

DECEMBER 1973

EDITOR: M. R. MASANI

ELEVEN YEARS TO GO?

Manohar Malgonkar

JUSTICE—Communist Style', a small book published by the IBH Publishing Company of Bombay and priced Rs 3.50 is a powerful commentary on what, to the citizens of this country, may well turn out to be the most convulsive and portentous event of the year 1973, the supersession of three eminent judges of the Supreme Court. Of its four contributors, Mr. M. R. Masani is too well known as a champion of true liberalism in and out of Parliament to need an introduction. Two others, Mr. A. G. Noorani and Mr. Ram Jethmalani, are energetic and prominent lawyers who are also recognized authorities on constitutional and international law and the fourth, Dr. Bertram D. Wolfe, is a distinguished American scholar who has made the study of communism his life's work. The background and credentials of all four contributors constitute both the strength and the weakness of the book, for their writing, which is agreeably free from sentimental or literary dross, is aimed at the intellect and not the heart. It is not likely to disturb the slumbers of the vast majority of the people who believe that the drastic remedies that they are being made to swallow are somehow calculated to magic away their poverty. At the same time, to those of us who are not easily hypnotized by slogans, they bring home the message that, here in this country which prides itself as being the largest democracy in the world, we may not be, in this year of grace, quite eleven years away from George Orwell's 'Nineteen Eighty-four.'

ominous Event

It will be recalled that, on 25th April, and after the Supreme Court had already closed for the day, an announcement was made that Mr. Justice Niren Ray had been appointed the Chief Justice of India, thereby superseding three other judges who were senior to him. The timing of the announcement, as Mr. Masani points out, had many of the earmarks of a cleverly prepared ambush.

Only a day earlier, the full 13-Judge bench of the

Supreme Court had delivered its judgement on a vital issue of our times, the amending powers of Parliament, and in this judgement, the three judges who were superseded were the ones who had rejected the Government's contention of the absolute sovereignty of Parliament, and the judge who superseded them was the one who had accepted it. The general feeling that the Government had victimized the 'inconvenient' judges and rewarded a 'pliant' one was in no way assuaged by the feeble explanation tendered on its behalf that the supersession was somehow in keeping with the guidelines provided by the Law Commission of India. If anything, the supersession went against the grain of these guidelines which, among other things, recommend that the Chief Justice should be someone who "on the occasion arising, be a watchdog of the independence of the judiciary." Mr. Jethmalani refutes this makeshift elucidation in a forthright manner:

"To say that the three judges were superseded on

IN THIS ISSUE

The well-known novelist, Manohar Malgonkar, asks in an article on our front page whether India may not after all be only 11 years away from the nightmare of George Orwell's "1984". His query is based on a reading of the recent publication "Justice—Communist Style".

There follow three items, one on "Thailand's Revolution of Rising Expectations" and two on "The West Asian Conflict".

The reviews in this issue cover wide ground all the way from Rajaji to the crisis in the Indian judiciary and a German view of Europe and the U.S.

the basis of something said by the Law Commission is an unrivalled piece of public fraud."

But even the Government must have realized that this explanation would hardly pass muster, for, a week later on 2nd May, Mr. Mohan Kumaramangalam came out with what purported to be the real reason behind the supersession. Not for Mr. Kumaramangalam any sheltering behind the skirts of the Law Commission. He brazenly told Parliament that, in selecting a Chief Justice, the Government had to take into account his "basic outlook and attitude on life and his politics," and further, that "judges must accept the political philosophy of the ruling party."

The Communist MPs and also some of the ruling Congress MPs are said to have applauded this astounding revelation, but other Members of Parliament as well as the large majority of the thinking people outside it were stunned by the unabashed admission that, to be singled out for special rewards, it was not enough that a judge should be merely 'pliant', but that it was also necessary for him to be a 'committed' one.

It is no secret that the man who, on this crucial issue was chosen to act as the Government's spokesman, was, only a few years earlier, a leading light in the Communist Party of India (CPI). He had only lately joined the ruling Congress Party, and had already become one of its leading lights. To be sure, he had resigned from the CPI before joining Mrs. Gandhi's Congress, but, in the light of the evidence adduced in Mr. Noorani's article 'Kumaramangalam's Thesis' and even more, in the light of Mr. Kumaramangalam's own subsequent record as a ruling Congressman, this resignation could not have been more than a tactical manoeuvre, designed to facilitate the process of setting up a Communist Command Post right within the hierarchy of the ruling Congress Party. Throughout his quite meteoric rise to power and influence in Mrs. Gandhi's Government, Mr. Kumaramangalam remained faithful to his first love and did not say or do anything that might have tarnished his image as a comrade of the highest standing in the CPI. Mr. Noorani shows how the infiltration into the ranks of the ruling Congress was a calculated move on the part of the CPI's advance guard, quoting Mr. Kumaramangalam's own words to prove how he had enjoined the CPI to unite with the Congress to form a united 'front', the ultimate aim being, predictably, to seize "the leadership of this front." That Mr. Kumaramangalam had already become the spokesman, guide and mentor of the ruling Congress Party is a testimony to the measure of his success in his campaign of infiltration, and one cannot help wondering just how close he had come to making good his resolve to make his party the dominant partner in the Congress-CPI front, before death snatched him away.

Many people believe that, in admitting that the Government preferred their judges to toe the party line, Mr. Kumaramangalam had "gone beyond his brief." But such a tactical slip-up is wholly inconsistent with the past performance of so skilful a politician. Could it be that the candour was deliberate, and that Mr. Kumaramangalam felt so secure of his place in the Congress-CPI firmament that there was no longer any need for a false front; that he could come right out in the open and justify the supersession of the judges from the standpoint of an unconverted communist? His line of thought closely followed what the CPI had been propounding. In 1971, its General Secretary, Mr. C. Rajeswara Rao, had made an election promise to "put the Supreme Court in its proper place," and much later Mr. S. A. Dange, a veteran spokesman of the CPI had told his audience in Bombay "Let us abolish this nonsense called the Supreme Court."

Freedom Is Indivisible

In his article, "Freedom Is Indivisible", Mr. Masani takes Mr. Noorani's argument of a takeover bid by the communists a step further and draws our attention to the fact that the Government's interference with the freedom of our judiciary is by no means an isolated act but a part of an overall plan, that, in fact, it was almost a foreseeable manoeuvre in the forward thrust towards State control on the part of the present Government, a follow-up operation to the take-over of the banks, of general insurance, and mines and the food-grain trade. Mr. Masani predicts that, unless there is a change in the Government, we shall have to become accustomed to ever stronger doses of the same medicine; indeed that the day may not be far off when several of the institutions which we cherish will be trampled under foot in what, yet another contributor, Dr. Wolfe, describes as "the State's war against its own people." Our press and our universities might have to accept the role of party underdogs and the trader, the worker, the farmer and even (as hinted at by Mr. Noorani) the administrator and the soldier, learn to become obedient servants of the Party in order to do well in their respective callings. Freedom, like peace, is indivisible, Mr. Masani warns. What he means is that, in the process of losing the independence of our judges, we have also lost many other freedoms which we have been brought up to value; that, unless the absolute independence of our judiciary is restored, whatever freedoms are still left to us will remain truncated.

