in the circumstances of 1942-43, and also in the Gold Coast to develop the iron and other resources in order to economize in shipping. The conditions which many of us would deplore must find some excuse in the pressure of necessity which knew no master

in those very bad days. But that one of these Colonies where conditions were as bad as the noble Lord has said should have been the first to issue these two Ordinances is not only a matter of great satisfaction to everyone concerned, but an example not only to other Colonies but to many other countries as well. My only regret, which I want to reiterate in this context, is that His Majesty's Government have not seen fit to make any reference whatsoever to this legislation, and it is only a fortuitous chance which has been given to some of us to hear of it. I believe I am right in saying that the texts of these Ordinances are not even available in this country, and I am quite sure that the Press of no other country has even had the opportunity of referring to them or consulting them.

It will be within your Lordships' recollection and that of the noble Duke, in connexion with a Motion tabled in your Lordships' House some time ago in reference to modifications in the Constitution of the Gold Coast, that there were complaints from many parts of your Lordships' House about the hole-and-corner way in which progressive legislation had been announced by His Majesty's Government and was in process of being enacted. That same criticism, I think, is entirely justified in the case of the Nigerian Ordinances. In the interval between the Gold Coast Motion and that of my noble friend Lord Ammon there was a very substantial change proposed by the Governor of Nigeria to the Nigerian Constitution, which was almost equal, but not quite so, in the oblivion and mist surrounding it as the changes in the Gold Coast Constitution. But if this process by which the good we do is carefully hidden under a bushel, and the criticisms which others level at us are allowed to appear in the Press, continues, it is idle to expect that our Colonial administration will not remain under fire, and under unjustified fire, for as far ahead as we can see. I must, with the noble Lord who has just spoken, deplore that this occasion has been allowed to pass without any reference by His Majesty's Government to the good that the Crown has done.

I cannot, I am afraid, follow the noble Lord quite so far as he has gone in the changes of policy which he wishes to see brought about, because I think it would take too long, and might tend to cloud the

issue of the answer which the noble Duke will in due course give us. I find it difficult to follow him quite so far as he goes in hoping that we shall have some expression of policy generally on the administration of mining properties and mining deposits in the Colonial Empire. I think it is very difficult, in the diversity of conditions and circumstances which obtain in many possessions of the Crown overseas, to lay down any uniform policy which would be at all applicable in all the territories to which it must relate. Conditions in a country of so dense a population as Nigeria must, by the nature of things, be wholly different from those which might obtain, for instance, in British Somaliland. To take only one instance, in the coal mines in Nigeria, which are, as the noble Lord will no doubt be aware, a Government enterprise, there is a trade union organization of the African labour. To suggest the introduction of trades union legislation and the possibility of trades union organization, in, for instance, the British Somaliland Protectorate would be entirely preposterous. Therefore a uniform policy is not one which lends itself to any practical expression either by the noble Duke or by any of his successors in office hereafter. It would seem more practical to take the problems case by case and therefore, in this particular instance, to limit ourselves in the discussion to those points raised by the noble Lord in particular, that is, the West African mining industry and Northern Rhodesia.

So far as the question of the colour bar is relevant to the Motion, I do not share the fears expressed about the incidence of a colour bar in West Africa. We have had in many debates in your Lordships' House instances given—I myself have quoted some—of the value of African labour and the possibility of training African labour in the most technical occupations. The Army has contributed in large part to that, and we have seen the results. I do not believe that in West Africa any opportunity has been or is likely to be neglected to use African labour to replace British labour, and therefore to allow the wages of that African labour to remain in the country from which the fruits of mining are drawn. The Northern Rhodesian case is, however, a different one. The colour bar in Northern Rhodesia is not one which, in so far as it exists, is the responsibility of the Gov-

[Lord Rennell.] ernment of Northern Rhodesia or of any Department of His Majesty's Government in London; it is the product of trade union organization in Northern Rhodesia itself, and the blame, in so far as it is to be laid at anybody's doorstep, would, I think, have been appropriately laid by the noble Duke at the door of the trade union movement in the southern parts of Africa. It is deplorable and it is uneconomic. I am entirely in agreement with my noble friend, but the cure does not lie in legislation or in proposed legislation from the Department for which the noble Duke will speak.

Finally, as to the one other issue which the noble Lord did not develop, but to which he alluded, that is, the profitability of mining enterprises, I think that the subject is one which must be approached with very great diffidence. The values of mineral ores exported from a country do not necessarily bear any relation to the profitability of a mining enterprise, any more than they bear a fixed or necessary relation to the volume of wages paid. There is a danger there of falling into very mistaken conclusions. What, however, was of particular significance in the noble Lord's remarks, as it seems to me, was the proposal that mining royalties should, where necessary, be varied according to the profitability of the enterprise. This constructive proposal is no doubt one which would appeal as much to the administrations of the Colonies concerned as to the enterprises operating the mining deposits, and it is one that I am particularly glad to have heard from the lips of the noble Lord. So far as the supervision of labour in mining enterprises is concerned, I agree whole-heartedly with everything he has said. It is applicable not only to labour in mines, but to labour in secondary industries, and in other enterprises which may be or have been developed in our Colonies.

The necessity for greater medical education for the training of medical officers and for expenditure on public health has been emphasized in another place as well as in your Lordships' House in connexion with the Colonial Development and Welfare Bill. But I think it is not quite fair to suggest that no provision has been made to train African medical officers and public health servants. There is, if my memory serves me aright, a medical school in Lagos, which is training

medical students, and I believe something of the same sort has been instituted in the Gold Coast, too. It is recognized by no one more than by the British officers in the administrations of West Africa that the training of African medical officers is of paramount importance, and I hope we shall hear in due course that moneys have been voted and agreed by the Colonial Office out of the Welfare and Development Fund to prosecute medical training of all sorts. I welcome, as my noble friends here do, Lord Ammon's Motion, and, generally speaking, I find myself in considerable support of what he has said, subject to these few reservations which I have made.

4.11 p.m.

LORD HAILEY: My Lords, like the noble Lord, Lord Ammon, I also have some hesitation in dealing with this subject, a somewhat specialized subject, on a day like this and in the midst of the emotions which the speeches we have heard in your Lordships' House this afternoon have not unnaturally aroused; but it is a subject of the very greatest importance to all those who are interested in Colonial affairs. To take it only on the purely material side, the total mineral production of our Colonies amounts annually to something between £60,000,000 and £65,000,000 in value, and it is also true that many of our Colonial territories owe their development very largely to the resources they have obtained through taxation of the mineral industry. There is another reason why the question of the administration of the mining industry is so important, and it is a reason to which Lord Ammon himself referred—that hitherto the development has been due entirely to the introduction of foreign capital. It is in the mining industry that you do get arising, in the most critical form, the question of the relationship between foreign capital and indigenous labour.

