

Nixon Wins

Atreya

A GROUP of Danish citizens made the suggestion that the U.S. Presidential elections can no longer be allowed to be purely an internal affair of the United States. In view of the enormous impact the United States has on the fortunes of most of the democratic countries of the world, it was said, the people of all these countries too should be given a voice in determining who shall be the next President of the United States!

Political developments in the United States during the present Presidential election year have been viewed with considerable interest all over the world. Entirely new dimensions were added to the Presidential contest with the dramatic announcement by President Johnson in the third week of March this year that he was not seeking re-election. The race that started as quite an open one with odds in favour of the Democrats took a very different turn with violent and sharp divisions within the Democratic Party. No mean contribution to this cleavage was provided by the entry into the race by the late Senator Robert Kennedy, who was the victim of an assassin's bullet. While the Democratic Party lay shattered into factions and divisions, as a result of the entry into the Presidential fray by Robert Kennedy and Senator Eugene McCarthy, Racist former Governor Wallace entered the race as a "third party" candidate with a characteristically appropriate colleague in General Le May brimming fire and brimstone on the lines of the John Birch Society and the Ku Klux Klan.

It was in these circumstances that Mr. Richard Nixon and his Republican Party emerged as the most integrated, consistent and relatively moderate force in the American political scene. Mr. Nixon carefully polished and refined his abrasive imagery that had caused enormous damage to him during the television debate with the late John Kennedy in the 1960 Presidential elections. Mr. Nixon too, within his own party, faced rivalry first from Governor Romney who entered the race very early but lost quite early, too in the preliminaries. For a while Mr. Ronald Reagan's name was being projected and very late in the campaign, Governor Nelson Rockefeller entered the fray

within the Republican Party. At the Miami convention of the Republican Party, however, Mr. Richard Nixon was nominated by the party as its Presidential candidate.

Meanwhile the Democratic Party's convention met in Chicago under very turbulent conditions of dissent and disarray. The convention nominated Hubert Humphrey as the Democratic candidate. With the assassination of Robert Kennedy, the angry sulking of Senator McCarthy, Mayor Daley of Chicago and his policemen treated to a reputation of being ruthless Fascist police, the vested interests in the various Universities drained of their grants on account of Viet-Nam war mobilising severe anti-war articulations, Nixon and the Republican Party alone provided the contrast of integrated organization, stability and a sense of direction.

Nixon avoided extremist stances and apparently learnt a lot from his own earlier defeats as well as the Goldwater disaster. In a way he was grateful to Racist Wallace for the Goldwater substitution during the present election. Hubert Humphrey was trailing badly and had very little hopes. Nixon was severely handicapped by his Vice-Presidential running mate Agnew, while Humphrey was considerably strengthened by his Vice-Presidential running mate, Muskie. As the election dead-line was drawing near, Humphrey started catching up in the race and when President Johnson announced the halting of bombing of North Viet Nam, Humphrey's chances brightened considerably. Senator McCarthy gave his belated support to Humphrey. The election proved to be an exciting affair. There was record polling and almost until the very end of the returns being computed, gave jitters to Nixon. At one stage, it looked as though Humphrey had performed a miracle and would win. But the pollsters were proved to be uncannily accurate and Mr. Nixon won quite decisively. The plurality was just 325,000 in about 72 million votes polled, but this was better than the 119,000 votes plurality with which Nixon was defeated by John Kennedy in 1960.

This very narrow majority in popular vote, coupled with the fact that Nixon will be presiding over a Democratic Party dominated Senate and House, indicates that the new President will feel his way through very cautiously. There is no likelihood of any radical difference in the policies of the United States under Mr. Nixon as the new President.

Mr. Nixon is not likely to be much of a "hawk" in international affairs. The American Presidency was

highly complex vehicle of power. It is a contraption with numerous gadgets. The President, who occupies the driver's seat in this mighty contraption, has to be quite a driver. Richard Nixon will require all the talents he can muster to steer this vehicle towards the goals that would satisfy the changing patterns of the U.S. society.

Internally, President-elect Nixon faces a turbulent new generation that is frantically seeking new moorings and guide-lines in an affluent society where the list of things to get excited about is running out. The American Negro has decided to deliberately set his aims very high so that when he has to inevitably compromise, that compromise will be nothing short of what the White man enjoys in status and affluence. Nixon has not inherited an American society of the popular and stable Eisenhower inheritances. He has inherited computations and complexes that would befuddle anyone, including the popular Kennedy brothers with all their advantages and popularity. Mr. Nixon will have to decide on a cautious course of action.

Mr. Nixon's position on various international issues will naturally evoke attention from leaders of countries having a lot to do with the United States. In Mr. Nixon's victory, all the friends of the United States will find the victory of an internationalist, a leader as much committed to keep the American responsibilities to international cooperation going in the same measure as his Democratic predecessors. While he is committed to international understanding as much as his Democratic colleagues, Mr. Nixon is not likely to become a quitter or an isolationist in the face of challenges to the U.S. presence in various parts of the world.

In other words, notwithstanding the heat generated during the Presidential contest, Mr. Nixon's term as the President will be conditioned by the same type

of pragmatism that has motivated all American Presidents in the past. An emphasis here and an emphasis there might be more intense, but by and large the main streak of logic is generally the same.

It is no wonder that John Freeman, formerly of the *New Statesman*, and latterly of the British Foreign service, who projected Nixon in the image of something very much detestable, came out with tributes that may not be wholly due to changed convictions as much as due to his appointment as the British Ambassador to the "Court of President Nixon" in the United States. One can hardly present one's credentials with suavity and aplomb to a President after projecting him as something that came out of the bottom drawer!