In the article titled 'Soviet Justice' Mr. Jethmalani focuses attention on how the supersession of the judges and the reasons given for it fit in neatly with the concept of justice in Soviet Russia. Russia, he tells us, does possess a written Constitution, (and for the moment we will ignore Dr. Wolfe's urgent voice

(Continued on page 15)

THAILAND'S REVOLUTION

Geeta Doctor

"**M**AI pen rai" is more than just the Thai way of saying it doesn't matter. It is an attitude to life. This October however, not many Thais were saying "Mai pen rai" when Bangkok, "the city of angels" erupted in an outburst of violence which abruptly brought to an end the military regime under Field Marshal Kittikachorn and filled the streets with three hundred dead and several wounded. It is not the first time that Thailand has gone through such an upheaval, but it is of some significance that this time it was engineered by students who were determined to fight it out to the bitter end. It was the country's first bloody revolution.

Technically since 1932, when the tradition of absolute monarchy was laid to rest, Thailand has enjoyed a constitutional form of Government, but in practice it has only passed from the grasp of one strong man after another, who have all sought to interpret the Constitution to suit their own needs and ruled more despotically than any monarch. Thanom Kittikachorn started well. He successfully stemmed the wave of popular resentment over the revelations of corruption, nepotism, and profligacy, indulged in, by the previous Prime Minister General Sarit Thanarat, under whom he had worked as deputy, and promised a clean administration. He brought in able civilians into the cabinet and set up a committee to draft a new Constitution. Indeed he was so gentle and soft spoken that many observers thought that he would not last long and that some army clique would take over. But Thanom insured against such a contingency by getting his son married to the daughter of General Praphas Charusathien, who was said to be the strong man of the army group backing Thanom. His staunch adherence to U.S. policies in the region, which brought enormous financial benefits to the country also helped Thanom in maintaining himself in power. Eventually however Thanom started going the way of Sarit. The Thais had an uneasy feeling that the country's vital interests were in the process of being mortgaged to foreigners, a scandal involving the death of some top army brass with their mistresses in a military helicopter could not be hushed up, and all the while, hopes of getting a new Constitution were getting more and more remote.

The first Constitution of 1932 was written by civilians, and now after the Kittikachorn ouster, a civilian has once again been put in charge of formulating a fresh Constitution. The circumstances however are vastly different. In 1932 the King's authority was overthrown by a pair of French educated Thai students who were to alternate on the Thai political scene for

the next half decade like Tweedledum and Tweedledee. Apart from their common zeal to topple the already weak King Rama VII, who readily acquiesced to all that the pair proposed, the two did not have much to hold them together. Pridi Phanomyong was the spokesman and, ideological leader of the movement who automatically undertook the drafting of the first Thai Constitution, while Pibul Songram was the soldier, who graduated with flying colours from the military academy at Fontainebleau, to become the first in a long line of military dictators.

Pridi's Constitution contained the fatal flaw that was to plague in varying degrees this and all succeeding constitutions. Pridi drafted the Constitution with the unmistakable intention of ensuring that he and his People's Party would find a permanent place in the management of the country, by adopting the simple expedient that all the seventy people in the People's Assembly would be appointed by the Executive Committee of the People's Party. In effect this meant that nobody could stand for election unless he upheld the principles of the People's Party. The result was that the majority of the people had only a remote idea of what a Constitution was meant to be, and for all the world, continued to live very much as in the old days of the monarchy. In fact they did not even understand the new word which had been coined to represent the concept of Constitution and when people were told that the country was now ruled by a "Radthathamaum" it is said that they inquired "But whose child is Radthathamaum?"

Pridi undeterred by these considerations nevertheless went ahead in his attempts to turn his ideological theories into practice by imposing a complete and rapid state of socialism in the country, which neither being ready for, or in dire need for it was greatly relieved when Pridi was removed from office, charged with being a Communist, and sent into exile to the mainland, China.

For the next six years the country was in the hands of a moderate Government with Pibul Songram prowling the corridors of power as a watchdog. By 1938, with Japan making no secret of its expansionist policies, Pibul Songram decided it was time to end the farce, and assumed power himself. The Constitution was summarily scrapped with the curt explanation that "Public opinion wanted the change and as it could not be done by constitutional means, the former Government having a majority in Parliament, the army decided unanimously to get rid of it."

The current crisis has arisen mainly to challenge the army's right to get rid of the Constitution according

to its whims. Field Marshal Kittikachorn had held out the promise of a new Constitution as far back as 1969, but two years later decided to keep all the power to himself. From that time, to the events of this October, represents the slow manner in which the reaction has come to a head. In June this year, a student paper criticised the Thai Premier and his deputy, General Praphas, for continuing to remain in power. A number of students were suspended and then followed the familiar pattern of arrest and release, the adopting of arm twisting tactics at one moment and acceding to pressure at the next. Obviously the Government had not gauged the strength of the student movement which did not depend, as have all previous movements, on the demagogic charisma of one man. It is interesting to observe, the behind-the-stage role played by the two traditionally most important figures, the King and the Army. The King who has hitherto kept carefully away from politics, found himself unwittingly involved, when the striking students paraded the streets carrying his portrait, and undoubtedly his influence made it possible for the students to accept the new Prime Minister, Dr. Sanya Thamasak, who is a quiet scholarly person, formerly the rector of the Thai University and who had also worked as a privy councillor to the King.

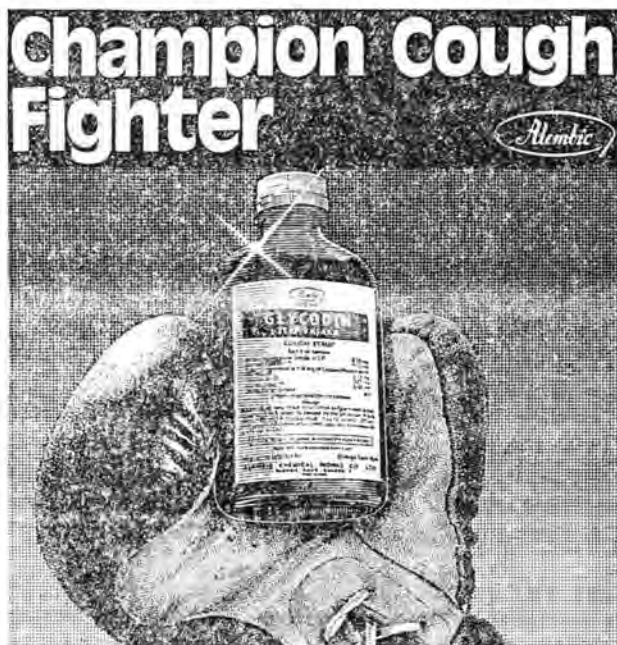
More mysterious is the role of the army, which even though its top commanders have bolted, appears to be still very much in charge. The Commander-in-Chief, Kris Sivara, for example may have precipitated the departure of Thanom and Praphas by his reluctance to fire at the students whom he describes as "our children". There is every reason to believe that the student leaders belong to the ruling elite and that they represent the sole rallying point for dissident opinion in Thailand who are bereft of any public forum or popular organisation to air their grievances. A small but strong force has been building up under the aegis of the National Students Centre, which brought itself into prominence last year by organizing a strong protest at the Japanese exploitation of the Thai economy, which they felt was being encouraged by those in power who were lining their pockets in the process.

