

CHAPTER XVI

ULTIMATUM ONCE MORE: AUTOCRACY STEPS IN

THE incidents of the final negotiations preceding the rejection of the treaty have been described in a despatch sent me by the Secretary of State on March 1. It detailed the efforts which had been made to bring the Prime Minister and his fortunes to the test, and the various attempts which he had made to evade or postpone the issue: it then set out in full the last personal message from the Secretary of State conveyed to Sarwat Pasha on February 25, urging the latter to delay no longer, but to communicate the treaty to his colleagues with a view to its early signature. It concluded by describing Sarwat Pasha's reply to this appeal, how he had expressed complete pessimism in regard to the fate of the treaty, and had said that his colleagues in the Government would commit themselves to no opinion until the Wafd had given a lead, which they would inevitably follow. On the same day as I received this despatch, I also received instructions as to what I was to do in the event of the treaty being rejected. "In this event your Lordship should address an official note to the Egyptian Government in the following terms: . . . "His Majesty's Government have for some time past viewed with misgiving certain legislative proposals introduced into the Egyptian Parliament which, if

“they were to become law, would be likely seriously
“to weaken the hands of the authorities responsible
“for the maintenance of order, and for the protection
“of life and property in Egypt.

“So long as there was any prospect of the early
“conclusion of a treaty of alliance between Great
“Britain and Egypt which would define anew the
“responsibilities and rights of the two parties, His
“Majesty’s Government were content to refrain from
“all comment in the expectation that they might rely
“with confidence on the Egyptian Government to
“avoid legislation which might make it impossible
“for the Egyptian administration to discharge suc-
“cessfully the increased responsibilities inherent in
“the treaty régime.

“But now that the Egyptian Government have
“declined to sign the treaty negotiated with Sarwat
“Pasha, His Majesty’s Government cannot permit the
“discharge of any of their responsibilities under the
“Declaration of February 28th, 1922, to be endangered,
“whether by Egyptian legislation of the nature indi-
“cated above, or by administrative action, and they
“reserve the right to take such steps as in their view
“the situation may demand.”

The particular reference was of course to the Assemblies Bill, in regard to which the situation had been allowed to reach a point of extreme danger. At the end of the previous year, 1927, the Chamber of Deputies had annulled the law of 1914 defining and punishing unlawful Assemblies, and had proceeded to the consideration of a new bill dealing with this subject which modified the provisions of Law No. 14 of 1923. Whatever might have been thought of the law of 1914, the law of 1923 was unassailable upon any reasonable grounds, and had in fact received the

powerful support of Zaghlul himself when it had come under discussion in 1924. Zaghlul had even promised to make its provisions more ample in case of necessity. The present bill, however, sought to modify them so as to take from the executive—

(a) All power of preventing beforehand any meeting, whatever its nature or purpose.

(b) All power to guide demonstrations from one locality to another.

(c) The right to disperse a meeting which had become disorderly.

And finally, the present bill made provision for the resumption of meetings which had been dissolved on account of disorder, and for severe penalties upon officials who had dissolved meetings otherwise than in accordance with its provisions. It was, in fact, a direct incitement to disorder, and a deliberate attempt to discourage officials from doing their duty. On December 28 of the previous year, I had pointed out the dangers involved in its passage and recommended that steps should be taken to avert them. I was aware of the argument that the treaty negotiations might therefore be retarded, but I felt that the argument was unsound upon a long view. At this early stage it would be possible by private warnings to have the bill blocked without public intervention, whereas if we remained inactive and thereby gave an impression of weakness the extremists would be encouraged and the moderates disheartened. To this despatch no answer was received for a month: and on January 23, 1928, the Senate approved the law as it stood. It was not until the day following that the Secretary of State directed me to take no action, until the treaty position became clearer.