In internal policies, Nixon will have to go all out to placate the Universities and the campuses. These are in revolt over the choking off of funds and resources that provided outlets for the intelligentsia in various pursuits. This choking off of resources to the Universities unleashed one of the most articulate forms of dissent and protest that the United States has ever witnessed. The cause for the drying up of resources has been the Viet-Nam war and that is why Viet-Nam war has been attacked and the attack is rationalised. Mr. Nixon's problem will be the same as President Johnson's. How to neatly solve the Viet Nam involvement with honour and without caving to the ravenous appetite of the Communists for fresh chunks of Asian real estate? As Rajaji remarked aptly, Nixon's crown is one of thorns. It takes a lot of guts in the present situation to aspire for Presidentship, go all out to fight for it and then become one. Nixon has proved that he has the guts, though in terms of past form, his judgment may have to improve a lot to keep pace with Presidential responsibilities. As the *Advice and Consent* beautifully portrays, American Presidents usually turn out to be fabulous personalities in the dynamisms and confrontation of Presidential responsibilities. Nixon may certainly rise to the occasion beyond the wildest expectations.

STRIKES IN INDIA

By V. B. KARNIK

Price: Rs 42

Published by

P. C. MANAKTALA & SONS PVT. LTD.

6, Fairfield, Churchgate

Bombay 1

MURARJI VAIDYA

We pay our homage to the memory of late Mr. Murarji Vaidya who died suddenly in Bombay on November 5. Mr. Murarji Vaidya was a prominent industrialist. But his interests were very wide. They covered the whole area of social and political developments. Mr. Vaidya was particularly interested in the growth of freedom and democracy. That was the bond between him and *Freedom First*. His sad and sudden death is a blow to the journal as well as to the democratic movement in the country.

Reorganisation Of Assam

V. B. Karnik

REORGANISATION of Assam is a problem which has been hanging fire for several years. It was inherited along with Independence, a left over problem that the British rulers had never been able to solve. During their long rule the British had found an *ad hoc* solution by designating some areas of Assam as "excluded" and "partially excluded" areas where there was direct rule of British officers under the supervision of the Viceroy. Those areas had no contact with other areas of Assam and with the rest of the country. The solution worked for the time being as it was backed by the might of the British empire and as the residents of the areas enjoyed no rights. And yet there were revolts and disturbances from time to time. They were put down with a stern hand.

Pledged as she was and is to democracy, independent India could not take recourse to those methods of the British rulers. The problem that she faced was two-fold. One was to fight the secessionist trends that developed in areas like the Nagaland and the Mizo district and the other was to integrate the tribes that inhabited the areas into the Indian nation without affecting their way of life and their right to manage their own local affairs. It is this two-fold problem that the Government has to face in the proposed reorganisation of the State of Assam.

A peculiarity of the State of Assam is that about half of its area, over 22,000 square miles out of an area of over 47,000 square miles, consists of hilly tracts inhabited by a variety of tribes in various stages of development. None of them is integrated with the people of the plains; on the other hand, there is an intense and evergrowing feeling of separateness from the latter. The differences between the two range from ethnic differences to religious, linguistic and cultural differences. The majority of the people of the plains are Hindus while the majority of the people of hill areas are Christians or Animists. The former speak Assamese, while the latter have their own tribal languages with English as the link language. Economically, the latter are at a very low level and always regard themselves as oppressed and exploited by the former who are economically more advanced and well-versed in the ways of the world. As a result, there is constant tension between the two. With the spread of education and modern ideas the tension is growing from day to day and the demand of the people of hill areas for being recognised as a separate entity is becoming more and more insistent.

The leaders of the country recognised this problem as it presented itself to them after Independence. They recognised the necessity of making some special

arrangements for the people of the hill areas in Assam. Accordingly, Schedule Six was included in the Constitution. The Schedule set up autonomous District Councils for various parts of hill areas. The District Councils were entrusted with the management of local affairs in those areas. They were given some powers of taxation, some judicial powers were also entrusted to them. The people of the areas were more-over assured that there would be no interference with their tribal customs and with their rights over land.

This arrangement, it was expected, would satisfy the aspirations of the hill people and bring about their progressive integration with the people of the plains. But that did not happen. The people of the hill areas were intent on having a State of their own. The earliest to express grave dissatisfaction were the Nagas. The extremists amongst them were not and even today are not prepared to regard themselves as Indians. They demanded separation and recognition as a sovereign independent nation. This led to a long and bitter conflict between them and the Government of India. The conflict is still continuing, though in a much more subdued form. However, moderate elements amongst the Nagas were not prepared to remain a part of the State of Assam. After a long period of evasion, dillydallying and indecision the Government agreed to the setting up of the State of Nagaland. The State was established in December 1963. But the step was taken so late that it did not succeed in putting a stop to the demand for separation from India. The demand is still being made and is backed by underground activities of a military character. This experience has a lesson for the Government and the people. If a correct thing is not done in time, it ceases to produce the beneficial results that it would have otherwise produced. What is important is not merely to do the proper thing but to do it in time.

As Nagaland is now a separate State the contemplated reorganisation of Assam does not affect it. It does not also affect the North East Frontier Agency area as, owing to military considerations, it is dealt with on a separate footing. The reorganisation affects only the four hill area districts of the State. They are the United Khasi and Jaintia Hills (population 4.62 lakhs), the Garo Hills (population 3.07 lakhs), the Mikir and North Kachar Hills (population 2.79 lakhs) and the Mizo Hills (population 2.66 lakhs). There has been in these areas a long-standing demand for separation from Assam and for being reorganised into a separate State.

The demand became very vocal and insistent when

the States Reorganisation Commission was appointed in 1954. The Commission did not accept the demand. But in the next general election which took place in 1957 the protagonists of the separate State represented by the Eastern India Tribal Union captured all seats in tribal areas. After the election one of the leaders of the Union, Capt. Williamson Sangma was included in the Ministry and put in charge of the department of tribal welfare. This experiment of winning the confidence and cooperation of hill tribes broke down in 1960 when the legislature adopted the Assam Language Bill making Assamese the language of the State. The people of the hill areas vehemently opposed the Bill. They regarded it as an attempt to foist Assamese upon them and as further evidence of the determination of the people of the plains to keep the former under their domination. The agitation for a separate State then assumed a big proportions.