This atmosphere of frustration has partly been created by the American withdrawal from the region which has caused serious repercussions in the Thai economy. At about the same time the Thais seem to have become aware that the rise in population has far outstripped the rate of rice production on which their prosperity depends. There are not enough jobs to go round and in the University itself 50,000 students are expected to compete for 12,000 seats.

In the matter of foreign relations also Thailand appears to be in the doldrums and the current happenings appear to have been too well timed not to let us suppose that they could represent Thailand's efforts to adjust to new realities. It is a faculty which in the past

Thailand has shown itself to be particularly adept at, and is a partial explanation as to how she managed to remain the only country in the region to escape colonial domination. In the Second World War also, when Japan swept over the Indo-Chinese peninsula, the Thais did not resist but told their unwelcome guests that they could remain in the country as long as they liked provided that they did not destroy it. The invaders respected these entreaties and spared the country from the ravages that usually follow an invasion. As the tide turned, the Thais quietly organised a "Free Thai" movement to collaborate with the Allied Forces and emerged unscathed on the winning side at the end of the War. It was a very neat exercise in the game of survival. So one should not be surprised if the new Thai Government were to make amends for their pro-American policies in the past and make overtures to China, which is undoubtedly the strongest power in the region.

This is however not to disparage Thailand's efforts at getting a new Constitution. There is every reason to believe that with the co-operation of the King, the students and the army some compromise may be arrived at. Thailand is passing through "a revolution in rising expectations" which means a change caused by the knowledge that there is something better to be got by it. It has taken fifty years for them to get used to the idea of having a durable Constitution. It is now high time that they got it.



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EUROPE'S GUILTY SILENCE

Israel Liberals' Reproach

The self-centred manner in which Western European countries have by and large behaved over the West Asian conflict has drawn a pained remonstrance from Israeli Liberals.

Mr. Moshe Kol, a minister in the Israeli Cabinet, has given expression to this feeling of being let down in a letter dated 14th October to the President of the Liberal International who also happens to be the Foreign Minister of Luxemburg. The Editor, himself a patron of the Liberal International, has pleasure in publishing the text of the letter which runs as follows:

"Dear Mr. President,

On the 6th October, at 2 p.m., the armies of Egypt and Syria attacked Israel and started a new war. The purpose of this war was to annihilate the State of Israel.

The Soviet Union provided the two countries with terrific quantities of arms. They both had, at the beginning of the war, some 4,000 tanks and between them many of the newest, most sophisticated Soviet Union production. They had missiles S3 and S6 — the latter is a mobile. They had planes, the best MIGS produced by the Soviet Union and other anti-tank and artillery arms in accordance with the Soviet doctrine. The day before the war started, the Soviet Union moved out from both countries the families of their advisers and the majority of the advisers themselves. For Israel it was clear only at 4 o'clock in the morning on the day of the attack that the two countries were going to start an attack on us.

It was the Day of Atonement, the holiest day of the Jewish people and this day was chosen by the Egyptians and the Syrians with the object of finding the Jews in the synagogues and hoping they will invade deep into Israel and create new facts and then dictate new conditions. Such terrific amounts of arms from the Soviet Union were provided in the last six years and the armies were trained by the Soviet advisers. Our Regular Army stopped the invaders who were already on the other side of the Suez Canal and partly on the Golan Heights until our Reserve Army was on the spot and they pushed the Syrians back and now they are on the defensive on the road between Kuneitra and Damascus. The Egyptian Army is still on our side of the Canal and we hope that we will deal with them in the coming days. Meantime Iraq troops and also Jordanians came to help the Syrians who lost nearly 1,000 tanks and part of their army, and Moroccan units who were already in Syria some time before. The Egyptians have help from Algeria, Iraq, Tunis and other Arab countries.

Now after the Soviet Union recognised that their allies are on the defence and not in the best position they started with an air-lift of the largest Antonov planes, bringing terrific amounts of arms to save the two armies and first of all the Syrians, who are short of ammunition and whose airfields are destroyed to a great extent.

Mr. President, I am asking you and my colleagues in the Liberal International, why are you silent? Our country was attacked with the purpose of destroying us and this is the fifth war that we are having since the establishment of the State of Israel. Instead of negotiating with us, our neighbours are refusing to come to the table and talk with us and they want Israel to disappear. Where is the Liberal International and its leaders at such a crucial time?

Many leaders in the world published statements identifying with Israel and wanting to help us but not one Liberal leader, till now, said one word! Six million Jews were annihilated in Europe—and I am asking you and my friends in the Liberal International, are you playing again neutrality between the aggressors and the defenders, or will the Liberal International have the courage to call the aggressors to withdraw and the others to help us.

The British Government declared a policy of embargo on arms knowing very well that Syria and Egypt are getting their arms from the Soviet Union and they do not need British arms while the arms for which we paid and were ready for shipment to us from Great Britain were stopped at the port.

The French Government issued a statement in sympathy with the aggressors. It is not quite clear to me till now what is the statement of our friend Walter Scheel in Germany, that Germany is not mixing and is not taking sides. I am writing now to Mr. Scheel to ask about this statement.

The only European leader who said a few courageous words was Willy Brandt, the German Chancellor.

Mr. President, you can understand from what I have written till now that I am very disappointed at the silence of the Liberal International. Thank God that we are now in a much better position than in the first days of the attack. I believe that Israel will survive and have a victory. If not we have no chance to live. We must win the war! But this letter is written to ask what Liberalism and struggle for peace and negotiations means?

I have written what I feel and I am waiting for an answer as quickly as possible.

With kindest regards,

Yours,

MOSHE KÖL"

The Controversial U.N. Resolution 242

Sheila Sumant

THE Security Council Resolution 242, dated 22nd November 1967, has been the object of a great deal of controversy. This Resolution is vague and the ambiguity of its wordings was probably intentional and meant to achieve a wide measure of agreement. Its vagueness was thus acceptable to all members of the Security Council.

The Security Council first considered two draft Resolutions: one jointly submitted by India, Mali, and Nigeria, and the other by the United States. Since these Resolutions were not unanimously accepted, two further draft Resolutions were submitted—one by the U.S.S.R. and the other by Britain. In the end, the British Resolution, which represented the consensus, was carried unanimously.

There has been a great controversy over the clause relating to Israel's withdrawal owing to discrepancies in the French and English versions of the Resolution. The controversy is not over the interpretation of the text but over the version of the Resolution itself! While the English text is identical with the original version of the British draft on which the Resolution was based, the French version is almost identical with the Resolution, and the draft Resolution, jointly submitted by India, Mali and Nigeria, which were not put to vote.