Now if I say that I have a very considerable measure of agreement with almost everything that Lord Ammon said, I wish to make only one or two small reservations. I think he will forgive my saying that, though much of what he said was true in so far as it went, in some respects he conveyed rather too general a picture. Perhaps I might almost add that he tended to generalize too much or convey too general an impression from some of the instances he

gave. I need not refer in particular to the question of the colour bar in the mining industry because that has already been referred to by Lord Rennell. It is a fact that we have all deeply deplored that European trade union influences have been so strong in Southern Rhodesia and in Northern Rhodesia as to create what is in fact a colour bar position, legalized through the Industrial Conciliation Act in Southern Rhodesia but not so far forming part of the statutory law in Northern Rhodesia. In West Africa, as Lord Rennell said, there is very little sign indeed of the colour bar, and I think you will see there an increasing tendency, such as has been shown in the Belgian Katanga Mines, to employ African labour so far as it is possible to employ it.

Now I will take some of the rather wider questions to which Lord Ammon referred. He welcomed the new Nigerian Ordinance, as I think we must all welcome it, as a sign of our modern policy in this respect, in particular because it asserted the principle of State ownership of all minerals. Now that is not, of course, a new assertion of principle in itself. If you take the Colonies as a whole you will find considerable areas of them indeed in which, fortunately, State ownership of minerals is the accepted principle. I think we would all agree that it is highly desirable that in the Colonies the State should own all minerals. It is unnecessary to go into the questions of principle that have been raised in connexion with English mines. There are particular reasons in connexion with the Colonies, partly because a Colony in that way is best able to take full advantage for local services and the like of the mineral assets in the Colony. There are also special reasons to be found in Colonial conditions. Where land rights are so vague and undetermined as they often are, where there have been no surveys and the like, and where land is so often held in some form of communal tenure, it is often advisable that the State should come in as the owner of mineral rights rather than it should be left to individuals to dispose of those rights, because the result of the latter condition has been, as one has unfortunately seen, that a small section of the community may arrogate to itself the right of disposal of minerals and the proceeds very seldom go to the community or find their way into the right hands. Therefore that is, in Colonial conditions, a very special

reason for the State asserting its right in connexion with all minerals.

At the present time in the West Indies the subject is somewhat mixed because the English law of property, the English Common Law, was extended to them at a very early stage. In Jamaica you get such a curious position as the fact that, while all gold and precious minerals are held to be the property of the Crown, base metals are held to be the property of the surface owner; therefore there are only one or two territories in the West Indies where the Crown is the acknowledged owner of minerals. In Malta the Crown has practically no rights; in Cyprus it has rights only over State lands. When you proceed to Africa you find that there are fortunately very large areas where the Crown right is fully acknowledged. In Kenya, Tanganyika, Uganda, Nyasaland and the northern territories of the Gold Coast the Crown has acknowledged rights over minerals. Proceeding to West Africa you find that in the Gold Coast our somewhat meticulous regard for native property rights led us to acknowledge the surface owner as the owner of the minerals also, with most unhappy consequences. There was a time when native authorities had actually given concessions for mineral rights over areas which extended, I think, to 125 per cent. of the area of the Colony, and it is notorious that the proceeds of these concessions have very seldom been used for the benefit of the community.

Another exception of course is Northern Rhodesia, where, under the terms of the arrangement which terminated the Charter of the British South African Company, all mineral rights are enjoyed still by that company. There is a further reservation in the greater part or the whole of Nigeria, some 200,000 square miles of it, in which although mineral rights are owned by the Crown half the royalties are shared with the successors of the Royal Nigeria Company. That is the picture of Africa. It needs only to be said that there is a somewhat mixed position in Ceylon where the State practically owns rights only over State lands. In Malaya all lands have been reserved for the State—either the Government in the Straits Settlements or the Sultanates in the Malay States. So there is a very considerable area in which that principle is in force. It might be somewhat difficult to give it its fullest extension now in certain of the Colonial areas.

[Lord Hailey.]

There ought to be very little difficulty indeed in the twenty-five or so Colonies in which minerals have never been worked. It ought not to be difficult to do there what we have done universally throughout the Colonies in the case of oil, where there is an Ordinance reserving the rights to the Crown. But there would be greater difficulties in certain parts of the West Indies, and of course it must be a matter of arrangement if we should desire to recover mineral rights in such areas as Northern Rhodesia. But, subject to that, one feels that we have been able to go in the past a considerable way in the assertion of the principles for which Lord Ammon pleaded, and I hope we might be able to go a good deal further particularly in regard to those areas where minerals have not yet been worked.

There is a second principle. The noble Lord asked that measures should be taken to plough back the permanent assets into the Colonies as far as possible. There again one would be in the very fullest agreement with him. You can do that partly by maintaining the Crown rights over lands, and you can do it further by the system under which you arrange for royalties for lands which you give out and by taxation. I think there is little doubt that in the past we did not fully see the need for making terms in regard to royalties in alienated lands that adequately represented the interest of the Colonies. There were many cases in which there was a low fixed rate, there were other cases in which there was a fixed rate of royalty that varied with the out-turn, and the rates were, as experience has proved, often inadequate. I am glad to say that of late years the practice has improved and has become modernized. We have studied other systems, in particular those such as prevail in the Union of South Africa where the art of fixing royalties has become somewhat complicated and has reached a high science. To give only one example, we have in Sierra Leone fixed royalties on a profit-sharing basis. In one case we take as much as 27½ per cent. of the profits, and that practice is growing, and growing, I feel, in the right direction.

As regards taxation it is equally true that up to a comparatively recent time there was a certain disinclination on the part of Governments to impose an Income Tax. Of late years the practice has

grown, certainly since 1936 onwards, and there are now Colonies which work the tax up to a relatively high figure. There is one Colony which works it up to as much as 10s. in the pound; there are two or three which have an 8s. Income Tax; two which have a 6s. one, and a very large number have a 5s. tax. The difficulty in their case is that, owing to the system prevailing with the British Treasury, so long as the British Income Tax rate is 10s. in the pound then in the case of companies registered in Great Britain the Colony is unable to take the benefit of more than 5s. in the pound Income Tax. Of course it can take a higher rate from companies registered in the Colonies themselves.

Very many wonder whether some further adjustment is not possible there in order to give the Colony a fuller benefit from the assets which are being worked and which are in many cases somewhat short-term assets. I hope very much that it may be possible to make a further study of that question in the Colonial Office. I admit that it is an Empire-wide question. It does not depend merely on arrangements made between the British Treasury and the Colony. Nevertheless it is to be hoped that some system can be found which will give the Colonies a larger share in the profits of companies which are registered in Great Britain.

There were some further points raised by Lord Ammon. I think we would all agree that we have got to use every endeavour to improve conditions in the mining areas, but I hope that what he said did not convey the impression to anyone else, as it did convey to me, inadvertently perhaps, that the picture on the whole was a very unfavourable one. I would agree that there are conditions in certain parts of West Africa, particularly in regard to the tin mines and in part to the iron mines, where quite insufficient attention has been paid to living conditions of labour. But that is not the case everywhere. The conditions of African labour in the Northern Rhodesian gold mines are good. They are better there I think than those of a large number of State employees of the Government in the rest of the territory. But when the noble Lord pleads for better medical attendance and for better schooling and better living conditions generally, we must all be with him there. One is

glad to see the growth of a skilled labour inspectorate, for one knows that in Great Britain itself all the early Acts—the Shaftesbury Act and the like—were quite inoperative until there was an inspectorate. It is in the growth of that inspectorate that one hopes to see a great improvement in the future.