The people of the plains were all along opposed to that demand. They pointed out many difficulties, that the hill tribes were backward, that they were divided amongst themselves, that the hill areas were not contiguous, that the hill State would not be economically viable and that the creation of a separate State would endanger the security of the country. On these and other grounds they vehemently opposed the demand of the people of hill areas. The Congress is the predominant party in the State. It is opposed to the reorganisation of the State and in that opposition it enjoys the support of all other political parties.

The Central Government could not be, however, as narrowminded as the Government and political parties of Assam who between them represented only the interests of the people of the plains. It has all along expressed its full support to the hill people's demand for autonomy. In October 1963 the then Prime Minister, Mr. Nehru assured the hill people "hundred per cent autonomy". But what steps to take to ensure that autonomy and how to secure to those steps the acquiescence if not the approval of the Government of Assam has been all along a vexed and tough problem. Various efforts were made during the years to evolve a compromise formula. A commission under the chairmanship of Mr. H. V. Pataskar was appointed in 1964; a committee under the chairmanship of Mr. Asoka Mehta was appointed in 1967. Both failed to devise an acceptable solution. In the meanwhile the agitation for a separate State gathered force. It developed under the leadership of the All Party Hill Leaders Conference (APHLC) which had established its credentials as a representative organisation by winning most of the seats in the hill areas in the elections of 1962 and 1967.

In view of the agitation that had developed in hill areas, the Government of India made a policy declaration on January 13, 1967. The declaration stated *inter*

alia: "The Government of India appreciate the political aspirations of the people of the hill areas and have decided to reorganise the State of Assam". The reorganisation would take the form, it was stated, of a regional federation in which "a limited number of essential subjects of common interest" would be administered jointly in the federation, leaving the rest of the State functions to the federal units which would have their own legislatures, Cabinets etc. The declaration satisfied the hill people to a large extent and what they are demanding now is its implementation.

The reorganisation formula that is evolved by the Government of India contemplates the constitution of two hill districts of Assam into a sub-State. The two districts are the Khasi and Jaintia Hills and the Garo Hills. The third district the Mikir and North Kachar Hills will have the option of joining it, the option to be exercised on the basis of a two-third vote of the District Council. No decision is made for the time being about the fourth district, the Mizo Hills, owing to disturbed conditions prevailing in the district. The autonomous sub-State will have a legislature and also a Council of Ministers. It will administer all subjects in the State List except those which are retained by the regional federation, the State of Assam. One of the important subject to be retained with the regional federation is public order and police. The sub-State will have appropriate powers of taxation. The federating units will, however, have the same Governor, High Court and Public Service Commission. The sub-State will have a population of about 7.69 lakhs out of whom about 6.72 lakhs will be hill people.

The formula has been accepted by the Working Committee of the Congress. This may lead to its eventual acceptance by the Congress Government and organisation of Assam. The APHLC has decided to give it a trial, though it has not altogether abandoned its demand for a separate State. A constitutional amendment and a law will be necessary to give effect to the formula. It is to be hoped that the needful will be done at an early date. Even then a number of hurdles will remain, such as division of assets and powers, status of Shillong etc. They can be overcome only with good will on both sides.

It is not possible to say at the moment that the problem is solved. Serious efforts are afoot to solve it. It is to be hoped that they will succeed and succeed at an early date. If the Eastern frontiers are to be effectively defended it is necessary to win the confidence and loyalty of the residents of the hill areas which constitute those frontiers. Democracy demands, moreover, that the desires and aspirations of the local people must be the deciding factor in any administrative arrangements made for the area. It is these two considerations which should prove decisive in any discussion of the reorganisation of Assam.

Terror Under Stalin

John Gross

WHEN Lenin died in 1924 he bequeathed his successors, not exactly a totalitarian regime, but all the apparatus needed for building one — censorship, secret police, a tradition of 'revolutionary dictatorship', a juggernaut ideology, and above all a one-party state in which it had been made exceedingly clear, at any rate since the suppression of the Kronstadt rising in 1921, that the Party's interests would always take precedence over those of the People whom it was supposed to represent. The Party itself, in turn, had increasingly come to be controlled by a centralised bureaucratic machine. Even so, the situation was still relatively fluid, and it was not until Stalin had routed his main political rivals that the full potentialities of the new order became apparent. The first victims were predominantly the peasants, who from the late Twenties were subjected to the horrors of forced collectivisation, culminating in the man-made famine of 1932-3, in which it is estimated that at least 5 million people perished, chiefly in the Ukraine. ('The men died first, then the children, and finally the women.') At the same time the secret police, soon to be rechristened the NKVD, were refining their techniques, the first show trials were taking place, and the Soviet statute books were being enriched by such measures as the reintroduction of the old Tsarist internal passport and the imposition of the death penalty for the theft of State property.

In the early years of Stalin's reign, however, it was still possible for members of the Party itself to feel personally secure, at least from the threat of execution or arbitrary imprisonment. The Leninist principle that, whatever their differences, comrade didn't eat comrade, proved a stubborn prejudice to break down. But the assassination of the Leningrad party boss Sergei Kirov in 1934, which Stalin secretly arranged, provided him with his pretext, and ushered in a period in which it was rather more unhealthy for a Soviet citizen to be a communist, or even a dedicated Stalinist, than not. Of the 1,900-odd delegates who gave the great man ('the greatest man of all time', according to Kirov) a standing ovation at the 1934 Party congress, some 1,100 were soon to be liquidated as counter-revolutionaries. Over the years which followed a series of mass-trials disposed of most of the remaining Bolshevik old guard, and also served to mark the spread of the purges as they gradually engulfed the Party, the bureaucracy, the armed services, the intelligentsia, a wide range of 'enemies'.

ments and finally the population at large, some of whom were rounded up simply in order to help local branches of the NKVD fulfil their destruction quotas.

The climax came with the 'Yezhovshchina', the terrible period from 1936 to 1938 when Nikolai Yezhov was head of the secret police. But both the blood-letting and the arrests continued on an appalling scale after Yezhov's fall. Of those detained, many were summarily executed, many more sent to labour camps where the annual death rate, even among prisoners able to withstand the rigours of the first few months, was often as high as 30 per cent and seldom lower than 10 per cent. In the nature of the case, exact figures are impossible to come by. A good deal of statistical evidence is available, however, and when it is pieced together a fairly coherent picture emerges. In his new history of the Purges,* Robert Conquest, after examining and collating Soviet prison statistics, census returns and numerous other sources of information, concludes that at a highly conservative estimate the number of those either shot or done to death in the camps by the Stalin regime from 1930 onwards was not less than 20 million. During the Yezhov years, the period with which he is most immediately concerned, some 3 million people were killed.