According to the well-established rule in international law, the interpretation of multilingual texts should be based on the working language in which they were drafted. Thus, in this case, the interpretation of the U.N. Resolution 242 should be based on the English draft.

According to the French version, the Resolution 242 implies withdrawal of Israel's armed forces from 'all occupied territories'. The English version, however, stipulates that Israel should withdraw its armed forces from 'territories occupied in the recent conflict'.

The Resolution 242 is only a 'recommendation' for the peaceful solution of conflicts as dealt with in Chapter VI of the U.N. Charter, and not a 'binding decision' which the Security Council can impose (according to Chapter VII of the Charter) when confronted with 'threats to the peace, breaches of peace and acts of aggression'. The Security Council's non-permanent members had agreed that the U.N. should act within the provisions of Chapter VI of the Charter. The Council had unanimously agreed on proceeding with the matter in accordance with Chapter VI of the Charter. The Nigerian delegate, Mr. Adebayo, had even remarked, "We hope that a decision under Chapter VI, such as we recommend, will be complied with genuinely by both parties so that there will be no question of anybody asking for action under Chapter

VII of this Charter." The very fact that the Resolution entrusted a Special Representative with the task of assisting the parties concerned to arrive at a settlement in keeping with its conciliatory spirit proves that the motive behind the Resolution was not to impose a 'binding decision'.

The Arabs differentiate between the first and the second part of the Resolution, and argue that the requirements under Article 1 demanding Israel's withdrawal constitute a Security Council Order while the proposals under Article 11 relating to freedom of navigation, territorial inviolability etc. are merely recommendations.

Now, the entire Resolution is an organic and indivisible whole. As such, its various parts cannot have different legal status, its various recommendations being interlinked and interdependent. The Arab interpretation is untenable and runs counter to the letter as well as the spirit of Article 1 which states, "The Security Council affirms that the fulfilment of the Charter principles requires the establishment of a just and lasting peace in the Middle East," and should include the application of the following two principles:

- (a) Withdrawal of Israeli armed forces from the territories occupied in the recent conflict;
- (b) Termination of all claims or state of belligerency, respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and its right to live in peace within *secure and recognised boundaries free from threats and acts of force*.

The second part of Article 1, which speaks of 'secure and recognised boundaries', presupposes agreement as to where they should run. Thus, the first part of the Article, relating to the withdrawal of the Israeli armed forces, cannot qualify as a Security Council Order. The Article is thus only a 'recommendation' for the peaceful settlement of the conflict. The wordings of the Resolution and the debates preceding it prove beyond doubt that the Security Council conceived the U.N. Resolution 242 as only a 'recommendation'. The author of the Resolution, Lord Caradon, has himself said that the Resolution is a balanced whole and must be considered as a whole.

The Security Council Resolution denounces only 'the acquisition of territory by war', but not military occupation under the circumstances of 1967. (For instance, India's occupation of the territories of West Pakistan in 1971 was only a military occupation and

not the acquisition of Pakistan's territory by war, and hence India cannot be denounced as an aggressor).

The preamble of the Resolution, while reiterating the injunction against the acquisition of territory by war, refrains from commenting on its military occupation. There is a fundamental difference between military occupation—until a peace treaty is signed—and acquisition of a territory's sovereignty. Military occupation does not entail any change in a territory's national status, but gives the occupier certain rights until a peace treaty is signed. The General Assembly's declaration of 24th October, 1970, has in fact upheld the legality of military occupation provided the force used to establish it was not in contravention of the U.N. Charter. Hence, Israel's military occupation of the Arab territories, pending the signing of a peace treaty, cannot be considered illegal.

The Arab Resolution—adopted at the Khartoum conference on 1st September 1967—of 'no peace, no recognition and no negotiations', and the Arab threats to annihilate Israel are in complete breach of the principles on which the United Nations is founded.

Article 1 of the Security Council Resolution clearly insists that Israel must withdraw her armed forces from occupied territories (not all the occupied territories) while the Arabs must end the state of belligerency against Israel and acknowledge her territorial integrity and political independence. These two pre-conditions for a just and lasting peace are interdependent. Further, if the text of the Resolution is studied carefully, it becomes obvious that the Resolution envisaged a withdrawal of Israeli forces to new and mutually agreed frontiers, but conceded Israel's right to live in peace within *secure and recognised boundaries free*

from threats or acts of force. The Resolution also aimed at the recognition of Israel by all the countries in West Asia. While the Security Council has stressed the need for an end to non-recognition, the Arab states have so far refused to recognise Israel. The withdrawal of Israeli troops thus centres on the demarcation of new boundaries which must necessarily be the result of an agreement between Israel and the Arab states. It is, therefore, high time that the Arab states recognise Israel and enter into direct negotiations with her in the Simla spirit of India.

Corruption—Soviet Style

IT should not be thought that the Russians are beyond seduction. They are not. They revel in it and will make it very clear that they expect to be bribed (off the record), since they have heard that bribery is a quaint old capitalist custom. Make no mistake about it, you cannot do business in Russia without extending all the old familiar perks to your contacts there. Of course they dare not ask for, or accept, money. But they will hint that there is nothing they can do to prevent you from giving them gifts, lavishing your expense account on them winning, dining and entertaining them. They like to travel too. A visit to Britain or Europe—"educational" of course—should be made as long and as enjoyable as possible. It may be their only trip abroad in their lifetime.

Courtesy: *Insight*, Hong Kong

IGOR SAMORAVICH SAYS:

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Campaign Against Torture

AMNESTY International, the wellknown non-party and non-official organisation devoted to the welfare and release of "Prisoners of Conscience", has begun a campaign for the abolition of torture. Signatures are being collected all over the world to an appeal addressed to the General Assembly of the United Nations calling upon it "to outlaw immediately the torture of prisoners throughout the world". The two Indian groups of The International, one in Bombay under the chairmanship of Mr. G. L. Mehta and the other in New Delhi under the chairmanship of Mr. M. C. Setalvad, have taken upon themselves the task of collecting a good many signatures to the appeal in India.

Apart from the signature campaign, Amnesty International is organising an international conference for the abolition of torture. The conference will be held in Paris on December 10 and 11. It is hoped that a few delegates from India will attend the conference.

The Universal Declaration of Human Rights has stated in Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". In spite of this clear prohibition, torture is practised in many countries against political and other prisoners. According to an enquiry made by Amnesty International in 139 countries: "They have some indication that in 63 countries the authorities use torture and of these they are satisfied that 34 use it as a regular administrative practice. There were only 26 countries which they were satisfied did not use torture at all."

Invariable

In the course of a report on torture in Brazil published by Amnesty International in 1972, it is stated: "There has been a growing tendency throughout the world for governments to authorise or condone the use of torture, or cruel, inhuman or degrading treatment. There are several countries where, within a period of a few years, the use of torture, at the outset sporadic and exceptional, has become an invariable part of any interrogation."