As regards the geological survey for the extension of which the noble Lord pressed, I am glad to think that part of the operations of the Committee which has been entrusted with making recommendations for expenditure on the research portion of the Colonial Welfare and Development Act seem likely to result in a great extension of the geological survey throughout the Colonies. As to the provision of medical attendance and the local training of doctors, I am hoping that the result of the Commission which the Secretary of State lately set up for West Africa will deal not merely with the question of medical schools like that to which Lord Rennell referred at Lagos, but the institution of universities which will be able to give their own registrable degrees. I hope the first fruits of the Commission which is now sitting will be the growth of universities in West Africa and the completion of the university in East Africa, one of the chief functions of which will be to provide vocational training and particularly training in medicine.

These are somewhat detached questions, partly of principle and partly of detail. I think we are all conscious of the position in regard to the development of mining in the Colonies which in the past had a good number of defects. I think we are all conscious that some of the conditions at all events need, I will not say radical but very considerable improvement. I think we are all conscious of the necessity of doing everything we can to train the African to take his own part in that industry. I think we are all conscious that we should do everything we can to see that the maximum amount of the assets of the mines are retained in the Colony itself by any measure we can take. I noticed that the noble Lord, Lord Ammon, did not suggest universal State management or control of mines. He did not go so far as that. I myself have only seen personally one example of a State-managed mine in our Colonies, although I know one or two others do exist. I think it would be very useful indeed if we could have a further experiment in the manage-

ment of mines by the State, not as the assertion of a general economic principle or anything of that kind, but purely as affording a check on the amount of wages that should be paid and a check on the conditions that should prevail. Purely as I say as an experiment for that purpose, I would like to see it done. I would not like to go further and advocate that we should come from the State ownership of minerals to the State development of mines.

4.33 p.m.

LORD HARLECH: My Lords, I vividly remember going in Nigeria to the only State-owned, State-run monopoly gold mine in the British Empire some nineteen years ago. As I stated in my published report I never saw more deplorable conditions. I am quite convinced that ownership of mines by the State or even ownership of minerals by the State is not a panacea and not the last word in the problems—very difficult problems some of them—that we are considering this afternoon. I agree that in countries where the whereabouts of minerals are frequently unknown—who a few years ago would have thought that our most important war reserve of high grade iron ore was a great deposit in the interior of Sierra Leone?—and especially in view of the fact that the owners of the surface soil are in most cases natives practising shifting cultivation who have no permanent residence, that there is a case for the State ownership of minerals, but when it comes to State exploitation of those minerals I have very grave doubts. The noble Lord, Lord Ammon, has used sticks to beat the people who are developing minerals, but if the Government are doing it you have nothing to beat, you have nothing but a State monopoly.

It is a moot point, open to question, whether it is desirable or undesirable that the Protectorate of Northern Rhodesia should acquire the mineral rights as the Colony of Southern Rhodesia has from the British South Africa Company. Nobody can deny that under the Cave award and indeed all the documents before that the full and legal right of Rhodé's Company to these minerals existed. They would have to be bought out fairly as was done by the Government of Southern Rhodesia. This Copper Belt in Northern Rhodesia to which the noble Lord, Lord Ammon, referred is an outstanding example of a colour bar, in fact the

[Lord Harlech.] only one he can quote. There, miles away from a port, in the very heart of Africa, deep in the Tropics, are large deposits of copper entirely dependent upon what is going to be the eventual market price of copper in all the nations of the world and the cost of production locally. I can say without fear of contradiction that none of the capitalistic interests any more than the Governmental interests who have hitherto endeavoured to conduct that up-and-down mineral development, one year prosperous, the next year shutting down in Northern Rhodesia, would be other than delighted if the colour bar could be got rid of.

It means you have to import from South Africa members of the Miners' Union who are wedded to the tradition of the industrial colour bar now enshrined in an Act of Parliament of the Union of South Africa. No amount of legislation by the Secretary of State for the Colonies or by the local Government in Northern Rhodesia will have the slightest effect on that colour bar. It is only if and when the Labour movement in South Africa will let up on the industrial colour bar, and will allow native trade unions to operate and natives to work alongside white people in particular trades, that you will get any change in an area dependent for such white labour as it requires entirely upon the Union of South Africa and upon a trade union which is wedded to this particular view and this particular tradition, a union whose members are members of a political Party sworn to defend that tradition.

I think that among the problems of health, welfare, schools and all the things which the noble Lord, Lord Ammon, dealt with in introducing this Motion, the most interesting problem is whether it is desirable to have a practice whereby the native labour required for the extraction of these valuable minerals and their export to the markets of the world should be provided by temporary migratory labour coming on contract for so many months at a time and then going back to agricultural life and tribal life, or whether it should be undertaken by permanently settled labour, leaving for ever their tribal life and developing into native artisans, with all that means, native technicians and native managers, and, above all, living in entirely urban European conditions. I have heard it argued

both ways, and undoubtedly at some of the longer-life and, probably more profitable, copper mines in Northern Rhodesia you see the two systems both being run side by side. I see no objection to that. I am quite sure, though, that it is very undesirable that any African native who is going back to his tribe, to his tribal life and his agricultural life on his reserve, should spend too long a time at mines, or indeed in any European employment.

I commend in this matter the provision by the Union of South Africa in respect of the native labour in the mandated territory of South-West Africa. There the Ovambo, who provide the bulk of the labour in the northern part of the country, are allowed to contract to go out of their reserve for a year, and if, after the completion of that, they wish to continue for another year, providing they go before a labour inspector and a magistrate, and that both the employer and they themselves wish to continue for another year, that is allowed. But after two years it is the absolute law they have got to go back to their reserve, whether they like it or not, and whatever the employer says, so as to prevent the decay of tribal life and the loss of their home traditions and surroundings. That is the only case of which I am aware where it has been reduced to law.

If you talk to any of the very knowledgeable labour managers on the Witwatersrand they will tell you that it has never been their wish that natives who go to work in the Johannesburg gold mines should stay too long. Their desire is that these natives should return to their own place. Those who do follow this migratory business seem to agree in this. I can only speak for people for whom I have been responsible, such as the Basutos of Basutoland, and I cannot say that periodic sojourns in European employment of one sort or another, including the mines, seem to have either undermined or upset their tribal loyalty, their tribal traditions, their tribal cohesion, or their perpetual desire to return to their beloved cattle and their beloved land. In fact, there are a certain number of educated Basutos, mainly clerks, living more or less permanently with their families in Johannesburg—not at the mines—and it is always their expressed intention sooner or later to go back to the land of their fathers—if only to die there. Although the annual head tax on these

people is higher in Basutoland under us than it would be if they became Union subjects they remain on the tax books of Basutoland by their own will because they wish to preserve their tribal connexion.