Nobody in this country in 1968, apart from one or two neanderthals like D. N. Pritt, needs persuading that the Purges were a Bad Thing, a very bad thing indeed. While Stalin was still alive the official line, parroted by supporters throughout the world, was that after receiving scrupulously fair trials a handful of highly-placed fifth-columnists had been executed, while a somewhat larger number of misguided citizens (although not all that many) had been packed off to corrective labour camps for their own good. During the Thirties quite a few leading non-communist intellectuals in the outside world were induced to swallow this cock-and-bull version of what was happening, but I doubt whether the great majority of educated people in the West ever really gave it much credence, while since the Khrushchev 'secret speech' of 1956 even the faithful have of course been compelled to abandon it. Khrushchev confined himself to the fate of party members, and his choice of evidence was extremely selective; subsequently, however, a good deal more information has filtered out of Russia, confirming at first hand the general picture of Stalinist terror which has meanwhile been built up in the West. So now we all know all about the Purges.

And yet do we really? We all accept the fact that they happened, certainly, and we all condemn them. But somehow we aren't quite sure about them, we

* *The Great Terror* by Robert Conquest, Macmillan, 34s.

prefer to let them remain a vague blur at the back of our minds. Or such is my impression — and I am thinking of general more-or-less enlightened public opinion, not of those who still have their own political reasons for playing down the implications of Stalinism. After all, the name of Yezhov, to make the obvious comparison, ought to be almost as familiar to us as that of Himmler; a penal colony such as Kolyma, where two million prisoners were murdered, ought to be as notorious, I won't say as Auschwitz, but as Belsen or Dachau. If they are not, the explanation probably lies as much in western political psychology, in that utterly misleading voice which still whispers to liberals and social democrats *Pas d'ennemi à gauche!*, as in the more elementary facts of geographical remoteness, comparative lack of direct evidence, continuing Soviet secrecy and humbug. But it hasn't helped, either, that up till now there has been no one book to which the general reader could turn for a comprehensive and fully documented study of what the Purges involved.

The Great Terror is just such a work, impressive alike in its narrative sweep, its meticulous scholarship and the clarity with which Mr. Conquest has organised and presented an immense mass of highly complex material. At every stage he cites chapter and verse, and he assesses the value of his sources with exceptional care — a necessary safeguard in a field where much of the evidence is 'unofficial', and some of it provided by such inevitably controversial witnesses as Soviet defectors. (Although 'controversial' doesn't always mean the same thing as 'unreliable': anyone who shares the widespread impression, for example, that Kravchenko's *I Chose Freedom* is a discredited book should look up Mr. Conquest's account of the Kravchenko libel case and find out exactly who discredited whom.)

The restraint is particularly commendable — and anyone acquainted with the polemical energy which Mr. Conquest can display on occasion will know that for once the epigram about the snaffle and the curb emphatically doesn't apply. In a work of this magnitude, however, he has rightly judged that polemics would be out of place. It would have been easy for him, for example, to rub in the fact that it was during the Purges that the present Soviet leaders began their effective climb to power. Instead, he mentions it as briefly as possible at the point in the narrative where it naturally emerges. It would have been easy for him to keep throwing in reminders of the Soviet deportation of minorities, of the treatment of satellites, of Zhdanovism, of the Doctors' Plot, of each and every aspect of Stalinist tyranny. Instead, he keeps severely to his chosen theme. It would have been easiest of all for him to arraign a long list of western public figures, authors, eminent scientists, distinguished historians — many of them still with us — who wittingly or unwittingly helped to whitewash Stalin's crimes.

Instead, he passes over most of them in merciful silence, and his comments on those whom he does mention, such as Laski and the Webbs, tend to be fairly mild. He would be carrying restraint too far, however, if he altogether overlooked the more grotesque aspect of the whole whitewashing campaign, and he does have some remarkable stories to tell.

For the Russian people as a whole, the Purges were a time of torment. They bore particularly heavily on the intellectual elite, on leading spirits in literature, science, the arts, the universities, the theatre. It is odd, by the way, how little attention our own Royal Court revolutionaries and local Brechtians seem to have paid to the kind of thing that was going on in the Soviet theatre thirty years ago. They might begin with the case of the great producer Meyerhold, who was arrested and killed after publicly refusing to endorse the doctrines of socialist realism — literally a martyr to artistic integrity. (His wife, a well-known actress, is said to have been found dead in their apartment shortly afterwards, with multiple stab wounds and with her eyes cut out.)

No words can do justice to the outrages which were inflicted on millions of innocent victims. On the other hand it is hard to feel all that much sympathy with those of Stalin's henchmen who were liquidated. In the upper echelons of the Party the boyars who mowed one another down were simply acting out at its most brutish level Lenin's famous formula 'who-whom'. A monotonous business, but the sheer tedium of slaughter was at any rate periodically relieved by episodes of demented farce, as in the case of Krylenko, Vyshinsky's predecessor as chief prosecutor, who in 1932 came before a congress of chess-players to denounce the heresy of 'chess for chess's sake': several years later he was shot, one of the charges against him being that he had retarded the development of Soviet chess. And there were conspiracies as elaborate as anything in John Le Carre, such as the framing of Marshal Tukhachevsky, the country's finest military commander, a joint effort of the NKVD and the Nazi SD.

Mr. Conquest leaves us to draw our own political conclusions. We can at any rate console ourselves with the thought that it is extremely unlikely that there will ever again be purges on the Stalinist scale. On the other hand the machinery of the Stalinist state has never been dismantled, and the men in charge of it were both active in the Purges, Kosygin under Zhdanov in Leningrad, Brezhnev under Khrushchev in the Ukraine — facts worth recalling, before we express too much surprise at, say, the invasion of Czechoslovakia. The leopard *may* change his spots, but we shouldn't be unduly startled when he doesn't. Let us hope, at all events, that the next generation of leopards in the Kremlin will be somewhat less spotty.