Torture of prisoners is prevalent in many countries like Brazil, Greece, Turkey, South Africa, Uruguay and North and South Vietnam. Torture of political prisoners was widely prevalent in South Russia in Stalin's days. It did not disappear thereafter and has in recent years taken the ingenious form of commitment of political prisoners to lunatic asylums.

The campaign started by the Amnesty International is thus very timely and deserves widespread support.

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Reviews

RAJAJI THE MAN

Thousand Days with Rajaji by Bimanesh Chatterjee. (Affiliated East-West Press Private Ltd., New Delhi. Rs. 20/-, pp. 136).

THIS volume is not a biography. Nor does the author claim it is one. It is anecdotal and to the extent that it offers an insight into Rajaji the man, it is a useful addition to Rajajiana.

A thousand days in a life span of 93 years is indeed a very small period. But the significance lies in the fact that these thousand days saw Rajaji rise to the highest position in the land even if he himself described his office of Governor-General as "a functionary without responsibility".

As someone who had numerous opportunities of observing Rajaji closely, I read the book with pleasurable anticipation.

The author Dr. Bimanesh Chatterjee who was Rajaji's Military Secretary both as Governor of Bengal and later as Governor-General mentions in the preface that the volume is based on his recollection of various anecdotes during the period he served Rajaji. As one familiar with Rajaji's phraseology I can say that, Dr. Chatterjee's memory has not failed him. The frequent use of the phrase "very well" for instance, was Rajaji's way of either accepting some fact or the other or of terminating a conversation. His barbed thrusts, the frequent resort to metaphors, his acidic comments made with a poker face and his quick repartee often with a twinkle in his eye (as when Dr. Munshi compliments Rajaji for being a wonderful host and the latter replies "It is easy to play a good host at others' expense!"), have all been faithfully brought out in this volume.

The author met Rajaji for the last time when he was in his 85th year and testifies that Rajaji "still appeared to be in his old form with an undiminished vigour of mind". This was equally true when Rajaji was in his 93rd year the last time I met him 6 months before he passed away.

When Rajaji left the Congress and later founded the Swatantra Party, there were critics who had many an unkind thing to say about him. He was a frustrated politician argued some, pointing to his having taken up the leadership of the Opposition. Rajaji could never be a mass leader, said some, because he was a cold person and disdained to come down from the olympian heights.

Mr. Chatterjee's anecdotes serve to refute many such uncharitable remarks.

Rajaji, writes the author, refused to "countenance hypocrisy" and was unable to "suffer fools and flatterers". Speaking at a banquet given in his honour by the Maharaja of Baroda, Rajaji praised the princes for giving

up their princedoms. "I should not let the honour go to Sardar Patel alone. I must give part of the honour to the princes themselves..." As Governor-General, Rajaji repeated these sentiments elsewhere. There were frowns in certain quarters. The Military Secretary drew Rajaji's attention to this. Rajaji asked, "is it difficult to be straightforward?"

To the Maharashtra Chamber of Commerce Rajaji said bluntly "People are not all that honest as they used to be when I was young. Not only the industrialists but everyone has deteriorated. We must restore our sense of human values, otherwise we will not get on nor shall we improve." Elsewhere he said "if we want society to control individual lives so as to produce general welfare, we must not depend only on the spy and the policeman. We must build up a spiritual life and a culture which makes a joy out of duty and acts as a law from within".

On English, Rajaji did not mince words. Speaking to the Hindi Prachar Samiti he asked "when the British went away did we pack up also the railway engines?" Corruption quickly followed independence. When his Military Secretary drew his attention to the black marketing of rice in the Capital, Rajaji observed sadly "shady dealings have begun already in the dawning days of independence."

Rajaji was a pragmatist. For isms he had no use. Whatever he considered to be in the interests of the individual were what he espoused. And these interests were not confined to politics or public life. As Dr. Chatterjee observes they ranged from "ambhibology to anthropology and from Zoroastrianism to Zionism". Thus it was that he could write with equal facility on Family Planning as on Fundamental Rights. The pages of his "Dear Reader" column in *Swarajya* are filled with advice on a bewildering array of issues.

Rajaji's interest in sports may not be known to many. His study in Calcutta's Governor's House overlooked the football ground and he is reported to have observed once after watching a football game "the shouting is the surest indication of an exciting point. Even without coming here I can tell from my study when a match has reached an interesting stage". Did Rajaji play football? Yes, in his school days with "improvised balls made of old rags or occasionally with round fruits, with a couple of loose bricks determining the goal mouths" which were "conveniently narrowed down at critical moments!"

An incident with an Akbar-Birbal flavour in the relations between Rajaji and his Military Secretary is worth recounting. Rajaji was travelling by train from Sealdah to Ranaghat to visit some refugee camp. Introduced to various officials at Sealdah Station Rajaji asked for "the most important person" and the Military Secretary produced him later—the driver of the train! Summoned before Rajaji the driver hesitantly extended his hand saying "my hands are not clean Your

Excellency". Grasping his hands Rajaji said, "I am glad they are not..... you have brought the train here dead on time" and turning to a minister he observed "now we have met the most important person, the dynamic man who moves us all while remaining seated!"

While seeing the Prime Minister off at Calcutta, airport Rajaji asked an ADC if tea and snacks had been provided for the journey. The officer affirmed it had been. But Rajaji persisted: "Will you make sure that it has been done?" Panditji said "But Rajaji, he is saying that it has been done, so why worry?" Rajaji was not to be put off; "when the links in the chain of responsibility are too many and much too thoughtless, they tend to get twisted and even broken, specially in the air of freedom as we have now. In all likelihood, the box has been taken inside, but the person who was assigned the task may not have checked to see whether food was inside!" "But how did freedom come in the midst of tea and tiffin?" asked Panditji. "It came when you became the Prime Minister and some of us started taking things easy." Light banter which concealed a great amount of truth.

Neither as Governor-General nor as Governor was Rajaji comfortable. As Governor he once said, "I feel like a caged bird. I no doubt get much more food and attention than what I actually need but the golden cage is a trifle too stifling. I cannot flap my wings properly."

Despite numerous requests Rajaji refused to write his autobiography. Nor did he encourage biographers. "If everyone starts excavating his experiences and purveying them as knowledgeable matters there will be no end to confusion..... even if they are put down in black and white faithfully they may be an inevitable projection of one's personality not altogether devoid of ego."

His views on putting up statues was equally firm. To a suggestion by an official for putting up a statue of Gandhiji, Rajaji asked "Can you give the names of all the personalities whose statues adorn the open space, east of Fort William?" The officer could not and Rajaji drove home his point "there you see; we do not want Gandhiji's name to lapse in the memory of future generations."

"One need not cultivate hypocrisy to win popularity", the author quotes Rajaji as observing on one occasion. And this more than anything else explains Rajaji's ultimate decision to quit the Congress. It was no overnight disillusionment that resulted in Rajaji's role as an Opposition leader in the last decade or two of his life. His disenchantment comes out in quite a few anecdotes contained in this volume. "We were faithful to a creed when we struggled for independence but when we have it in our palm we have become incapable of placing faith in our own friends and colleagues." The occasion for this pathetic com-

ment was the turning down of his proposal to convert the Governor-General's shooting range in Dehra Dun into a Sanctuary. "The real trouble is that someone has proposed that the sanctuary be named after me, and those who are concerned with the disposal of the matter are probably not happy over it" concluded Rajaji.