Fortunately for Egypt, a legislative technicality

delayed matters and made it necessary for the Assemblies Bill to be presented to the Senate a second time; but our position had now become very much weaker by the fact that not only the Government but Parliament in both Houses had fully committed themselves to the principle of the bill, and must consequently find it very hard to retract. The Wafd had, in fact, since the death of Zaghul, reverted to a condition of irresponsible extremism very nearly resembling that of the old murder campaign days. Their legislative activity since the previous summer had been confined to measures designed quite clearly to suppress all non-political authority among the officials, to bring the Mudirs and the Omdehs in the provinces under their party influence, and to tie the hands of the Police in dealing with political agitation in the towns. With the passage of the Assemblies Law this campaign would have taken a very long step forward, and revolution would have been brought perceptibly nearer. It was, in fact, clear that if any chance had ever existed of accommodation, Zaghul's death had destroyed it. He had had the power, and upon occasion the will, to restrain the wild men of his left wing. His successor, however, was completely at their mercy: he was their nominee and owed his appointment to them: he was devoid, moreover, of the peculiar gifts of mind and character which had made Zaghul so powerful a leader.

Such was the man who as the result of the treaty negotiations was to find himself in charge of the Government of Egypt. For a few days after Sarwat Pasha's resignation rumour was busy with the possibilities of the situation. The Wafd, as the party holding a commanding position in Parliament, was obviously entitled to provide the Prime Minister. We

had no ground for lodging any objection to this, if Nahas Pasha and his supporters were ready to undertake the responsibility. But of course, in the background, the two capable and ambitious Liberals, Mahomed Mahmoud and Ismail Sidky, were busy pulling strings, and no one could quite tell what would be the result of their manipulations. On March 5 I saw the King, and received the impression that it was unlikely that anything would occur to prevent him from sending for Nahas Pasha. In this case there was every reason to look upon the future with serious apprehension: if the Wafd managed during their term of office to put through their legislative programme, in a few months they would have established a complete hold upon the executive in the Provinces, and very successfully disorganised the central administration—and serious trouble would shortly follow. The only hope lay in the warning which I had been instructed to convey to the Egyptian Government, which would greet the new Prime Minister on his assumption of office. If he refused to accept it we should be justified, upon our clear responsibility for law and order, in forcing a crisis.

On March 15 Nahas Pasha, at the King's request, agreed to form a Cabinet. It appeared that his object and that of his party was to cling to office as long as possible so as to consolidate their influence, and for this purpose to avoid controversy for the present: the fact that they desired to retain Liberal support was, moreover, a sure sign that they wished to avoid a break with His Majesty's Government. The trouble was that Nahas was admittedly not fit for the responsibilities he was now undertaking: whatever his intentions he had neither the capacity nor the ex-

perience to ensure that they would be carried out. Furthermore, his efforts to secure Liberal co-operation were not assured of success: at the Liberal Party meeting those in favour of such co-operation only just carried the day. Mahmoud Pasha was in favour, Sidky Pasha was against: and ultimately Mahmoud was the only Liberal of note to take a post in the Cabinet.

No doubt at this time Nahas Pasha's intentions were good, but it was not very long before his hand was forced by the extremists among his followers. His original idea had been to send no reply to the warning received from His Majesty's Government, and quietly to postpone the contentious legislation as far as possible. But he was soon stung by the extremists into forgetting that resolution, and on March 30 he quite unexpectedly framed and despatched an answer which was bound to provoke further discussion. To me a few days later he was profuse in protestations of friendship and goodwill, but unable to devise any means of extricating himself from the impasse in which the passage (for all practical purposes) of the Assemblies Bill had placed his Government. For several days, with the assistance of the King and by the additional agency of European officials, I endeavoured to demonstrate to the new Prime Minister that this bill was clearly one which no responsible authority could accept: and meanwhile I was receiving instructions from the Secretary of State as to what further steps were to be taken. On April 18 and 19 I received telegraphic orders to convey a verbal warning to Nahas Pasha: if that warning was disregarded it was to be followed up with a written ultimatum demanding repeal of the measures concerned. On April 29, all attempts

to negotiate with Nahas having failed, I handed him the following note: ". . . I have the honour to inform you, that since the presentation to Your Excellency of my Note of the 4th April, His Britannic Majesty's Government of Great Britain have watched with increasing concern the growing evidence of the intention of the Egyptian Government to proceed with certain legislation affecting public safety. This legislation, as Your Excellency must be fully aware, not merely from the verbal communication which I had the honour to make to you on the 19th instant, but from previous communications made both to your Excellency's predecessor and to yourself before and after the *aide-mémoire* which I had the honour to present to His Excellency Sarwat Pasha on the 4th March last is covered by the reservation reaffirmed in my Note of the 4th April.