On the other hand, where you do establish families, men, women and children, in permanent mining settlements, on mining sites, mixed up with European miners and the like, you have to recognize that you are creating a new, permanent, African, urban proletariat. Therefore, it is quite obvious that every effort must be made to provide them and their children with technical education from the start, and to make it really a chance for them to become high grade, high-earning, permanent assets to the mining or mechanical or metallurgical, or electrical, or other industries ancillary to permanent mining. This is particularly difficult in places like Nigeria where, apart from the Government coal mine, the mining is for alluvial tin, in which, as the noble Lord said, when in introducing his Motion he talked about the amenities of the country, you take up a great quantity of the earth, dig up a little deposit of cassiterite, move on, and try to find some more. In perpetually shifting mining like that it is not possible to have conditions under which you can train Africans to be high salary-earning, skilled technicians. In East and West Africa nobody, for climatic and other reasons, would employ a white man if he could get an African to do the work for him. It is not a sensible thing to do and nobody would do it.

I conclude by alluding to the point taken by the noble Lord, Lord Hailey, on which the Government's reconsideration is asked. Undoubtedly there is a growing feeling not merely among Europeans but among natives that too great a share of the taxation, and particularly the war-time taxation, of these mining enterprises enures to the benefit of the United Kingdom taxpayer and too little to the welfare and the spending power of the local Government. I have heard that said in many places. Before the war there was not a great deal in it, but now with the standard rate of Income Tax at 10s. in the pound and E.P.T. on top of that at 100 per cent. vast millions have gone into the United Kingdom Exchequer for spending in support of the war effort in the United Kingdom, and only a com-

paratively small share of the wealth created has been at the disposal of the dependency overseas. You hear, "Boston tea party over again," and all the old cries to the effect that the Colonies are being taxed for the benefit of the Mother Country. Well, in war-time we have our answer on this. This money is not being spent only on the people of the United Kingdom—the Colonies benefit too. It is all being spent—this vast and heavy taxation collected by the United Kingdom from the mineral enterprises in Northern Rhodesia and elsewhere—for the united war effort. But I am quite sure that if that went on in peace-time there would be a growing feeling that we were not consistent in saying that we do not tax the Colonies for the benefit of the British Empire. True, it is only an indirect form of tax, but it is a terrific tax at its present rate and with its present incidence, and it undoubtedly comes from the wealth created by the Almighty in those overseas countries and obtained by labour in those countries; and so I am sure that that must not go on in peace-time.

I do not attach very much importance to laws, ordinances, documents and the like, compared with the cadre in the Government Service—the inspectorate, the District Commissioners, the officials who are going to carry these things out. If highly technical enterprises are going to take place in the backward countries, unless there is an entirely independent authority, consisting of welfare officers responsible for seeing not that the letter of some law is observed but that progressively advancing and decent conditions obtain for all concerned, black and white, in these tropical areas, all laws are just window-dressing. The vital thing is the quality of the personnel who go out there; as I see it, the whole answer to all these problems lies there. Can Great Britain and the rest of the Commonwealth, including the Dominions, always supply men with a real vocation and with adequate training to do this more than missionary work, this tremendously responsible work of seeing that the backward peoples of the Empire, in the course of development which takes place in the interests of the world as a whole, get the square deal which they ought to have? That can be done only by having on the spot men of real quality with a real voca-

[Lord Harlech.]
tion and high ideals. To my mind it does not matter so much who is the Colonial Secretary or who is in the Colonial Office; what really matters is that we send out the best of our women as well as of our men to undertake the tasks of administration, inspection and personal responsibility in the contact with the people on the jobs, whether agricultural, mineral or any other, in the Colonial Dependencies.

4.53 p.m.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR THE COLONIES (THE DUKE OF DEVONSHIRE): My Lords, I am very grateful to the noble Lord who moved this Motion for his kindness in agreeing to postpone it to suit my convenience, and for his very kind words to me. I am also grateful to him for his tribute to the Nigerian Labour Ordinance; and in fact I think that almost throughout his speech he was knocking at an open door. On some few matters I did not find myself in agreement with him, but on those I think that he has been very fully answered already by other noble Lords who have spoken, and by my noble relative who has just sat down. In particular, the criticisms which he made of the colour bar have, I think, been fully answered, and I do not propose to refer to that subject any more.

Both he and the noble Lord, Lord Rennell, said that we did good by stealth, as it were, and that we should procure greater publicity for it. That is a matter to which I have given a great deal of thought, but it is very hard to secure publicity. The newspapers are strictly rationed for paper, and publish in the main those things which they think will interest the public; and the great heart of the British public is less stirred by a labour ordinance, however excellent, in Nigeria, or even, if I may dare to say so, by the proceedings of this House, than by the alleged enticement of a girl in Barnet. It is difficult to get adequate publicity for matters of this kind, but what has been said will be noted, and we shall try to see what we can do to get more publicity for the steady progress which is being made in matters of the kind to which the noble Lord referred.

The general subject of mining in the Colonies is, of course, one of very far-reaching importance in very many ways. It affects, and affects most profoundly,

the lives and the whole system of living of the populations in those Colonies where minerals are discovered; and, by producing revenue from a hitherto relatively barren territory, it may make possible administrative reforms and advances which even with the aid of the Colonial Development and Welfare Fund would otherwise have been scarcely within the realm of practical politics. Because it is of such great importance, the whole subject of mining operations in the Colonies is now under review, in order that a definite policy for the guidance of Colonial Governments may be formulated. The conditions, as has been mentioned by the noble Lord, Lord Hailey, are very diverse in the different Colonies, and it is therefore quite impossible to lay down more than broad, general principles. It would not be possible to lay down a detailed course of policy which would be equally applicable in every case.

There is, of course, one great difference between mining activities and almost all other forms of productive activity, such as agriculture, animal husbandry and forestry. These are continuous processes and, provided due attention is given to the maintenance of soil fertility, and provided that the goat and the camel can be restrained from their hereditary task of creating a desert, there is no reason why they should not go on indefinitely. Mining, however, is an entirely different operation, in that it consists in the removal of valuable substances which, in the nature of things, can be removed only once. I believe that in the case of sulphur it is mined in volcanic vents and so does renew itself, but otherwise minerals do not renew themselves at all, and once you have taken them away you have taken them away for good. The process is therefore in the nature of the realization of a capital asset rather than the reaping of a crop. The aim of mining policy must therefore be to make the best possible arrangements for realizing this capital asset and to make sure that when it is exhausted the labour forces who have been attracted to the scene of operations shall not be left high and dry.

The noble Lord who spoke last mentioned that mining operations vary greatly. Some are temporary operations from which you move on. The labour force which is desirable varies greatly according to whether the life of your deposit is likely to be a long or a short

one. Some measure of control is therefore necessary and inevitable, but care must be taken to avoid such excessive control as would stifle private enterprise or check the flow of capital for the development of the mineral resources of the Colonies. I can see no reason, however, why the interests of the private investor and the limited liability company should not be reconciled with those of the Colonial communities concerned, to the mutual advantage of both. As has already been said, the law regarding the ownership of minerals varies very greatly between the different Colonies. In some the Crown owns all the rights; in others it retains rights in lands alienated after a given date, the rights in lands alienated before that date being in the hands of private owners. In other territories, again, the rights are vested in corporations, and in others all mineral rights belong to the surface owners.