When Rajaji was relinquishing his office, the late Dr. B. C. Roy who had called on him observed, "But your services cannot be dispensed with now. I am sure they are not going to put you in the cupboard." Rajaji remarked, "I only hope that the cupboard in which they place me would not be labeled 'Poison'."

The Sardar died, Rajaji took office as Home Minister. His Military Secretary who was now functioning in the same office with the new President called on Rajaji and expressed surprise that he should have accepted a ministerial office. "After having occupied a lofty position do you think this arrangement would hurt my prestige or offend others' feelings? You should know my views on the utilisation of serviceable people. As long as monetary returns do not figure prominently there is no harm in time barred pensioners doing a spell of national service, if expected of them."

But the "political weather" of Delhi no longer suited Rajaji. The last conversation the author had with Rajaji and which the former relates in the third person and which explains Rajaji's total disillusionment is well worth reproducing. "With advancing age, he was pro-

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gressively realising how it was becoming common place to play ducks and drakes with passing principles. He confessed that he was disappointed. He was hoping to play the game in a fair field but to his dismay he had found great changes, not only among his mates, but in the game itself. He said he had no use for people who changed their views with the frequency of dhobi's washes and dropped their friends like hot bricks on the wayside." He told me, "When unforeseen and unexpected things come your way, you should be ready to absorb those shocks and be prepared for whatever sacrifice is required to uphold the truth."

For those who admired Rajaji and held him in high honour and esteem, this volume would make delightful reading. For his critics Dr. Chatterjee's book must be made compulsory reading.

S. V. RAJU

CRISIS IN INDIAN JUDICIARY

Supersession of Judges, edited by Kuldip Nayar (Indian Book Company, New Delhi 1973, price Rs. 18.00).

Crisis in Indian Judiciary by K. S. Hegde (Sindhu Publications, Bombay 1973, price Rs. 18.00).

THE appointment of Justice A. N. Ray as Chief Justice of the Supreme Court of India on April 25, 1973 may be described as the most unfortunate episode in the evolution of constitutional government in this country. For this fateful decision deliberately ignored the claims of three puisne judges whose competence and integrity cannot easily be questioned. It was a flagrant violation of a well-established convention in the judiciary, a deliberate attempt to inject politics into the judicial process. Things were never so bad even in the much-maligned days of foreign rule. Under the Government of India Act of 1935, which in some form provided the basis for the Constitution of India, the British Cabinet had the authority to decide on the appointment of the Chief Justice of the Federal Court. Yet when this authority was exercised and Sir Patrick Spencer was appointed successor to Sir Maurice Gwyer, the first Chief Justice of the Federal Court, the latter protested vehemently on the ground that this meant overlooking the claims of Justice Varadachariar, then seniormost puisne judge. The letter which he wrote to Lord Linlithgow breathes a spirit of concern for constitutional propriety. But that was in the heyday of the Raj—the rulers of India are now fully liberated from such constitutional restraints.

"The letter killeth" says the Bible and at one stroke the independence of the judiciary was stabbed by a literal interpretation of constitutional provisions. But what about established convention? This was easily got over by invoking the *Fourteenth Report of the Law*

Commission. Being the "Fourteenth Report", it had been conveniently shelved for fourteen years and allowed to gather dust. Now it was retrieved from oblivion and made use of in a manner which can scarcely be described as 'honest'. Its many observations regarding judicial independence and integrity were of little interest to either the Minister of Law and Justice or to Kumaramangalam, doubtless the principal author of the conspiracy. But its observation that seniority need not be the sole criterion in the selection of the Chief Justice caught their attention and they now made use of it. As Palkhivala trenchantly remarks, "The Devil could make out a more plausible case for citing the scriptures than the Government has made out for relying on the Law Commission's Report."

From the beginning the Government's decision was kept a well-guarded secret, not even the retiring Chief Justice, S. M. Sikri, had any inkling of what was conspiring. Shelat, Hegde and Grover were taken completely by surprise. It was part of the grand strategy to change the character of the Supreme Court and it was masterminded—so it seems for the present—by the late Mohan Kumaramangalam. It seems incredible that it had to be the Minister for Steel rather than the Minister of Law and Justice, who was to become the chief spokesman for the Government in Parliament. In his speech, included in Kuldip Nayar's useful volume, he lampooned Hegde with a venom which suggests some deep-seated personal animosity. He cited practices in other countries and spoke with the air of one knowledgeable in the field of judicial practices. One is intrigued at the spectacle of this ex-Communist citing Roosevelt's attempt to pack the court in the difficult years of the New Deal era. For everything else the United States could be denounced but evidently American history has its uses for the Communist! Torn of its rhetoric and artful appeal to the gallery, Kumaramangalam's speech made no significant contribution to the understanding of the nature of the judicial process and its requirements in a democratic country. However, one thing it made clear, namely, the intentions of the Government's policy. In unmistakeable terms Kumaramangalam stated that the Government wanted a Supreme Court which would avoid confrontation with the Executive. This was the core and the kernel of his progressive social philosophy, and it had been ignored by that 'incalcitrant' trio, Shelat, Hegde and Grover.

Kuldip Nayar's edited volume *Supersession of Judges*, examines the arguments for and against the Government's decision. Apart from Kumaramangalam, the only major exponent from the Government's side is the Minister H. R. Gokhale and he presents his case in a rambling and somewhat unorganized manner. But he speaks with restraint. Nor for him the exuberant rhetoric and contrived sarcasm which makes Kumaramangalam's speech, lively though

far from illuminating. The criticism is marshalled by Shelat, Hegde and Grover, by M. C. Chagla and N. A. Palkhivala. Chagla writes about the unfortunate consequences of having a committed judiciary. "I am told by reliable sources", he writes, "that junior judges of High Courts have started making speeches and writing articles giving expression to ultra-socialistic views so as to catch the eye and the ear of the authority that will ultimately select a Chief Justice when a vacancy arises.... I was shocked and horrified to learn that recently a High Court Judge, when the bank nationalization case and the privy purses case were cited before him, shrugged his shoulders and told counsel that the validity of these judgements had been considerably shaken in view of the fact that the judgments were delivered by judges who were committed to vested interests. When he was told that those judgments had not been overruled and were binding on him, he said that in the present context they could be safely overlooked." Even a single instance of this kind provides unimpeachable evidence to show the extent to which the rule of law has been eroded in the country. From this point of view, the reader would be interested in reading Mrs. Gandhi's letter to Jayaprakash Narayan and the latter's rejoinder. One of the demagogic arguments in the armoury of the progressive suggests that a Constitution which imposes restrictions on the

policy-maker, must eventually yield and give way to the people's will. This is a populist slogan contrary to the spirit of limited government. Jayaprakash Narayan writes: "The argument that no Constitution can stand in the way of the people's will, which more than not means the will of a minority of determined and ruthless political manipulators usually backed by the force of arms, betrays defeatism and confusion of thought on the part of those arguing in this manner, or it heralds the infiltration of trojan horses into the ranks of democratic socialists."