"2. I am now instructed by His Britannic Majesty's Government to request your Excellency, as head of the Egyptian Government, immediately to take the necessary steps to prevent the Bill regulating public meetings and demonstrations from becoming law.

"3. I am instructed to request Your Excellency to give me a categorical assurance in writing that the above-mentioned measure will not be proceeded with. Should this assurance not reach me before 7 P.M. on May 2nd His Britannic Majesty's Government will consider themselves free to take such action as the situation may seem to require."

The reply which the Egyptian Government sent to this ultimatum began by stating that that Government could not recognise the right of Great Britain to intervene in Egyptian legislation, nor admit that it was bound by the Declaration of 1922: but pro-

fessed conciliatory sentiments and an intention to postpone further examination of the bill in question till next session. This answer clearly failed to give the undertaking demanded: in fact it said in so many words that the bill would be proceeded with. The time for permitting evasion had surely gone by. We had not presented our ultimatum until every opportunity had been afforded for compromise. The answer to that ultimatum evaded our demand and, what was more serious, repudiated the ground on which that demand was based. If these tactics on the part of Egypt were allowed to be successful, in the face of the ultimatum, the chances that any future or milder representations from His Majesty's Government would be heeded would be reduced to a minimum. As for the internal situation, the Wafd would gain an enormous access of confidence and prestige, and the credit of the Liberals would suffer severely by comparison. I reported all these arguments to the Secretary of State, and recommended that the Prime Minister should at once be invited to add to his reply a written assurance that the bill would not be proceeded with during his tenure of office.

The view taken by His Majesty's Government was, however, different. They were satisfied with the Egyptian reply, and preferred to leave the future to look after itself. They were content to believe that Nahas Pasha had been sufficiently humiliated, and that further demands might revive his popularity. For his part Nahas was delighted and relieved to find the crisis over and himself still in office. The result was hailed by the Wafdist Press as a personal triumph for him, and was entered to his credit in all save the most extreme circles. It was clear that he had much

“who shall enjoy the right of access to the Minister.
 “He shall be kept fully informed on all matters con-
 “nected with the administration of the law as affecting
 “foreigners, and will also be at the disposal of the
 “Egyptian Government for consultation on any matter
 “connected with the efficient maintenance of law and
 “order.

- “(v) In view of the contemplated transfer to His Majesty’s
 “Government of the rights hitherto exercised under the
 “régime of the Capitulations by the various foreign
 “Governments, Egypt recognises the right of Great
 “Britain to intervene, through her representative in
 “Egypt, to prevent the application to foreigners of any
 “Egyptian law now requiring foreign consent, and
 “Great Britain on her side undertakes not to exercise
 “this right except in the case of laws operating inequit-
 “ably against foreigners.

“*Alternative:—*

“In view of the contemplated transfer to His Majesty’s Gov-
 “ernment of the rights hitherto exercised under the
 “régime of the Capitulations by the various foreign
 “Governments, Egypt recognises the right of Great
 “Britain to intervene, through her representative in
 “Egypt, to prevent the application to foreigners of any
 “Egyptian law now requiring foreign consent, and
 “Great Britain on her side, undertakes not to exercise
 “this right except in the case of laws inequitably dis-
 “criminating against foreigners in the matter of taxa-
 “tion, or inconsistent with the principles of legislation
 “common to all the capitulatory Powers.