In the Colonies especially I think that powerful arguments can be adduced for the vesting of all mineral rights in the Crown. In pursuit of that conception, most Colonial legislation already provides for the reservation of mineral rights in any future sales or alienations of Crown lands; but a very different problem arises when, as has not infrequently happened, mineral rights have already been alienated and have passed into private hands. The question then arises whether it is or is not desirable for the Colonial Governments to re-acquire such rights for the Crown. It would obviously be entirely contrary to the principles of equity for such a re-acquisition to be made without compensation. In the case of mineral deposits which are already being actively exploited, it is a matter for judgment in each separate and individual case whether the course of acquisition would in fact be justified by the advantages gained. It is not possible, therefore, to lay down any general rule about the policy governing the acquisition for the Crown of mineral rights.

It seems desirable that there should be a comprehensive geological survey of the potential mineral wealth of the Colonial Empire. My right honourable friend has therefore appointed a committee of eminent geologists to advise him. Their report has been made, and is now under consideration in the office. It recommends the setting up of regional surveys in the Colonial Empire, with a central

pool in London, from which specialized officers can be loaned to the regional surveys or carry out geological work in the small Colonies not included in the regional surveys. I believe that is a better plan than the setting up of a Mines Department in the Colonial Office, because the conditions are so diverse that no central office could possibly be competent to deal with all the problems which would arise. What seems to be required is the strengthening of the Mines Departments in the Colonies and closer co-operation between these Departments and the geological surveys. It is scarcely possible to hope that the Mines Departments in all the different Colonies should be familiar with all types of mine. That would seem to indicate the necessity for some form of expert advice being available when required, and I think it possible that this expert advice can be made available by the setting up of a panel of experts, each one expert in some special department of mining, who could make investigations and give technical advice whenever a problem arises.

Then the noble Lord and other noble Lords went into the question of taxation. There are two aspects to be considered. On the one hand, there is the question of whether an enterprise which is exploiting the mineral resources of a particular Colony is making sufficient contribution to the revenue of that Colony, and, on the other, there is the difficult and thorny question of the division, in the cases of mining companies which are registered or controlled in the United Kingdom and are therefore subject not only to local taxation but also to United Kingdom taxation, of the total tax levied between the United Kingdom and the Colonial Governments. That is a very difficult question, which will need very careful consideration when war conditions exist no longer. The normal method by which Colonial Governments obtain revenue from mines as such is either by means of a royalty on the mineral worked or by export duties. Royalty is a very much misunderstood term. Strictly speaking, it is not taxation or a rent, but purchase money or compensation for the removal of a capital asset, and the payment of royalty does not therefore relieve a company from its liability to general taxation. Where minerals are privately owned and the royalty therefore goes into private hands, Colonial Governments have sometimes derived revenue by means of an ex-

[The Duke of Devonshire.] port duty, especially where more general forms of direct taxation are not in operation.

I think I can definitely assure the noble Lord that the general policy to be laid down from the Colonial Office will be that, while anything in the nature of penal taxation, taxation such as is likely to discourage any kind of individual enterprise, must be avoided, mining enterprise should be taxed on a scale which will not only repay to the Government such expenditure as they incur in the way of new roads, possibly new railways or other communications, but will replace the capital asset which will have gone when the mineral is exhausted. On the difficult question of double taxation the arrangements are now being reviewed in the light of the principles of the Treaty which has just been concluded between the United Kingdom and the United States on this same subject of double taxation.

The noble Lord who moved the Motion raised the question of the education of Africans and other Colonial nationals to undertake positions of responsibility. This question of course affects the mining industry, but not the mining industry alone. He also referred to the education of doctors in Africa. I can assure him that there is a medical school in Lagos, but for some reason the practice of the bar seems to have more attraction than the practice of medicine, and greater numbers of students are attracted by the legal profession. But the question of the education of Africans affects, of course, the whole of Colonial administration and of social welfare in the Colonies. But I can assure the noble Lord that Colonial nationals are being actively encouraged and taught to take a more prominent part in the development of their own affairs. To take only one example, a grant of £401,000 has recently been obtained under the Colonial Development and Welfare Act for a ten-year plan of technical education in Nigeria. In addition, Government scholarships are to be made available for suitably qualified members of the staff of the Nigerian Government colliery and of the Mines Department. That will enable students to come to this country for training in mining engineering at a British university. Of course, these are voluntary spare-time classes, and other measures have also been introduced to

enable African technical staff of the Mines Department to improve their qualifications. So I hope I can assure the noble Lord that the kind of steps that he desires are being pursued now, and they will be pursued more actively as soon as the war is over and the staff can be made available.

I do not propose to follow the noble Lord in his references to the colour bar. On that I think he has been so fully answered that I need not pursue the subject. My right honourable friend has stated publicly quite recently that the principles outlined in the resolution of the British Council of Christian Churches do form the basis of the policy of His Majesty's Government, which is to do all in their power to secure equal treatment irrespective of colour for all His Majesty's subjects. That remains the policy of His Majesty's Government.

The noble Lord also referred to the question of lack of co-ordination between mines and the needs of surrounding villages. Of course the opening up of a mine inevitably produces far-reaching changes in the life of a primitive community. In Africa, more particularly, the African is transferred not by compulsion but by attraction from rural to urban surroundings. The problems created by this abrupt change—a noble Lord used the phrase “an urban proletariat”—are being carefully considered by my right honourable friend's experts and advisers. At the five principal mining centres in Northern Rhodesia the mines managements provide and supervise their own mine compounds for the accommodation of the people they employ. In each case a town has grown up outside the mine's compound, and in each of these towns the Government have established a township board for the purpose of local administration. Outside the boundaries of these townships there are a number of small villages, and these are under the control of the local native administrations, which employ their own sanitary inspectors and provide certain other services, such as the control of the brewing and sale of beer, which provides one of the principal social problems in the mining townships and the adjacent villages.

The noble Lord also referred to the social and physiological disturbance created by taking natives away from their villages to work in mines at a distance.

I do not know whether your Lordships are under any misapprehension on that subject. No compulsion is exercised in Colonial territory for the recruitment of labour for the mines. There was one exception which no longer exists, which was at a moment of acute need, when it was necessary for vital war production to conscript labour for the Nigerian tin mines. But that is a thing of the past. The African seeks work on the mines of his own volition, and it would be extremely difficult to check the recruitment of labour for the mines, even if it were desirable to do so. The attractions are relatively high wages and the possibility of earning in a year or two more cash than the cultivator of the soil could earn in many years, the prospects of a change in a new occupation, and perhaps the love of adventure. It is a case that an African who has served in the mines does enjoy a prestige which his stay-at-home brother does not. His visit to the mines may make formidable problems. He may, unhappily, contract miner's phthisis or some other disease of civilization. But he goes back home with his bicycle, his gramophone, possibly his wireless set, and, above all, with cash to buy himself a wife or two; and he would regard it as most unjust if he were debarred from taking part in this adventure.