Only one piece in this book is disappointing. This is H. P. Ranina's summary of the judgment in the case of *His Holiness Keshavananda Bharathi v. State of Kerala*. It not only fails to do justice to the arguments on both sides but the language in which the summary is given is often ungrammatical and clumsy.

I read K. S. Hegde's *Crisis in Indian Judiciary* with special interest because he was one of the victims of the Government's policy but even more because of Kumaramangalam's caustic indictment of his social philosophy which the reader is told was an impediment to India's progress. This slender book is a somewhat hurried rejoinder to the charges levelled against him. He describes the politics behind the supersession and makes a powerful plea for the independence of the judiciary. Few people would disagree with him



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when he says that the crisis in the judiciary is part of a larger crisis in Indian democracy itself. Hegde is conscious of the fact that his book is likely to be looked upon as 'partisan' in view of his own personal involvement in the unfortunate episode which took place on the 25th of April. He writes very frankly, "In the episode, which is the theme of this book, neither Kumaramangalam nor I can claim to be neutrals. In the very nature of things, it is not possible for me to refrain from expressing my views on several matters connected with the supersession." Yet the remarkable fact, it appears to me, is the objectivity with which he analyses the implications of the process by which the new Chief Justice of the Supreme Court of India was appointed. In his chapter on "The Supreme Court and the People" he shows how concerned the Court has been with the liberty of the citizen and the needs of social justice. These decisions necessarily meant restrictions on the Executive and this is precisely what the rulers have resented. In a fine passage which he quotes from K. Subba Rao, the former Chief Justice says: "The judiciary, therefore, gave real support to the legislature in its attempt to bring about a new social order where there will be justice, political, social and economic, in terms of the Directive Principles of the Constitution. But it prevented unconstitutional action by the legislature and the arbitrary action of the Executive and directed them through the channels of democracy and the rule of law. For, under the Indian Constitution, means is as important as the end. Indeed, both are inseparable parts of the social change. This judicial check, the men in power do not like." Hegde's own role in several Court decisions was in keeping with the best traditions of the judiciary.

It is important to remember that the three judges who were superseded had taken positions against the Government's stand in the Fundamental Rights Case. In fact, as we learn from Nayar's book, Chief Justice Sikri was inclined to believe that even when the case was on, judgments which were circulated among the judges found their way directly to the Government. Politicians in the ruling party were carefully designing and evolving their strategy of a counter-offensive. They calculated the possible reactions and rightly anticipated the resignation of the judges concerned. The Minister, H. R. Gokhale, is reported to have sounded some persons on the possible repercussions of the decision and observed that if Shelat resigned it did not matter because he had only a few days in office in any case; Hegde would resign and get a job with Tata and as for Grover, his reactions were not of much significance. What an attitude to adopt towards judges in the highest Court of the land! Kumaramangalam told Kuldip Nayar that Sidhartha Shankar Ray, H. R. Gokhale and he had discussed the matter several times and concluded that Hegde was a Congress (O) man in touch with the Syndicate and therefore simply

could not be made Chief Justice of India. Hegde "was not much of a lawyer, but he was a brilliant judge though of a different philosophy. We could not simply have him. And once we decided to supersede him, then why should we have a lesser person like Grover?" The fact of the matter is that Hegde had become *persona non grata* with the Government and had to be got out of the way if the country was to be taken to the socialist haven promised by the progressives of the ruling party.

I have said that Hegde's book is a 'hurried' rejoinder but that does not detract from its importance. It is a valuable contribution to the current controversy and a commentary on the times in which we live.

S. P. AIYAR

EUROPE & THE US: A GERMAN VIEW

Europe and United States by Karl Kaiser. (Publishers; Columbia Books, Inc., Washington, on behalf of Aspen Institute of Humanistic Studies, New York and Aspen, U.S.A. Price \$2.50 (Paper), \$3.95 (Cloth).)

THE prolonged U.S. involvement in Vietnam and the progressive decline of the American Dollar had a cataclysmic effect upon the American character. A wave of isolationism swept through the U.S. which also influenced the policy makers in the White House and the State Department. The economic measures announced by the Nixon administration in August 1971 were a clear departure from liberal trade practices. Even though this was a part of the process to save the U.S. dollar it underlined American aloofness and was a blow against the emerging structure of economic international interdependence. An attempt is now being made to design a more moderate US role in world affairs.

Rightly or wrongly an American conclusion emerged that Japan and Western Europe, in that order, were largely responsible for the U.S. trade deficit.

According to the Americans, their trade deficit is largely due to weak export performance and U.S. military costs abroad. For these reasons they demand better access for U.S. goods from their European partners and also expect the latter to contribute more generously to U.S. military costs.

There are 300,000 U.S. soldiers stationed in Western Europe. Some Europeans, notably the French, argue that it is as much in the interest of America to maintain these troops and that these U.S. soldiers would be reduced to the status of mercenaries if Western Europe accedes to the U.S. demand. There is also considerable resentment against American attempts to extract concession on the trade and monetary front through a threat of troops withdrawal. The acrimony behind this controversy has acquired such sharpness

that a French commentator has gone so far as to suggest that the U.S. should be asked to determine the level of troops necessary for the defence of American interests in Europe, even if it be less than the present level. Reduction of troops should be phased out. Since the troops that remain on European soil are there to defend U.S. interests the latter should not ask even a penny for their upkeep. Such an attitude is neither rational nor reasonable. Despite its vast industrial capacity and remarkable wealth the fact remains that Western Europe is not capable of defending itself on its own. All Europeans, including the French, have underlined the imperative necessity of U.S. troops to Western Europe. "We need the troops but the American trade deficit is none of our business," such an attitude does not make much sense.

What is the solution? Prof. Kaiser argues that even if it were possible for the United States to stage a withdrawal from world affairs, Western Europe will have to be at the bottom of the list. This is because it is likely that two basic interests which have guided American Foreign Policy will continue to shape her future stance as well. First, the U.S. will not permit any area, vital to the international power structure, to fall within the influence of the Soviet Union.

Secondly, the preservation of stability in such an area is vital to American interests. It is therefore imperative for the United States to participate in the defence of Western Europe. Those Americans who understandably argue for a reduction of the U.S. role in the world, in the light of the Vietnam tragedy, must face a direct question. Does the redefinition of the U.S. role mean that Western Europe should be left to fend for itself? Are they willing to face problems of instability in this critically important area of the world? A mutually acceptable solution would be for Europe to concede on the monetary and trade front what it refuses to yield on troops withdrawal and other military issues.

Prof. Kaiser argues for the creation of a West European defence structure either within or outside the Community. This he thinks will go a long way towards solving the security problems and may in the process bring about a political union. Political union still remains a nebulous concept which is also one of the reasons for American coolness towards the Community. The author also points out that the hostility of the Soviet Union towards the Community can be neutralised if W. Europe is politically united.