- “(vi) On account of the special relations between Great
 “Britain and Egypt created by the Alliance, the British
 “representative will be accorded an exceptional posi-
 “tion in Egypt and will be entitled to precedence over
 “all other representatives.
- “(vii) The engagements of British and other foreign officers
 “and administrative officials who entered into the
 “service of the Egyptian Government before the com-

rejoicing in, their happy escape from so difficult a situation when, on June 17, Mahommed Mahmoud Pasha, the only Liberal member of the Government, resigned his office. The meaning of this step was not for long left in doubt, for two days later there was disclosed a public scandal which gravely affected the reputation of the Prime Minister. There appeared in the Press the text of an agreement concluded between Nahas Pasha, Wissa Wassef Bey, and Gaffar Fakhry Bey on the one side, and representatives of the mother of Prince Seif-ed-din on the other. By this agreement Nahas Pasha and his two legal confederates undertook to secure the handing over of the Prince's estate, which was now in the King's hands, to his mother in return for a fabulous fee, £E.130,000. This contract had been dated February 1927, at which time Nahas Pasha and Wissa Wassef Bey had been Vice-Presidents of the Chamber. The agreement was accompanied by a letter from Gaffar Fakhry pointing out that it was only "the intimate knowledge of Parliament" possessed by the three lawyers concerned that qualified them to undertake the endeavour. Gaffar Fakhry alleged, somewhat irrelevantly, that the letter was only a draft which had never actually been sent, but he did not deny the authorship; moreover, the reference in the letter to the abolition of the Royal Court Council, which was the Court competent to settle all dispute regarding Prince Seif-ed-din's property, was highly illuminating. The publication of this agreement and letter was a shattering blow to Nahas, for it gave to all his enemies an opportunity to allege that he meant to use political influence to carry out this lucrative undertaking. Two days later he received the *coup de grâce* in the shape of a summary dis-

missal from the Premiership. The same day Mahomed Mahmoud was invited to take his place and to form a Ministry, and shortly afterwards a royal decree was issued adjourning Parliament for the space of one month.

But this was not all. His Majesty King Fuad not unnaturally proceeded forthwith to take the fullest advantage of the opportunity now presented to him. The Parliamentary régime, his hated enemy, was defenceless. By a chance that might seem providential for his purposes, death had intervened to remove Zaghlul—his arch-antagonist, and the only person who made the Wafd formidable for him: it had cut off more than one of those prominent Liberal statesmen who had both the desire and the capacity to defend the established Constitution: and at this very advantageous moment a weapon of attack had been put into his hands. King Fuad moved rapidly to the final assault: on July 7 there was published in Cairo a petition from the New Ministry praying His Majesty to dissolve Parliament, together with a Royal Decree which dissolved both Houses and postponed elections and nominations of nominated Senators for three years. The Ministerial petition pointed out in forcible terms the deplorable effect which the Wafd political party had had upon the administration and the work and terms of service of officials, upon national unity and the effectiveness of Parliamentary government. The net result had been in fact that Parliamentary government had become incapable of carrying out the reforms which were essential for the welfare and prosperity of the country. The form of responsible government which had been the goal of British post-War policy and which King Fuad so much disliked was at an end. At first sight

this might appear to be a state of affairs so unsatisfactory as to demand our intervention. But unfortunately for any idea of intervention, the arguments which the Ministry had used to arraign the Wafd and to justify the dissolution were all of them undeniably and evidently true. The activities of the Wafd had in fact rapidly led to a condition of administrative chaos, in which all useful measures and projects remained suspended. The only solution which appeared possible was the one which Mahmoud Pasha had just proposed to the King. A few years of steady government, undisturbed by sectarian activities, might well serve to re-establish political sanity and poise, and to render possible a return to Parliamentary government, this time of a more moderate and more practical temper.

Moreover, had the action of the Ministry and the King been far less justified than in fact it was, it would have been very difficult to find any excuse even for indirect intervention from the Residency. Events had carried us a long way from the situation which obtained upon my first arrival in Egypt. There was now no Liberal-Wafd coalition operating against a *Cabinet d'affaires* and in support of the Constitution. Moreover, the crisis which preceded the dissolution had not been consequent upon any action of British authority, but was a purely domestic affair in which His Majesty's Government was neither directly nor indirectly implicated. Both Sir Austen Chamberlain and I took the view that a policy of strict non-intervention was the only policy possible in the circumstances. Indeed my chief concern was that the Wafd should not be encouraged to resistance by ill-judged expressions of regret in the English Press or on English public platforms for the temporary disap-

pearance of the constitutional régime. Material so provided had encouraged and fomented much disorder in the past in Egypt, and was only too likely to be the cause of further trouble at the present juncture.