I would maintain, therefore, that the migration of labour from all over Africa to the mining areas is not in itself bad, though of course it may develop highly undesirable features such as the unsatisfactory conditions of recruitment, travel or employment and excessive migration involving absence from home for too long periods—and I could not agree more than I do with what my noble relative said about that. It is most undesirable that if a man is going to be a visiting miner it should be for a long period. Absence for too long periods of too large a proportion of the male population from their homes may lead to a breaking down of local custom and authority, to a loosening of home ties, and so on. All those things need to be very carefully considered.

The policy of the Governments of Northern Rhodesia and Nyasaland is to secure proper conditions of employment for their nationals migrating to Southern Rhodesia or to the Union of South Africa, by agreement with the authorities in those

territories. The tripartite agreement among Northern Rhodesia, Nyasaland and Southern Rhodesia provides, among other things, for the proper care of migrant labour during employment, the provision of rest camps, food depots and so forth on the main labour routes, the provision of cheap and rapid transport and the introduction of a voluntary remittance system so that the labourer can send a fair proportion of his wages home. That is the tripartite agreement among Northern Rhodesia, Nyasaland and Southern Rhodesia. The Northern Rhodesian and Nyasaland Governments have made an agreement permitting the Witwatersrand Labour Association to recruit from their territories a fixed number of labourers for work in the Union. The conditions of employment conform to the requirements of the I.L.O. and include free transport from the place of recruitment to Johannesburg; the provision of free quarters; adequate food and medical services; repatriation and transport home after a period not exceeding eighteen months; a system of deferred pay whereby approximately a quarter of the workman's pay is retained for him pending his return home; and the advance to each African on engagement of a sum equal to his current taxation to his territory and the payment of that sum to his Government.

The danger of excessive migration is being met by local development designed to provide more attractive conditions of life and work at home. Both the Governments of Nyasaland and Northern Rhodesia are actively engaged on the preparation of plans for post-war social and economic development designed to improve the standard of living and economic conditions in both rural and municipal areas, and it is reasonable to hope that the application of these plans will tend to some extent to reduce the stream of migration of Africans in search of work and money.

Measures are already actively in hand to deal with the problems of health in the mining areas. A bureau is being set up in Northern Rhodesia which will undertake the systematic examination of all persons engaged in the mining industry with a view to checking the spread of silicosis. In Nyasaland a Committee has already reported on the problem of venereal disease, and some of its recommendations are already being put into

[The Duke of Devonshire.] operation. My right honourable friend has recently approved the grant of £42,000 under the Colonial Development and Welfare Act for the purchase of drugs to provide free treatment at all Government and mission medical centres, and active steps are also being taken to deal with tuberculosis in the rural areas. I hope I have said enough to show that the noble Lord, in what he said this afternoon, is really knocking at an open door. The policy he desires is being pursued, and actively pursued. I hope he will realize that we are, to a large extent, in agreement with him, and that he will find himself able to withdraw his Motion.

5.15 p.m.

LORD AMMON: My Lords, if anything justified my putting the Motion on the Paper it is the statement we have just had from the noble Duke. He has done something to open the door—the open door at which he says I have been pushing—in order that something may be known of the work that is being done. I am grateful for the support I had from other noble Lords. I accept with due modesty the moderate admonitions they gave me for using a rather broad brush. At the same time I note what the noble Duke said about the flow from the countryside to the mines. After all, what he has done is to show that human nature is just the same in Africa as in other parts of the world—there is just the same flow from the countryside to the urban districts. That indicates the need there is for care to be given to their welfare when they have arrived in those areas. I beg leave to withdraw the Motion.

Motion for Papers, by leave, withdrawn.

5.16 p.m.

GERMAN NATIONALS IN THE CIVIL SERVICE.

VISCOUNT ELIBANK: My Lords, I beg to ask the question in my name.

[The question was as follows:

To ask His Majesty's Government how many German nationals are at present

employed in the Home Civil Service and in which Departments; further, in view of the public dissatisfaction that any of them should be so employed, will they say what steps they propose to take to curtail and reduce the number so employed.]

THE EARL OF LISTOWEL: My Lords, I have been asked to reply to the noble Viscount. In answer to the first part of the noble Viscount's question, I have to inform him that the Departments have been required to obtain Treasury consent before employing German nationals as temporary Government servants. This consent has been given in eighty-three cases, distributed over twenty-four Departments. With the noble Viscount's permission, I will insert the names of the Departments and the number of German nationals in each Department in the Official Report, as it would take rather a long time to read out the whole list. These Germans have been employed only because they have possessed special qualifications and suitably qualified British subjects were not, at the time, available. Some of them are no longer so employed. The answer to the second part of the noble Viscount's question is that it will probably be necessary to maintain the relevant Defence Regulation in force until the end of the Japanese war and for some short time thereafter. But, like other Defence Regulations, it will be brought to an end at the earliest possible moment. Thereafter, the question whether any aliens need or should be employed in the Crown service will be reconsidered, but no decision to continue their employment can be taken until the statutory prohibition has been removed or modified.

VISCOUNT ELIBANK: I wish to thank the noble Earl for his reply and I am glad to leave it in that position until the Defence Regulations are withdrawn. May I ask the noble Earl whether, when that happens, the Government will be prepared to give further information on the subject?

THE EARL OF LISTOWEL: I have no doubt the Government will give further information when the matter has been reconsidered.

The Departments concerned, with the number of German nationals serving therein, are as follows:

Admiralty	17
Ministry of Agriculture and Fisheries	1
Air Ministry	3
Ministry of Aircraft Production	2
British Museum	2
Colonial Office	1
Economic Advisory Branch (Foreign Office and Ministry of Economic Warfare)	8
Ministry of Economic Warfare	2
Enemy Branch (Foreign Office and Ministry of Economic Warfare)	3
Ministry of Food	3
Ministry of Fuel and Power	3
General Post Office	2
Ministry of Information	2
Ministry of Labour and National Service	4
Lord Chancellor's Dept. (Cambridge)	6
Natural History Museum	1
Postal and Telegraph Censorship	1
Department of Scientific and Industrial Research	5
Ministry of Supply	9
Ministry of Town and Country Planning	1
War Office	5
Ministry of War Transport	1
Ministry of Works	1
Department of Agriculture for Scotland	1
	83

WARRINGTON CORPORATION BILL.

THE LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the further Standing Orders applicable to the Bill have been complied with.

The same was ordered to lie on the Table.

PONTYPOOL GAS BILL [H.L.].

Committed; the Committee to be proposed by the Committee of Selection.

COLNE VALLEY WATER BILL

[H.L.].

The CHAIRMAN OF COMMITTEES informed the House that the opposition to

the Bill was withdrawn. The order made on Thursday, the first of March last discharged and the Bill committed.

WRITTEN ANSWER.

GERMAN LEGATION IN DUBLIN.

LORD GRANTLEY asked His Majesty's Government, whether they will suggest to His Majesty's Government in Eire that they now intern the swollen staff of the German Legation in Dublin, alleged to be diplomats, with the object of trying them in due course as war criminals, if any of them are thus guilty.