—*Courtesy: New Statesman*

Freedom Of Press, Uses And Abuses

G. A. Abba

THE duty which makes it incumbent on all journalists to take up arms against any attempt to tamper with or suppress the freedom of the press also makes it incumbent on all journalists to be alert and ensure that the precious freedom is not abused and no person, having abused that freedom and been jailed for it, goes about parading as a martyr in the cause of that freedom.

When something even more sinister than contempt of court is involved, it becomes imperative to present the correct facts fully and expose the mischief.

In the light of these observations, it becomes necessary to examine the case in which the editor of *Blitz*, Shri R. K. Karanjia, was recently sentenced for contempt of Court.

The facts of the case are simple enough. It is common knowledge that *Blitz* every week publishes on its last page a picture of a scantily clad woman with a few titillating lines in verse. At times it becomes difficult to judge as to which is more suggestive or provocative—the picture or the verse.

A reader of *Blitz*, Mr. Abdul Jabbar Taj of Nagpur, came to the conclusion that one such picture—that of American dancer Pamela Tiffin, published in the issue of March 5, 1966—was obscene. He filed a complaint in the court of a judicial magistrate who ultimately convicted the editor for having published obscene material. Against this conviction the editor went in appeal and the Sessions Judge quashed the conviction.

Thereafter the editor chose to publish an article entitled "WHOM WILL YOU FINE FOR KONARAK AND KHAJU HARO?" In this article the judgment of the lower court was severely criticised and ridiculed, insinuations were made and sweeping remarks were offered against the entire class of the lower judiciary. A probe into the circumstances of the case was also demanded and it was claimed that the results of such a probe would be as astounding as they would be rewarding.

Thereupon, the *Blitz* reader who had filed the original complaint moved the Nagpur Bench of the High Court of Bombay for contempt proceedings against the editor. The High Court found the editor guilty of contempt of court and sentenced him, under Section 3 of the Contempt of Court Act, to undergo 15 days simple imprisonment and pay a fine of Rs. 2,000/-, or, in default suffer a further imprisonment of 15 days.

The editor applied to the High Court for leave to appeal against the conviction. Leave was not granted. A petition for special leave to appeal was then presented to the Supreme Court. This petition was also

rejected. Consequently, the sentence imposed by the High Court became operative and the editor was jailed.

It is being sought to be made out that the editor of *Blitz* had merely offered legitimate criticism of the lower court's judgment, that he had done so on behalf of thousands of poor and down-trodden people who found it difficult to obtain justice, and that his imprisonment is a serious threat to freedom of press and highlights the need to amend the Contempt of Court Act.

The questions that arise are:

(1) What was the motive of the editor in publishing the impugned article?

(2) Was the criticism offered by him in the said article legitimate and in public interest?

(3) Was he, in fact, merely championing the cause of the poor and the downtrodden who found it difficult, if not impossible, to obtain justice?

(4) Is the editor's imprisonment a threat to freedom of press?

The answers to these questions can be found in the judgment of the High Court itself. Contrary to popular belief deliberately created by misleading propaganda, their Lordships did not "summarily" pronounce judgment on the editor. They subjected the impugned article and the behaviour of the editor to a detailed scrutiny and analysis and delivered a lengthy and comprehensive judgment.

They observed:

"Now, this paragraph... undoubtedly makes an untrained common man to believe that there is no justice in the lower courts and unless you have 'financial ability', 'other resources and powers', you have no hope of vindicating your rights...."

"The effect on the mind of the normal reader is to make him feel that judgments of the trial courts are harsh and unwarranted. They do not take proper view of the provisions of the law. The judgments are based upon whimsicality, and one is to have not only financial but other resources, including power, for obtaining justice...."

"The necessary implication of such a criticism, therefore, is that something other than an objective and impartial examination of the record of the case is responsible for the judgments of the lower Courts...."

"If such extraneous factors are influencing the judiciary and if that is the impression that is conveyed to a common man, who is likely to believe the printed words, we are sure that uncalculated harm is going to follow so far as the function of the judiciary is concerned...."

"The reference to factors like 'other resources and power' is sinister and indicates that the judiciary is likely to be influenced by outside factors. It is criticism of this type and the tone of this article in ridiculing the lower judiciary as a whole that, according to us, aggravated the situation....

"The sum total of the effect, according to us, therefore, is that a common reader, when he keeps the issue aside after reading this article, will think that the particular judgment of conviction was a funny judgment written whimsically and the judgement was a harsh and unwarranted one, that judgments of lower Courts are generally of this type and normally justice though available in higher Courts requires money and other resources including power....

"So far as the present article is concerned, it is in the nature of a direct attack on the particular trial judge who delivered a judgment of conviction and it also includes sweeping remarks against the entire lower judiciary....

"The deliberate choice of dramatic words..... throws considerable light on the mentality of the writer and his desire to corrupt the mind of the reader.

".....We think that we have before us a contemner who had indulged himself into a most unwarranted and most — unhealthy criticism of an entire class of judges, namely, the lower judiciary.

"The least that can be said is that the article is calculated to shatter the confidence of the common reader in the impartiality, integrity and efficiency of the lower judiciary.... The only conclusion which we can reach is that this is a contempt of a very grave type."

Now, if Shri Karanjia really believed all the allegations and accusations he made against the administration of law and justice at the lower level and intended to speak up on behalf of the poor and down-trodden who found it difficult to obtain justice at this level, he would and should have stood by what he wrote. Knowing the law and consciously having defied it "in the interest of public good", he should have boldly faced the consequences. If the editor had done this and if he, for this reason and in these circumstances had been sent to jail, perhaps there would be justification in the claim that he had acted heroically, had the courage of his convictions and had spoken up frankly and fearlessly in public interest with a view to tone up the administration of justice.