For the moment, however, the Wafd were too much taken aback by the King's action to prepare any active plan of campaign, and I was able at the end of July to make my usual journey to England, leaving Mahomed Mahmoud Pasha settled in an as yet untried saddle, and King Fuad in a mood of happy confidence. It had to be recognised, however, that relations between the monarch and his principal adviser were not so strong and cordial as to warrant enduring optimism. Mahmoud Pasha was by temperament sensitive, and the state of his health was liable at times to exaggerate the moods of suspicion and gloom to which he was somewhat inclined. He required at this stage a generous measure of support and encouragement, but His Majesty's somewhat autocratic tendencies, encouraged as they now were by the success of his latest measures, did not perhaps predispose him to sympathetic forbearance. Indeed it was not long before symptoms of strained relations began to appear. The Prime Minister steadfastly proclaimed himself, and perfectly sincerely, to be a staunch adherent of the Constitution. The measures that had been taken in regard to the Egyptian Parliament were necessary, he constantly affirmed, because Parliament had degenerated under the influence of the Wafd into an instrument of anarchy and the suppression of political liberty. But whatever had happened or might happen to Parliament, the Constitution would not be affected but would one day be revived with renewed vigour in a new Parliament of solid, patriotic, and disinterested Egyptians. These

were unexceptionable sentiments, but past history did not warrant the immediate assumption that they would be entirely gratifying to the King. His Majesty had in the past shown himself prone to underestimate the influence of the Liberal Party, and to overvalue his own powers. He was now in a strong tide of success, and might well be carried by it to the conclusion that he could dispense with that element in his Ministry which leaned towards the Constitution; or that he could, at any rate, shift the balance of power more definitely into the hands of those to whom autocracy was not unwelcome. His Minister of Finance, Ali Pasha Maher, was one of those who had made no secret of his belief in autocratic government, and there were other members of the 'Cabinet who were known to share his views. Actually it was in the Ministry of Finance that the first of the Prime Minister's domestic difficulties arose. In August Ali Pasha Maher gave out that it was his intention to revive the post of Second Under-Secretary and to give it to Hussein Sirry Bey, the Surveyor-General. The scheme was ostensibly one of mere departmental reorganisation, but its practical effect would have been to give to the Palace Party a sure footing in the most important of the Egyptian Ministries. The proposal was, however, dropped when the Prime Minister showed himself firmly opposed to it; but those who wished could easily see in this incident the King's first indirect assault upon constitutional influence in the Government.

In October a further incident occurred which was alleged by the cognoscenti to be direct evidence of the King's determination to move towards autocratic government, and to dispense as soon as possible with his constitutional allies. It had been suggested by

Mahmoud Pasha, when forming his Cabinet in the early summer, that Ismail Sidky Pasha should be appointed to the post of Auditor-General. The post was not then in existence, but was to be created forthwith. The suggestion was from all points of view a sound one. Ismail Pasha Sidky was a strong candidate for the Premiership which had fallen to Mahomed Mahmoud, and was naturally, therefore, not willing to serve under his rival. On the other hand, it would be a great strength to the new régime if his services were secured to it, especially in a post where his acknowledged financial capacities could come into full play; while to leave him outside and independent of the new Government would have been most unwise, in view of his influence and ability. But Ismail Pasha Sidky, if he had any political affiliations, was a Liberal of the Left, and he had in the past never been careful of the King's favour, nor been at much pains to conceal his enmity to the Palace. If the King, said the wiseacres, were really in favour of a National Government the purpose of which was to revive the Constitution, he would accept Sidky's appointment as a wise and necessary step. But June, July, and August passed without the publication of the necessary decree. In September it was known that Sidky Pasha had resigned his directorships, and still his appointment was not gazetted: and in October the question had assumed the dimensions of a Cabinet crisis, with the opposition newspapers gleefully exulting over the split which they predicted in the Government. How far the King's apparent hostility to the appointment would be carried remained for long uncertain. On December 10 he offered Sidky the proposed post, provided that the incumbent was not made irremovable for five years, as originally

proposed. Sidky Pasha replied that he had not asked for the appointment, and did not wish to have it on those terms, but still an open breach was avoided. Meanwhile the Prime Minister had succumbed to an illness which confined him to his bed, and all that could be done was to hold matters in uneasy suspense till his recovery. It was the best that could be made of a bad business, and unfortunately it was not the only incident upon which the Opposition could joyfully fasten as indicative of strained relations between the King and his principal adviser. The Ministries of Foreign Affairs, Wakfs, and Public Health were to be allotted to new incumbents, and the King was also procrastinating in regard to the appointment of a Minister at London, although the name of Doctor Haffz Afifi had been submitted to him by the Prime Minister with a strong recommendation.