This interesting essay by Prof. Kaiser becomes all the more impressive for its clear thinking and brevity.

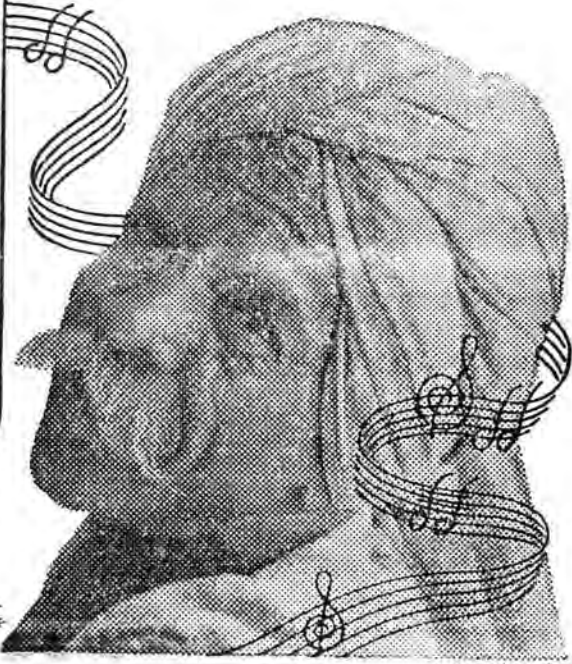
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ELEVEN YEARS TO GO? - Continued from page 2

reminding us that the author of this Constitution, Bukharin, was tried as a criminal and put to death within a year of its adoption. There is, then, a Constitution, and that Constitution embodies a Bill of Rights, guaranteeing, if that is the word, to the citizens the rights of free speech and free press, of assembly and religious worship, and even lays down that the judges are independent, *subject only to the law*. There is, understandably, no mention of any right to own property, but, that apart, the Soviet citizen would seem to enjoy nearly the same fundamental freedoms as his American or British counterpart. Or does he?

Mr. Jethmalani then proceeds to show how utterly meaningless these constitutional safeguards are rendered by those last five words I have italicized: *subject only to the law*. For the law in Russia can be, and often is, shaped or twisted to conform to Party aims by the Supreme Soviet or even by a decree of a much smaller body a Party bosses, the Presidium.

The Russian Supreme Court has no right to declare a law unconstitutional. In any case, the right to free speech and a free press is reduced to an absurdity because no one is permitted to criticize the policies and programmes of the Government. As to the right of assembly, "any crowd that gathers for any purpose without prior official permission is subject to criminal prosecution." There is nothing complex about the anatomy of Soviet justice. Here the judges are subordinate to the legislature which itself is subordinate to the Party. Even lawyers cannot afford the luxury of independence because after all they too must bear in mind that loyalty to the Party comes before any obligation to the client, always and every time.

Under Soviet communism, Dame Justice is not a matronly lady, blindfolded and holding up the scales of impartiality, but a hard-boiled party moll who is alert and wide-awake; a guardian, not of the independence of the judiciary but of the Communist Party.

Final Analysis

Finally, Dr. Wolfe, a lifelong student of communism, reflects in a scholarly fashion on "The Origins and Nature of Totalitarianism." His diagnosis of the political ills of the young republics of Asia is their political immaturity, the absence of an awareness that real democracy does not lie wholly in the guarantees of the constitution, but "in the spirit of laws, in the tradition or 'constitution' of the people." He asserts that there can be no true democracy unless there is also "the underlying tradition, the climate of opinion, the sense of the need for limiting one's self, one's party, and the state."

In the absence of this maturity, there is an ever

present danger that the State itself might take the bit between its teeth and set out to control everything, "denying autonomous aims or existence to all non-state organizations." The State, which means the party in power, then seeks to arrogate to itself an absolute sovereignty, a divine right, which is every bit as dangerous as the divine right of kings. It is against the danger of such a total control of the individual by the party that the fundamental rights act as a shield, so that, in the famous words of Chief Justice Hidayatullah, "we may not walk in fear of democracy itself."

But that danger, we are told, is not present in our situation. Mrs. Gandhi herself has said in so many words that her party "is not going towards communism." From anyone less certain of her supremacy in her own party, or less clear-sighted about her place in the destiny of India, such an assurance, in the face of the mounting evidence to the contrary, would ring hollow. There are, according to one reckoning, as many as seventy ex-communists or crypto-communists in the Congress Parliamentary Party, and all of them are doubtless pegging away with molelike industry to bring about precisely what Mrs. Gandhi says her Party will not do. But can even Mrs. Gandhi halt her Party's bareback gallop towards the socialistic goals she has set for it before it has crossed the point of no return?

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—Tennyson.

Nothing, indeed, succeeds like success. There is every reason to congratulate the Government of India on its good fortune. Much the greatest secret weapon in its armoury is Luck.

—Public Opinion Survey, August 1973.

Intransigence is not an Israeli monopoly nor reasonableness a dominant trait in Arab policy.

—Thomas Griffith in *Time*, October 29.

The deadliest enemy that Israel faces in the current fighting in the Middle East is Soviet military technology.

—*Time*, October 22.

It doesn't matter if the Israelis eventually counter-attack and drive us back. What matters is that the world now no longer will laugh at us when we threaten to fight.

—Arab journalist quoted in *Time*, October 22.

The Arabs are a difficult people to befriend. Talking unity under a wide assortment of corrupt, shallow and somewhat naive coteries of leaders, they are a living advertisement for disunity.

—Romesh Thapar in *Economic And Political Weekly*, October 20.

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The issuing of statements of blind support to Arab actions is also not going to win us respect either in Arab policy-making or elsewhere.

—Romesh Thapar in *Economic And Political Weekly*, October 20.

To us peaceful coexistence suggests the lion lying down with the lamb (or the bear). To the Russians it means 'intensification of the struggle of the working class, of all the Communist parties, for the triumph of Socialist ideas.' Peaceful coexistence, in fact, is the Russian for cold war.

—Sir William Hayter quoted in *U.S. News & World Report*, September 24.

I have got petroleum and I cannot drink it... I know that I can exploit it without blackmailing the rest of the world.

—The Shah of Iran quoted in *The Times of India*, October 25.

Before long, someone in Richard Nixon's shrinking palace guard will surely tell him that he must listen as the country sends him the same cry that went across the floor of the House of Commons to Neville Chamberlain in 1940: 'In the name of God, go'.

—Anthony Lewis quoted in *The Times of India*, October 23.

They (the Arabs) have said that Israel initiated the hostilities. But no disinterested observer can accept this proposition.

—Girilal Jain in *The Times of India*, October 9.

Some sort of romance is taking shape between the Americans and the Russians, so that together they will make a better world without wars, and everyone will have it good.

—Prime Minister Golda Meir in *The Indian Express*, October 31.

When a clam and a snipe are locked in a struggle only the fisherman benefits.

—Premier Chou En-Lai in *The Times of India*, October 29.