THE EARL OF LISTOWEL: In the absence of my noble friend the Secretary of State for the Dominions, at San Francisco, I have been asked to reply. The staff of the German Legation in Dublin comprises eleven persons, including three typists and a porter. The general question of the position of German Missions in neutral countries at the end of hostilities in Europe is under consideration. No evidence is at present in the possession of His Majesty's Government to indicate the complicity in war crimes of members of the German Legation in Dublin.

BUSINESS OF THE HOUSE.

THE EARL OF LISTOWEL: My Lords, before moving the adjournment, I should like, with your Lordships' permission, to say something about our arrangements for business during the rest of the week. As there are no Bills or Motions on the Order Paper for to-morrow the House will not meet for public business to-morrow afternoon. We shall next meet on Thursday, May 17, at the usual hour of two o'clock.

House adjourned at twenty minutes after five o'clock.

HOUSE OF LORDS

Thursday, 17th May, 1945.

The House met at two of the clock, The LORD CHANCELLOR on the Woolsack.

PRAYERS.

VICTORY IN EUROPE:

HIS MAJESTY'S REPLY TO THE ADDRESS.

THE EARL OF CLARENDON: My Lords, I have the honour to report to your Lordships that His Majesty has appointed this day at a quarter before three o'clock to receive the Address of this House in the Royal Gallery.

THE MINISTER OF RECONSTRUCTION (LORD WOOLTON): My Lords, I beg to suggest that the House do now adjourn during pleasure in order to proceed to the Royal Gallery. After the Royal Party have left, the Commons will withdraw first and we shall remain in our places. The Lord Chancellor will then lead the procession back to the House, if you please, and there is some business we have to do afterwards.

House adjourned during pleasure, and proceeded to the Royal Gallery to present to His Majesty the Address of Tuesday last.

His Majesty's Reply to the Addresses of Congratulation from Parliament, delivered to the members of both Houses, was as follows:

My Lords and Members of the House of Commons,

"I am glad to meet you here to-day, and rejoice that the Dominions, India and the Colonies are also represented here.

"I thank you for your loyal Addresses of congratulation on the complete victory which has been gained in Europe over the enemies which sought to enslave it. It is a victory which has been won by the efforts of all My peoples and the power of all our Allies.

"First let us pay tribute to the men and women of our Armed Forces. Without the skill of the Commanders and

the courage and endurance of those whom they led, this victory would never have been won.

"Despite all that a ruthless foe could do in attacks by sea and air, the Royal Navy, aided by the Royal Air Force and the maritime forces of the Dominions, India and the Allies, have kept the seas open. They have convoyed our Armies to every theatre of war and carried them to the assault against shores which the enemy had thought to make impregnable.

"The Merchant Navy, by their courage and sacrifice, have moved men and weapons to all parts of the world and, with the fishing fleet, depleted by the needs of war, have brought to us a steady flow of food and supplies which has never failed.

"The gallantry of the Army which fought in Europe against overwhelming odds in 1940 and the miraculous rescue from Dunkirk will ever be remembered. In the years that followed, the Army, with the Home Guard, stood ready to defend our homes against invasion. All this time the powerful instrument was being forged which, with the Forces of the Empire and Commonwealth, at first alone and later with our Allies, drove the enemy from Africa and then, landing on the shores of Sicily and Italy, and later on the Normandy beaches, swept victoriously across Europe.

"We are grateful to the Royal Air Force and the Dominions and Allied Air Forces. The Royal Air Force fought and won the Battle of Britain. They share with the Royal Navy and our Armies the imperishable glory of their victories. For more than five years, hand in hand with the ever-growing magnificent air power of the United States, they carried the war into the heart of Germany, and, by their massive onslaughts on the enemy's sources of supply, paved the way for victory in Europe.

"My Armed Forces still have heavy tasks before them in the Far East, where numbers of My people are still in the power of the enemy. Already they have achieved great successes in the defence of India and the liberation of Burma. I am confident that they will carry on the war against Japan with indomitable courage and constancy

and help to bring it to a victorious conclusion in true comradeship with the superb Forces of the United States and other Allies.

"At home My people have unflinchingly borne the burdens and dangers of war. The thanks and admiration of all are due to tens of millions of men and women who toiled, all at their allotted tasks, to relieve the suffering and repair the devastation caused by enemy attack. Danger could not deter My people from carrying out their daily tasks, that the life of our Nation might go on.

"In field, factory, mine, office, workshop and on the lines of transport, My people have toiled day and night in a productive effort to equip and maintain the Armed Forces. Moreover, from the earliest days of the war, they have shouldered the burden of heavy taxation and have willingly contributed their savings to the country's need.

"Our gratitude goes out to all, and it would be unfitting to single out one type of service when all have played their part.

"But I must specially mention the women of this country, who by their ready response to the calls of industry and the Fighting Services have added so greatly to the weight of our impact on the enemy. Let us remember too the housewives of this country, so many of whom took into their homes mothers and children from the bombed cities and workers uprooted by the war.

"I have done My best to discharge My duty as the Constitutional Sovereign of a free people, and in this task I have been unceasingly helped by The Queen, whose deep and active sympathy for all My subjects in pain or peril and whose firm resolve for victory have comforted Me in the darkest hours of the war.

"We mourn the loss of all who have laid down their lives at home and abroad. The Queen and I would wish to offer Our sympathy to those whom the war has stricken with the loss of their nearest and dearest. We Ourselves have suffered the keenest grief at the loss on active service of My Brother, the Duke of Kent.

"I have felt deeply for My loyal subjects in the Channel Islands who have remained steadfast for so long under

enemy occupation and it gives Me joy to know that they are once again free.

"Throughout our long struggle, all of us in this island have been strengthened and cheered by the staunch and valiant support of the peoples of the British Commonwealth and Empire overseas. My Dominions, India and My Colonies have all given generously of their man-power and material resources, and all will continue to bear their share of the exertions of the war against Japan.

"We rejoice to acknowledge, and we shall never forget, the aid so freely and promptly given by the United States, and the brotherhood of our Armed Forces serving together in various theatres under combined commands. The splendid victories of the Soviet Union, and the courage of all those other Allies who suffered and fought with us in our common struggle against aggression, will ever be recorded in our hearts and in our history.

My Lords and Members of the House of Commons,

"The rebuilding of Europe will bring with it trials and difficulties which can be met and overcome if we continue to work together in faithfulness and mutual help as we have done during the war.

"The ravages which we ourselves have suffered during the war will call for an intense creative effort by all members of the community to restore and improve the standard of living of My people.

"The Grand Alliance of the United Nations which has brought us victory can and must continue, to ensure that the peace of the world is not again outraged and destroyed. The purposes for which the United Nations have been linked in war do not end in victory. Mankind looks forward to a time when all nations, under God's good providence, will be able to work together in mutual confidence for these exalted aims.

My Lords and Members of the House of Commons,

"This Palace of Westminster in which we meet to-day bears the scars of war, and you have faced unmoved the ordeals and the losses of these hard

years. The Queen and I have been deeply touched by your congratulations and We thank you with all Our hearts for the wise counsel and unflinching support which you have given to the Kingdom and Empire throughout the war.

House resumed at a quarter past three o'clock.