The unfortunate effect of all these incidents, whatever their real cause, was to encourage the members of the Wafd still to cling to their old allegiance. They were still able to believe that their discomfiture was only temporary, and that the régime of Nahas Pasha might soon return. Once it became apparent that there was a sound and durable understanding between the King and his Prime Minister, the followers of Nahas would quickly melt away from him. But, whatever the causes, the King was unable as yet to act so as to make such an understanding apparent, and the hopes for improvement in the Egyptian situation were thereby postponed.

But if the political situation had not improved in accordance with anticipations, administratively the Government's record had been a good one during the early months of its existence. In the first place, there had been a business-like statement of contem-

plated measures, and this was a refreshing change from the monotonous alternation between political rhetoric and non-committal platitudes to which Egyptian audiences had for so long been accustomed. In the second place, active steps had been taken to translate proposals into action. In particular the atmosphere in the schools had been changed very much for the better by the strict enforcement of discipline. It had been made clear to everybody that the political delinquencies of the students would be visited upon the teachers—a warning which had an immediate and most salutary effect. In regard to the important irrigation projects, upon which discussion had proceeded so long, a decision had already been taken to proceed with the raising of the Assuan Dam and with the construction of a new Dam at Gebel Aulia. These two works would serve to irrigate 700,000 acres of new land and preparations were to be commenced forthwith. Measures were also being prepared for improving and cleansing the drinking-water supplies, and for still further developing the medical and hospital services in the countryside. Egypt was in fact to have a salutary dose of good administration, and progressive legislation, to counterbalance the feast of politics in which she had been indulging until now. If the Prime Minister and the King could satisfactorily compose the differences which were still discerned between them, the Wafd would have little support. Indeed it was already publicly pinning its hopes of a return to power to the possibility of a Labour Government being returned at the next year's elections in England—a Government which, it confidently believed, would intervene at once to restore the Parliamentary régime in Egypt. And in the end it was this very event which did save it from disruption and

restore it for a brief and deplorable moment to the control which it had summarily lost.

One other event in the year 1928—now drawing very near to its close—must be chronicled. On September 22 Abdel Khalek Sarwat Pasha—*l'homme des heures difficiles*—died suddenly in Paris. He was perhaps the last of the statesmen of the Egyptian Liberal Party, who had both the will and the power to defend the Constitution from internal assault; and the Wafd undoubtedly expected that, had he lived, his influence in England and in Egypt would be exerted towards the revival of Parliamentary life. He would have had every reason so to exert himself, for he had taken a large part in creating the Constitution of Egypt and felt a parental affection for it: moreover, he entertained a personal dislike for Mahmoud Pasha, whose position was considerably strengthened by his death. But his health had been seriously undermined by the strain of the previous winter, and there is little doubt that the negotiations which led to his political downfall contributed also to his premature death. Twice Prime Minister of Egypt, he had succeeded in establishing himself in the respect of his countrymen by the real importance of his achievements. Possessed of a great personal charm, a keen and supple intellect, a high degree of political ability, and a self-mastery which was rare in the councils of Egypt, he had pursued a career, not always unchequered, but on a long view extremely successful. His weaknesses were sufficiently apparent even in the more successful periods of his career. He was indeed fundamentally an opportunist, and his ingenuity was to some extent counterbalanced by a temperamental lack of decision—never more clearly displayed than in the negotiations which preceded

his final resignation. But even with these failings he had acquired the position, both in Egypt and in England, of being regarded as the one person competent to take charge of affairs in a crisis—the phrase *l'homme des heures difficiles* exactly summarised his public reputation.