Unfortunately, this is not how the editor acted. When called upon to explain his references to such phrases as "other resources" and "people with money and power alone getting justice", Shri Karanjia abandoned all pretence about fighting in public interest on behalf of the poor and the down-trodden with a view to tone up the administration of justice. He tried to save his neck by offering a completely different explanation of his writings.

Even if it is granted that Shri Karanjia had in fact not meant what obviously the article implied, then, in that case, the honourable thing to do would have been for him to come forward at the first opportunity, manfully admit the wrong done and the injury inflicted and tender an apology. Apology Shri Karanjia did tender to the High Court; not one but three separate apologies at three points of time. But, not in a straightforward or manly fashion. Only after all attempts to ingloriously wriggle, twist, turn and worm out of the serious situation he found himself in had failed. Here is what their Lordships observed about the apologies:

"An apology is not a weapon of defence forged to purge the guilty of their offences. It is not an additional insult to be hurled at the heads of those who have been wronged. It is intended to be evidence of real contriteness, the manly consciousness of a wrong done, of an injury inflicted, and the earnest desire to make such reparation as lies in the wrongdoer's power....

"An apology should be evidence of real contriteness and manly consciousness of the wrong done; it ceases to be so if it is belated and becomes, instead, the cringing of a coward shivering at the prospect of the stern hand of justice about to descend upon his head. . .

"He does not exhibit anywhere the consciousness that he has done a wrong. He does not plainly admit his responsibility for the wrong and show preparedness to minimise that wrong or to wash away the effect of his conduct by an unqualified, unreserved and sincere apology.... We think that we have before us a contemner who has indulged himself into a most unwarranted and most unhealthy criticism of an entire class of Judges, namely the lower judiciary.

"He has given to this unwarranted criticism a very wide publicity, because his paper is a widely circulated paper. When it was brought to his notice by a show cause notice that he has committed a contempt and why action should not be taken against him, he has not come before the Court with the kind of a genuine remorse accompanied by unreserved apology which alone is the kind of apology that is given due consideration by courts.

"When a belated apology comes from a person, on the second occasion, he comes forward with an apology which for the first time suggests that he (the respondent) is admitting that he has done a wrong.

"When the belated apology comes from a person, who is an experienced journalist and who claims to be the head of a popular weekly and who had on two previous occasions known what contempt proceeding are, we do not think that even the belated apology should be considered an indication of real contriteness.

"It had the origin more in the fear of consequences that might be meted out to him rather than in any genuine feeling of remorse for having committed a wrong."

(continued on page 11)

Democracy And Development

A. A. Deshpande

MR. JO GRIMOND, leader of the Liberal party of Great Britain, Dr. S. Chandrashekhar, Minister of State for Health & Family Planning, Government of India; Mr. M. R. Masani, M.P. were among those who participated in a six day seminar on problems of democracy and development, which was held in Coonoor in October, 1968.

Participants in the International Seminar came from 14 countries from Europe and Asia including India, Ceylon, Indonesia, S. Korea, Malaysia, Nepal, Siam, S. Vietnam, Belgium, France, Germany, Britain, Sweden and Switzerland.

The ground covered by the seminar which was organised by the Indian Liberal Group, Friedrich-Naumann Foundation of West Germany and the Leslie Sawhny Programme of Training for Democracy related to the interaction of democracy and development and political stability and the relative roles of industry, agriculture, infra-structure, education and population control in the field of development.

The participants in the seminar included Mr. D. K. Kunte, M.P., Prof. B. R. Shenoy, Prof. R. D. Choksi, Mr. Vernon Dawson, Secretary-General of the Liberal International, secretaries of the Liberal Parties of Sweden and Belgium, Dr. Curt Gaysteyger of the Atlantic Institute in Paris, A. G. Noorani and Mr. M. R. Pai and Prof. R. Bhaskaran. The two co-directors of the Seminar were Mr. M. R. Masani, M.P. and Gettfried Wust of West Germany.

The seminar dealt, at first, with the economic, social and educational aspects of development and their relative role and importance. It was recognised that there were no short cuts to development and the distinguishing feature of Liberals was their recognition that there are no simple answers to political and economic questions. Considering the wide variety of both the personal experience and the national backgrounds of the 35 participants from 14 countries, a remarkable degree of agreement was forthcoming.

There was general agreement that in so far as Liberals are concerned, the primary economic function of the State was two-fold. The first is regulatory function of holding the ring and preventing monopolistic and other anti-social practices. The other is to provide the infra-structure on which the edifice of the entire economy must be raised. In the modern context the infra-structure was defined as the provisions of public services and utilities such as water supply, irrigation, power, basic transport and communication, health and social services and education.

The seminar discussed the various factors bearing

on political stability and the growth of democracy in underdeveloped countries. It came to the conclusion that among factors inimical to the development of democracy were exploitation of the hostility of ethnic and linguistic groups and of various religions and castes and the appeal of charismatic leaders. The seminar pointed out that there was a deplorable willingness even among some Western observers, themselves enjoying benefits of freedom, to excuse dictatorship in developing countries. On the other hand, recognising that there were many forms of democracy, that autocracy often appears attractive and that democratic process involves constant change, the seminar felt that the establishment in developing countries of their own forms of democracy was an essential subject requiring much and urgent study. It also emerged from the discussions that although on the whole prosperity made for political freedom and stability, it was not a *sine qua non* of either. On the other hand without political stability there can be little prospect of economic progress.

It was agreed that democracy and development were both values that Liberals should pursue as ends in themselves. Neither democracy nor development was possible unless there was a reasonable degree of protection from external aggression. As it happens, the problems of internal freedom and development converge with those of external security and interest on each other. Indeed, it was argued at the seminar that domestic order and its violation by civil war could in some areas be an even more important problem of security than conventional international conflicts or the threat of nuclear war. Under-developed countries that were contemplating the production of nuclear weapons were reminded that there was no such thing as a modest nuclear weapons programme and that the enormous costs of credible nuclear armament, including the delivery system that went with it, would constitute a heavy strain on the economies and possibly even threaten the very basis of economic stability.