THE LORD CHANCELLOR (VISCOUNT SIMON): My Lords, it is my duty to report that this House attended in the Royal Gallery this day and presented an Address to His Majesty and His Majesty was pleased to make a most gracious reply.

NORTH DEVON WATER BOARD BILL. [H.L.]

The King's consent signified and Bill reported from the Select Committee with Amendments.

WARRINGTON CORPORATION BILL.

Read 2^a, and committed: the Committee to be proposed by the Committee of Selection.

TREASON BILL [H.L.]

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (THE EARL OF MUNSTER): My Lords, I beg leave to introduce a Bill to assimilate the procedure in all cases of treason and misprision of treason to the procedure in cases of murder, and to move that it be now read a first time.

Moved, That the Bill be now read 1^a.—*(The Earl of Munster.)*

On Question, Bill read 1^a, and to be printed.

MINISTRY OF HEALTH PROVISIONAL ORDER CONFIRMATION (WESTON - SUPER - MARE) BILL. [H.L.]

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR INDIA AND BURMA (THE EARL OF LISTOWEL): My Lords, I beg leave to introduce a Bill to confirm a Provisional Order of the Minister of Health relating to the borough

of Weston-super-Mare, and to move that it be read a first time.

Moved, That the Bill be now read 1^a.—*(The Earl of Listowel.)*

On Question, Bill read 1^a, to be printed, and referred to the Examiners.

MINISTRY OF HEALTH PROVISIONAL ORDER CONFIRMATION (DONCASTER) BILL. [H.L.]

THE EARL OF LISTOWEL: My Lords, I beg leave to introduce a Bill to confirm a Provisional Order of the Minister of Health relating to the county borough of Doncaster, and to move that it be read a first time.

Moved, That the Bill be now read 1^a.—*(The Earl of Listowel.)*

On Question, Bill read 1^a, to be printed, and referred to the Examiners.

BURMA.

3.18 p.m.

THE EARL OF LISTOWEL rose to move, That this House approves the continuance in force of the Proclamation issued under Section 139 of the Government of Burma Act, 1935, by the Governor of Burma on 10th December, 1942, a copy of which was presented to this House on the 9th of February, 1943.

The noble Earl said: My Lords, Section 139 of the Government of Burma Act provides that if a situation has arisen in which the Government of Burma cannot be carried on in accordance with the provisions of the Act which, of course, included the operation of a Burmese Legislature, the Governor may, by Proclamation, take over the legislative and executive powers vested under the Act in any other authority, and exercise these functions himself. As a result of the occupation of the greater part of Burma by the Japanese, it became impossible to govern the country in accordance with the provisions of the Act and the Governor of Burma assumed all the functions of Government from December 9, 1942.

Section 139 also provides that a Proclamation issued by the Governor shall continue in force for a period of six months. After that, the Resolution of both Houses of Parliament is required to

approve its continuation in operation for further periods of twelve months, subject to a total period of three years. As war conditions still do not permit a resumption of Parliamentary government in Burma, a further Resolution is now necessary to prolong the validity of the existing Proclamation. I should like to add, for the information of the House, that a statement of policy in Burma will be laid before Parliament as a White Paper by His Majesty's Government before the Whitsun Recess. In order to carry this policy into effect, legislation to make certain temporary provisions with regard to the future Government of Burma will be required, and a Bill will be introduced in due course.

Moved, That this House approves the continuance in force of the Proclamation issued under Section 139 of the Government of Burma Act, 1935, by the Governor of Burma on 10th December, 1942, a copy of which was presented to this House on the 9th of February, 1943.—*(The Earl of Listowel.)*

On Question, Motion agreed to.

NATIONAL LOANS BILL.

3.20 p.m.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR: My Lords, I beg to move that this Bill be read a second time. The Bill consists of only two operative clauses, the first of which is strictly on the lines of others with which we have been engaged for several years past. The object of Clause 1 is to renew for the financial year 1945-46 the borrowing powers originally conferred on the Treasury by the National Loans Act, 1939, and since renewed annually by successive National Loans Acts. It is, of course, inconceivable that we should require to borrow to the full extent of these powers, since a large part of our supply expenditure is covered by revenue; but there must be some statutory limit to the Treasury powers and there is no logical limit short of the total amount of supply and the margin of £250,000,000 which is provided, because actual supply and expenditure in any year must take place in that year. Therefore it is necessary to have a margin as we pass over from one year to another.

Clause 2 is a clause of a novel character. This clause extends the powers of trustee savings banks to invest in national loans, and I think even in the circumstances of to-day I should very briefly state what this involves. A trustee savings bank normally has two departments. There is first the "ordinary department," where the deposits received must be handed over to the National Debt Commissioners for investment through the Savings Bank Fund and where the depositors receive a fixed rate of interest of 2½ per cent. Secondly, there is the "special investments department," where the deposits received are invested by the bank itself in a variety of ways and the rate of interest depends, from time to time, on what the bank can afford to pay. The rate is generally rather higher than 2½ per cent. A common rate at present is 2¾ per cent. But in making the investments for its "special investments department" a bank is subject to the control of the National Debt Commissioners and to various statutory provisions.

The effect of this legislation is that a bank may invest its special investment moneys (a) up to any amount in Government securities maturing not more than three years, or in other securities maturing not more than one year, from the date of investment, or in securities repayable on notice of not more than six months; (b) in local authority or Northern Ireland Government securities maturing for payment within fifteen years; and (c) in Government securities maturing for payment within thirty years. But the existing Statute Law contains a limit within which these operations are authorized, and without going into detail I may say that the amount under (b) and (c) together, excluding those falling under (a), shall not exceed 40 per cent. of the bank's special investment receipts.

What has happened during the war is that trustee savings banks have invested with the Treasury all the increase in their special investment deposits, and as a result some banks have reached the 40 per cent. limit to which I have just referred. We have also prolonged the period of what are called the tap issues beyond the thirty-year limit. It is desired by everybody that all trustee savings banks shall—no doubt, within limits—be able to continue to support the war loans which the Treasury issues under

[The Lord Chancellor.]
 the National Loans Act. There is another influence at work in the same direction. I may remind your Lordships that a few weeks ago, I think on my proposal, we adopted an important Bill which centralized borrowing by local authorities in the Local Loans Fund, more profitably, and regulated the way by which local authorities can help themselves, on cheap terms, to the money they want. That means that there will be very little scope for trustee savings banks to take up new securities issued by local authorities.

If your Lordships will look at subsection (1) of Clause 2, you will see that it extends the maturity limit from thirty to forty years. Subsection (2) extends the

limit of 40 per cent. so as to meet this new situation. The matter is of very great importance, and I need hardly say that the trustee savings banks and all the authorities of all kinds who are concerned have been consulted. This Bill comes from the House of Commons, where it has been accepted without alteration, and it is of course commended to the House with the authority of the Treasury. I beg to move that the Bill be now given a Second Reading.

Moved, That the Bill be now read 2^a.—
 (The Lord Chancellor.)

On Question, Bill read 2^a, and committed to a Committee of the whole House.

House adjourned at twenty-five minutes past three o'clock.