The seminar came to the conclusion that there should be less dependence on grandiose ideals, less addiction to the appeal of charismatic leadership and international prestige and more attention to the rather prosaic business of honest and efficient government and the containment of subversion. In place of excessive emphasis on the concept of non-alignment there should be greater effort for the resolution of conflicts and regional co-operation in the fields of economies and defence in Asia.

Reviews

Tagore and Communism

A. Dasgupta, Samaj Bidyabhan, Calcutta 15, 50 Paise.

COMMUNISTS have made use of Rabindranath Tagore as of many others for purposes of their propaganda. They are in the habit of lifting convenient passages from the writing of persons and parading them as appreciations of their thought and actions by those eminent thinkers. Tagore's writings have been misused in this manner on many an occasion. The object of this booklet is to stop that mischief. It gives in a concise form Tagore's views on many aspects of Communism. One of the verdicts of Tagore on Communism was: "Tsarism and Bolshevism are the two sides of the same giant" Tagore admired the spread of education in Soviet Russia, but he was very critical about many other aspects of communist rule, such as absence of freedom of speech, suppression of individuals, the system of dictatorship etc.

The booklet also brings to light one more little known fact, namely, that the Russian Government has not paid the royalties due on the publication of Tagore's books in Russia. The reluctance to make the payment may be due to the fact that the amounts received would go to Vishwabharati and utilised for the propagation of the ideas and values which Tagore held dear throughout his life.

V. K.

Peaceful Coexistence and Intellectual Freedom

A. D. Sakharov, Siddharth Publications, Delhi 6, Rs. 2/-.

THE writer of this pamphlet is a wellknown Russian physicist, Academician A. D. Sakharov. He is a scientist keenly interested in the fate of the world and courageous enough to proclaim his views in spite of the fact that they are not to the liking of the rulers of his country. The essay which comprises the pamphlet was written by him in June 1968. Typed copies were circulating in Russia. *The New York Times* got hold of a copy and published its translation in English. Siddharth Publications deserve to be complimented on making it available to readers in India.

The object of the pamphlet is to plead for Russian-American cooperation. The result that is likely to follow as a result of an estrangement between the two super powers is described by the Academician as follows: "As complete destruction of cities, industry, transport and systems of education, a poisoning of fields, water and air by radioactivity, a physical destruction of the larger part of mankind, poverty, barbarism, a return to savagery and a genetic degeneracy of the survivors under the impact of radiation, a destruction of the material and information basis of civilization — this is a measure of the peril that threatens the world." He suggests a programme

for actively preventing the aggravation of the international situation.

Mr. Sakharov has invited attention to the many similarities that have developed between Communism and capitalism and how both Russia and America have developed "managerial groups that are similar in social character". Regarding the rapprochement that he suggests between the two countries, he writes: "The rapprochement with the capitalist world should not be an unprincipled, anti-popular plot between ruling groups, as happened in the extreme case (of the Soviet-Nazi rapprochement of 1939-40). Such a rapprochement must rest not only on a Socialist, but on a popular, democratic foundation, under the control of public opinion, as expressed through publicity, elections and so forth".

This is a weighty voice from Russia. At present it is voice in a wilderness. But, may be, in years to come it will gather force and have some influence on the situation in the country.

V. K.

BREZHNEV DOCTRINE

Mr. Brezhnev, the Soviet Communist Party General Secretary, speaking at the Polish Party Congress in Warsaw proclaimed the new Soviet intervention doctrine, which is designed to justify the invasion of Czechoslovakia and to provide the political framework for any similar action in the future.

As now defined by Mr. Brezhnev, the doctrine states: "When the internal forces hostile to socialism seek to turn back the development of any Socialist country to restore the capitalist order, when a threat emerges to the cause of socialism in that country, a threat to the security of the Socialist Commonwealth as a whole, this is no longer a matter only for the people of the country in question, but it is also a common problem, which is a matter of concern for all Socialist countries.

"It goes without saying that such an action as military aid to a fraternal country to thwart the threat to the Socialist order is an extraordinary, enforced (that is, last resort) measure. It can be caused only by the direct actions of the enemies of socialism inside the country and beyond its boundaries—actions which create a threat to the common interest of the Socialist camp."

The danger to the peace of the world arises not so much from the invasion of Czechoslovakia as from Mr. Brezhnev's new definition. If the nations of the world accept it, acquiesce in it, or even ignore it as just so much hot air, those leaders in the Kremlin who comprise the "interventionist" faction will be encouraged to extend the doctrine little by little until it comes to affect the vital interests of the West—for instance, in Germany.

Vijaya Zeeva in *Guardian Weekly* 11 Nov. 1968

bestowed harm and injury upon the members of the lower judiciary.

"In the circumstances, we think that the apology tendered by the respondent should not be accepted. Accordingly we do not accept that apology in the circumstances which we have described above."

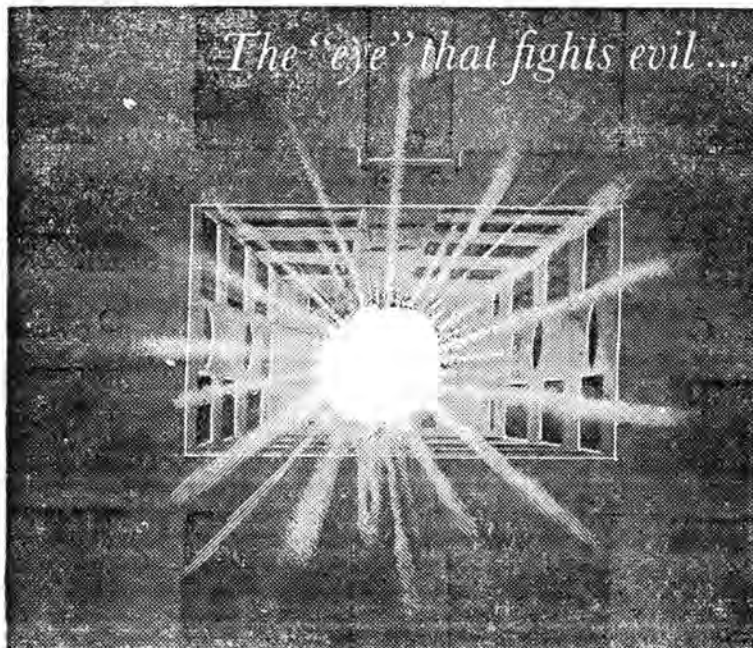
From all the above, a clear though shattering picture of the editor emerges. His *modus operandi* appears to be: Abuse the freedom of the press; indulge in all sorts of abuses; resort to unwarranted criticism; practice sensationalism, yellow journalism and irresponsibility of the worst kind; invoke the name of the poor and downtrodden; pretend to be concerned about a principle and determined to serve public interest at any cost. If some one dares to take action and serious consequences appear inevitable, do everything possible to disclaim liability, including putting out the classic cry: "I have been misunderstood, I never meant what it is claimed I meant." Do a somersault. Try to turn and twist and wriggle out of the situation somehow. As a last resort, even offer an apology. If everything fails, somersault back again. Drag in the names of national and international leaders and pretend to be a hero and a martyr to the cause of the "poor and the damned." Normally all this could be dismissed as the antics of an irresponsible editor. However, there is something more behind these attacks. This is sinister and dangerous for the nation.

The editor is commonly regarded as a propagandist of Communists. Communists and fellow travellers are trying to bring about a revolution in this country by underhand and underground methods. Their most important strategy is to brainwash the public by influencing or corrupting the Indian press, create unrest among students and workers, personally attack through the obliging press and other media independent minded national leaders, and ridicule the judiciary. Even the Chief Minister of Kerala, Shri Namboodiripad, committed contempt of court last year.

In the light of all this it is reasonable to believe that the continuing attacks by the editor to clip the wing of the judiciary are not motivated by a desire to speak up on behalf of the "poor and the downtrodden", or to safeguard the freedom of the press. In fact these attacks further the overall communist strategy of destroying democracy and democratic institutions by, among other things, shattering the confidence of the people in the judiciary.

In this context, the words of their Lordships become pregnant with a new meaning — and a solemn warning. It is well worth re-reading those observations as reproduced in the earlier part of this article. The concluding words ring in our ears:

"The least that can be said is that the article is calculated to shatter the confidence of the common reader in the impartiality and efficiency of the lower judiciary."



The "eye" that fights evil ...

The glaring "eye" of the Cobalt Bomb helps fight cancer. It's one of the many modern weapons used in the world-wide crusade against this dread disease. In India too, the battle is on. Research is helping find a cure for cancer. But research costs money. A lot of it, in fact. You can help with your mite. Every rupee you give will help develop new medicines, new techniques to help save lives.

Remember, cancer is curable if detected early. WATCH FOR THESE DANGER SIGNALS: 1. Any sore that does not heal/ 2. A lump or thickening in the breast or elsewhere/ 3. Unusual bleeding or discharge/ 4. Any change in a wart or mole/ 5. Persistent indigestion or difficulty in swallowing/ 6. Persistent hoarseness or cough/ 7. Any change in normal bowel habits. If you notice any of these signs, see a doctor immediately. A.C. CANCER.

GIVE TO CONQUER CANCER.
Post your contribution to THE INDIAN
CANCER SOCIETY, Hospital Avenue,
Tatol, Bombay.

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With Many Voices

"The deep
Moans round with many voices. Come, my friends,
'Tis not too late to seek a newer world."
—Tennyson.

To the communist side, a coalition government is not an exercise in co-operation but a sanctuary for subversion.

—Richard Nixon, *The Indian Express*, October 29.

The basic problem is that our civilisation which is a civilisation of machines, can teach man everything except how to be man....

—Andre Malraux, *Times of India*, November 1.

We have nurtured our sovereignty with the blood of our people, and no one is going to take it away from us.

—Marshal Josip Broz Tito, *Time*, November 8.

Missions fail and missionaries succeed in India. Buddha, Gandhi, Vinoba and Jayaprakash Narayan, for instance, though not necessarily in that order.

—*Thought*, November 9.

Nothing essential survives of Czechoslovakia's brief dream.

—Henry Kamm, *The New York Times*, November 10.

It was an event unique in history, a treaty of peace without a war.

—Lord Mountbatten on Indian Independence,
Times of India, November 15.

Because Goa is 'wet' there are no bootleggers there and therefore no problem of law and order.

—*Current*, November 16.

To the Editor,
FREEDOM FIRST,
C/o Democratic Research Service,
127, Mahatma Gandhi Road,
Bombay 1.

Please enrol me as a subscriber to FREEDOM FIRST.

I remit the annual subscription of Rs. 5.00

Name _____
Address _____

Signature _____

For sheer irrelevance and to-do-something-when-you-have-nothing-to-do the Congress remains unsurpassed in the history of mankind.

—*March of the Nation*, November 16.

Mr. Nixon has received the crown but it is a crown of thorns.

—*Swarajya*, November 16.

Democratic successes are a kind of tight-rope dancing.

—*Swarajya*, November 16.

In Soviet eyes, Czechoslovakia has become an unfinished business which threatens to go on and on with no viable solution in sight.

—Dev Murarka, *The Observer*, November 17.

The Soviet Union declares that it has the right to interfere in socialist countries, and it also regards itself as the only judge of what are socialist countries.

—Ian Tickle, *Swiss Press Review and News Report*,
November 18.

Purity is a concept of chemistry. It has nothing to do with literature.

—Buddhadeva Bose, a wellknown Bengali writer,
Amrita Bazar Patrika, November 19.

Do the Members imitate the students or the students the Members?

—*Opinion*, November 19

Night is falling on Czechoslovakia.

—*The Indian Express*, November 20.

Weapons, no matter how deadly, are rarely effective in themselves, except when properly matched by human skill.

—*The Economic Times*, November 20.

The fact that a sizeable number of Russian diplomats in foreign countries work for their country's intelligence organisation known as the K.G.B. (Committee for State Security) was once again confirmed last week when a 37-year-old British airman, Douglas Ronald Britten confessed in a London court that he was paid for espionage by a Russian diplomat.

—*The Current* November 23.